(new) 9515

F CALIFORNIA
NDARD AGREEMENT — APPROVED BY THE ATTORNEY GENERAL
REV.5-91)

CONTRACT NUMBER	AM. NO.
CTA - 02007	
TAXPAYER'S FEDERAL EMPLOYER IDENTIFICATION NUMBER	

EMENT, made and entered into this 23 rd day of May, 2003
State of California, by and between State of California, through its duly elected or appointed, qualified and acting

E OFFICER ACTING FOR STATE	AGENCY
tive Officer	California Tahoe Conservancy

, hereafter called the State, and

CTOR'S NAME
y of El Dorado
, hereafter called the Contractor.

ESSETH: That the Contractor for and in consideration of the covenants, conditions, agreements, and stipulations of the State hereinafter expressed, ereby agree to furnish to the State services and materials as follows: *(Set forth service to be rendered by Contractor, amount to be paid Contractor, or performance or completion, and attach plans and specifications, if any.)*

1. Scope of Agreement

The California Tahoe Conservancy (hereinafter "Conservancy"), acting pursuant to Section 66907.7 of the Government Code and its resolution of May 23, 2003, hereby grants to El Dorado County (hereinafter "Grantee"), a sum not to exceed one million seven hundred sixty-six thousand three hundred dollars ($1,766,300), subject to the terms and conditions set forth below. These funds shall be used for the Apalachee Phase III Erosion Control Project (hereinafter "the Project(s)", as further described in the Conservancy staff recommendation of even date with the above resolution and attached hereto as Exhibit A.

TINUED ON _____ SHEETS, EACH BEARING NAME OF CONTRACTOR AND CONTRACT NUMBER.

e provisions on the reverse side hereof constitute a part of this agreement.
ITNESS WHEREOF, this agreement has been executed by the parties hereto, upon the date first above written.

STATE OF CALIFORNIA	CONTRACTOR
CY fornia Tahoe Conservancy	CONTRACTOR *(If other than an individual, state whether a corporation, partnership, etc.)* County of El Dorado
J SIGNATURE)	BY (AUTHORIZED SIGNATURE) ▷
TED NAME OF PERSON SIGNING nis T. Machida	PRINTED NAME AND TITLE OF PERSON SIGNING
cutive Officer	ADDRESS 360 Fair Ln. Placerville, CA 95667

JNT ENCUMBERED BY THIS JMENT 1,766,300	PROGRAM/CATEGORY (CODE AND TITLE)		FUND TITLE	*Department of General Services Use Only*
R AMOUNT ENCUMBERED FOR CONTRACT 0	(OPTIONAL USE)			
INT ENCUMBERED TO ,300	ITEM 3125-101-0005	CHAPTER 379	STATUTE 02	FISCAL YEAR 02/03
	OBJECT OF EXPENDITURE (CODE AND TITLE) 10600			
ereby certify upon my own personal knowledge that budgeted funds e available for the period and purpose of the expenditure stated above.		T.B.A. NO.	B.R. NO.	
NATURE OF ACCOUNTING OFFICER			DATE	

☐ CONTRACTOR ☐ STATE AGENCY ☐ DEPT. OF GEN. SER. ☐ CONTROLLER ☐

The Grantee hereby agrees to complete the Project(s) in accordance with:

(i) the terms and conditions of this Agreement;
(ii) the Project Schedule(s) as set forth in Exhibit B; and
(iii) the Final Project Plans and Specifications approved by the Executive Officer of the Conservancy ("the Executive Officer") pursuant to the paragraph entitled "Final Project Plans and Specifications" below.

The Grantee shall at all times exercise responsibility over the design and implementation of the Project(s).

2. Incorporation of Documents by Reference

The following exhibits and other documents are incorporated by reference into this Agreement and made a part hereof:

(a) Exhibit A, Conservancy Staff Recommendation containing the Conservancy board resolution of May 23, 2003;
(b) Exhibit B, the Project Schedule(s);
(c) Exhibit C, Grantee's List of Assurances;
(d) Exhibit D, Request for Disbursement Form;
(e) Exhibit E, Mandatory Insurance Provision; and
(f) Exhibit F, Drug-free Workplace Certification Form STD-21.
(g) Exhibit G, Proposition 12 Sign Guidelines

In the event of any inconsistency between or among the main body of this Agreement and the above documents, the inconsistency shall be resolved, except as otherwise provided herein, by giving precedence in the following order: (1) Conservancy Resolution; (2) the body of the Agreement; (3) the Final Project Plans and Specifications approved by the Executive Officer; (4) the Project Schedule(s); (5) the Operation and Maintenance Guidelines; (6) Conservancy Staff Recommendation; (7) Grantee's List of Assurances; (8) the Mandatory Insurance Provision; (9) the model Request for Disbursement Form; and (10) the Drug-free Workplace Certification.

3. California Conservation Corps (CCC)

The Grantee agrees to utilize the labor of the CCC in the implementation of the Project(s) where such use is feasible and in the best interests of the Project(s) as determined by Grantee.

4. Project Plans and Specifications

Within the time periods shown in the Project Schedule(s) in Exhibit B, the Grantee agrees to consult with Conservancy and other appropriate agencies with respect to the design of each project prior to preparation of preliminary plans, and to submit a water quality monitoring program, detailed preliminary plans, Final Project Plans and Specifications, and other specified work products to the Executive Officer for his review and approval. Said approvals (a) shall be

by way of a written determination that said items are consistent with this Agreement, and (b) shall be a precondition of Grantee's (i) advertising for construction bids; (ii) entering into agreements with the California Conservation Corps (hereinafter "the CCC"); and/or (iii) undertaking construction where no contractors are to be hired.

Upon approval, the Grantee shall initiate the water quality monitoring program in order to obtain data on site conditions both before and after construction of Project improvements.

Project Plans and Specifications (hereinafter "the Final Plans") for each project shall include:

(a) construction plans and specifications which have been certified by a licensed engineer, or approved by the Grantee's Director of the Department of Transportation;

(b) a detailed budget for the Project which shall include the estimate of the engineer or other official listed under subdivision (a) above for constructing the Project based on the Final Plans ("engineer's estimate"), plus design and administrative costs, water quality monitoring costs, and any other related expenditures (hereinafter "the Project Budget"). The engineer's estimate shall also itemize the cost of any work to be performed by the CCC. If funds other than Conservancy grant funds are to be applied to the Project, the estimate shall indicate how the funds from the various funding sources will be allocated to the listed costs. If the Final Plans differ substantially from either the estimated budget or the conceptual plans in Exhibit A, or the preliminary plans, a written explanation of the reasons for such differences shall accompany the Final Plans;

(c) a revised Project Schedule, if different from that in Exhibit B;

(d) a description of the planned involvement of the CCC in the Project or Grantee's written determination stating the reasons why the participation by the CCC is not feasible or is not in the best interest of the Project;

(e) the wording and location of all signs to be erected on the Project site(s) pursuant to the paragraph entitled "Signing" below; and

(f) any other items not listed above which are contained in the final bid package.

If prior to the award of any construction contract, it is determined that project costs will exceed available funding for a Project, the Grantee may redesign the Project and eliminate any discrete component, to be mutually agreed upon, which cannot be constructed due to lack of funding.

The Grantee will be required to notify the Conservancy's project manager or his or her designee prior to authorization of any change to the approved plans and specifications or to the construction contract bid amount. The Grantee is required to obtain written approval from the Conservancy's Executive Officer or his or her designee if:

(a) the change would alter the original function or intent of the approved plans and

specifications; or
(b) any bid item is increased or decreased by more than 15%, or
(c) a change order exceeds $5,000 or 3% of the construction contract bid amount, whichever is smaller.

The Grantee will be required to obtain oral approval from the Conservancy's Executive Officer or his or her designee for any other change.

5. Other Contractors

Nothing in the contract documents shall create any contractual relationship between any third party contractor and the Conservancy.

6. Signing

For each major segment or element of a Project, the Grantee shall in accordance with the Final Plans, erect and maintain interpretive signs if proposed, as well as signs which identify the Project and the respective roles of the Conservancy and the Grantee and acknowledge the funding assistance from the Conservancy. Projects funded by "The Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000" must comply with the sign guidelines set forth in Exhibit G.

7. Conditions Precedent to Construction and/or Disbursement

In addition to any other conditions contained hereinabove, no construction of an individual project shall be undertaken until written evidence has been provided to the Conservancy:

(a) that each contractor has furnished a performance bond in favor of the Grantee, in the following amounts: for faithful performance, one hundred percent (100%) of the contract value; and for labor and materials, one hundred percent (100%) of the contract value;

(b) that all permits and approvals necessary to begin construction under applicable local, State and Federal laws and regulations have been obtained;

(c) that Grantee has complied with the requirements set forth in the paragraph entitled "Insurance", below; and

(d) that Grantee has obtained ownership or sufficient control of the Project site to ensure implementation and maintenance of the Project.

If, following the request for contractor bids, the Project budget does not accurately reflect the allocation of itemized Project costs, the Grantee shall submit for written approval by the Executive Officer a revised Project budget. No funds shall be disbursed until the revised budget has been approved.

8. Notification

As early as possible prior to the commencement of construction of each individual project, Grantee shall notify the Conservancy of the probable construction start-up date.

9. Final Report

Upon completion of each individual project, Grantee shall supply the Conservancy with evidence of such completion by submitting a Final Report which includes:

(a) A notice of completion or inspection report approved by the Grantee's Director of the Department of Transportation, certifying completion of the Project according to the approved Final Plans;

(b) "As built" drawings of any substantial improvements erected on the Project site(s);

(c) Photographs (prints and slides) of the completed Project site(s), with labels or annotations showing dates of photographs and briefly describing the subject of each picture.

(d) Water quality monitoring data collected to date and an analysis of the significance of this data in regard to the effectiveness of the site improvements in improving water quality; and

(e) Operation and Maintenance Guidelines mutually agreed to in writing by Grantee and the Conservancy.

10. Annual Water Quality Monitoring Reports

In addition to the monitoring report submitted with the final report, Grantee shall submit an annual monitoring report one year and two years after the completion of construction of each individual project. Annual reports shall present the data collected during the previous year and an analysis of the data's significance in regard to the effectiveness of the control measures in improving water quality. Variations in the data, if any, and possible reasons for the variations shall also be discussed. Annual reports shall also discuss the cumulative significance of all data collected since the initiation of the Project and shall include annotated photographs of the site taken during the past year.

11. Expenditure of Funds and Allocation of Funding Among Budget Items

Except as otherwise provided herein, the Grantee shall expend funds in the manner described in the individual Project budget approved by the Conservancy for each individual project. The dollar amount of an item in a Project budget may be increased by up to ten percent (10%) through reallocation of funds from another item or items, without approval by the Executive Officer; however, the Grantee shall notify the Conservancy in writing at the time of making any such reallocation, and shall identify both the item(s) being increased and those being decreased.

Any increase of more than ten percent (10%) in the amount of an item must be approved in writing by the Executive Officer. The total amount of the grant may not be increased except by formal amendment of this Agreement. Upon receipt of satisfactory documentation that the sediment reduction efficiency standard will be met for all Projects under this Agreement, and upon written approval of the Executive Officer of the Conservancy, project funds may be reallocated between individual projects.

12. Costs and Disbursements

Subject to the Paragraph entitled "Conditions Precedent to Construction and/or Disbursement" the Conservancy agrees to disburse to the Grantee, in accordance with the Project Budget approved by the Conservancy (or in accordance with Exhibit A, if an invoice is processed prior to the receipt and approval of the Project Budget), a total amount not to exceed one million seven hundred sixty-six thousand three hundred dollars ($1,766,300).

To meet appropriation time limits and monitoring requirements, the final invoice must be submitted on or before May 2007.

With the exception of advances of grant funds as provided for below, disbursements of grant funds shall be made incrementally, as separate components of the Project are satisfactorily completed, and shall be on the basis of costs incurred, less then percent (10%) to be withheld from all invoices amounts (including amounts previously advanced) other than amounts actually paid to Grantee's construction contractors where the contractors are subject to ten percent (10%) withholding by the Grantee. Since funds are not withheld from advances, the amounts withheld from an invoice that follows an advance could exceed ten percent (10%). Upon substantial completion of the Project, the amounts withheld may be reduced by the Conservancy to not less than five percent (5%) of the advanced grant amount. The remaining amounts withheld shall be disbursed upon (1) Grantee's satisfactory completion of the Project and submittal of a Final Report and a fully executed final Request for Disbursement substantially in the form of Exhibit D; and (2) final inspection of the Project site(s) and approval of the completed Project by the Conservancy's designated representative(s).

Upon award of a grant, Grantee may request an advance of up to 90% of the amount set forth in the Project Budget for design and administration. To request an advance, the Grantee shall submit: (1) a letter stating the amount of the advance requested signed by a person authorized by the Grantee to request an advance, and (2) a copy of the approved budget for the project.

After a design and administration advance:

(a) The Grantee shall submit reports at least quarterly showing expenditures from the advanced funds. This documentation shall be the same as that required for submittal of invoices, except that a Request for Disbursement form will not be included.

The Grantee shall request disbursement not more often than monthly, by filing with the Conservancy fully executed "Request for Disbursement" forms which contain:

- the invoice number (up to 14 characters) which contains a two-letter abbreviation of the project name, and the sequential number of the invoice (starting with 1) (e.g., GB1, for invoice #1 for the Golden Bear project). The Grantee may also include its own project number in the invoice number (GB1-95133);
- Grantee's name and address;
- the number of this Agreement (e.g., CTA-95025);
- the date of the submittal;
- the amount of the invoice;
- contact person and phone number;
- an itemized description of all work done for which disbursement is requested; and
- the signature of an official authorized by the Grantee to sign such invoices certifying that the invoiced work has been completed.

Additionally, each form shall be accompanied by:

-- any supporting invoices or other source documents from contractors hired by the Grantee to complete any portion of the Project(s) funded under this Agreement; and

-- documentation of the completion of the portion of the Project for which disbursement of grant funds is requested (such as design drawings, specifications, hydrologic calculations, site survey or inspection notes, etc.).

If Grantee receives an advance of grant funds, additional grant funds for construction shall not be disbursed until all advanced funds have expended. Grantee's first request for disbursement after an advance shall document all expenditures of previously advanced grant funds.

Failure to submit a completed Request for Disbursement form, with all necessary supporting documents, shall relieve the Conservancy of any obligation to disburse funds to the Grantee until such time as the deficiencies are corrected.

Conservancy will make best efforts to forward each completed and approved Request for Disbursement form to the State Department of General Services or to the Office of the State Controller, as the case may be, within ten (10) working days of receipt by the Conservancy.

13. Term of Agreement; Completion Date; Project Schedule

This Agreement shall take effect upon the Conservancy's receipt of one or more original completed copies signed by the authorized representatives of both parties and the Conservancy's accounting officer, together with a certified copy of Grantee's resolution authorizing Grantee's execution of this Agreement.

(b) The Grantee shall submit preliminary and final draft plans and specifications to the Conservancy's project manager or his or her designee for written comments and authorization to proceed to the next stage of plan and specification preparation.

After Grantee awards the contract(s) for the construction of the Project(s), but not more than thirty (30) days prior to the start of construction, Grantee may apply for an advance of fifty percent (50%) of the amount of the Conservancy's share of the construction contract(s) awarded plus fifty percent (50%) of other construction costs described in the Conservancy-approved final budget.

To request an advance of grant funds, Grantee shall submit the following items:

(a) A letter identifying the amount of the advance being requested signed by a person authorized by Grantee to request such an advance;

(b) The bid schedule of the contractor(s) awarded the construction contract(s);

(c) Approved final plans and specifications, and

(d) Grantee's notice of award of construction contract.

At least 30 days after the request for a 50% construction advance, the Grantee may request, based upon a demonstrated need, a second construction advance for up to an additional forty percent (40%) of the amount of the Conservancy's share of the construction contract(s) awarded plus forty percent (40%) of other construction costs described in the Conservancy-approved final budget upon:

(a) satisfactory completion of a substantial portion of the work for which the initial advance was made;

(b) submittal of documentation (invoices, etc.) showing expenditure of a substantial portion of the initial advances; and

(c) documentation that fully explains why an additional advance is necessary (such as a projected deficit in Grantee funds and lack of other funding to cover the deficit).

Except for a second construction advance, if Grantee receives and advance of grant funds, additional grant funds for construction shall not be disbursed until all advanced funds have been expended. Grantee's first request for disbursement after the advances shall document all expenditures of previously advanced grant funds. In the event any portion of the advanced funds are not needed to construct the improvements for which the funds have been advanced, these funds shall be returned by Grantee to the Conservancy on or before the date for completion of construction.

The term of the Agreement shall run from the effective date through a period extending twenty (20) years from the date of completion of construction of all erosion control Project improvements for each individual project, unless otherwise terminated or amended as provided herein.

The Grantee agrees to complete construction of each individual project by the completion date(s) set forth in the Project Schedules ("the Completion Date(s)"). For good cause shown, the Completion Date(s), as well as any dates set forth in the Project Schedule, may be extended by the Executive Officer upon written request by the Grantee. Such extension shall not be unreasonably denied.

Prior to completion of acquisition or construction of site improvements, as the case may be, for any discrete component of a project, either party may indicate its intent to terminate its obligations under this Agreement with respect to that component, for any reason, by providing the other party with sixty (60) days' notice in writing.

In the event of termination by the Conservancy, the Grantee agrees to take all reasonable measures to prevent further costs to the Conservancy under this Agreement, and the Conservancy shall be responsible for any reasonable and noncancellable (binding) obligations incurred by the Grantee in the performance of this Agreement until the date of actual termination, but in any case not to exceed the undisbursed balance of funding authorized in this Agreement.

If, other than for reasons beyond Grantee's control, Grantee fails to design and construct the Project improvements in accordance with this Agreement, or fails to fulfill another material term or obligation of this Agreement, Grantee shall repay to the Conservancy all amounts disbursed by the Conservancy hereunder for any project, except amounts for Project improvements which have been installed and which continue to serve a useful function in controlling soil erosion. For the purposes of this paragraph, the "material" terms shall consist of the requirements of the "Operation and Maintenance" and "Assignability" sections of this Agreement. The Conservancy may, in its discretion, waive such repayment, in whole or in part, on the basis of Grantee's written statement of reasons. If the Executive Officer or his designee does not approve such waiver, the matter shall be referred to the Conservancy's governing board for its decision.

Following notice of intent to terminate, the Conservancy and the Grantee shall enter into a written termination agreement establishing the effective date for termination of an individual Project or the Projects, as the case may be, the basis for settlement of any outstanding obligations, and the amount and the date of payment of any sums due to either party.

This paragraph shall not be deemed to limit any legal or equitable remedies which either party may have for breach of this Agreement.

14. Operation and Maintenance

Except as otherwise prohibited by State law, the Grantee agrees to (1) operate and maintain the Project site(s), in accordance with the Operation and Maintenance Guidelines to be mutually

agreed upon by both parties in writing, for the purpose of soil erosion and drainage control throughout the term of the Agreement; and (2) assume all operation and maintenance costs of the Project. The operation and maintenance obligations assumed by Grantee hereunder shall be limited to those duties set forth and described in the Operation and Maintenance Guidelines, as agreed to by both parties. The Conservancy and the State shall not be liable for any cost of such operation and maintenance. Nothing in this Agreement shall prevent the Grantee from receiving additional grants for such purposes to the full extent of the law.

The Grantee may be excused from its obligations for operation and maintenance of the Project site(s) during the term of this Agreement only upon the written approval of the Executive Officer of the Conservancy for good cause shown. "Good cause" includes, but is not limited to, natural disasters which destroy the Project improvements and render the Project obsolete or impracticable to rebuild. The Executive Officer's decision to excuse Grantee for good cause shall not be unreasonably denied.

15. Liability

The Grantee shall be responsible for, indemnify, and save harmless the Conservancy and its members, officers, agents, and employees, from any and all liabilities, claims, demands, damages, or costs resulting from, growing out of, or in any way connected with or incident to this Agreement, or the design, construction, operation, repair, maintenance, existence of the Project, except to the extent of, and in direct proportion to the active negligence or the intentional wrongdoing of the Conservancy, or its member(s), officer(s), agent(s) or employee(s), which arises other than from the omission by Conservancy to review or inspect said plans, designs, specifications or site(s).

The parties expressly acknowledge that this Agreement is an agreement for the subvention of public funds from the Conservancy to the Grantee, and is not an "agreement" as that term is defined in Government Code Section 895 or a "construction contract" under Civil Code Sections 2782 or 2783. Accordingly, it is acknowledged Grantee does not, in matters arising under this Agreement, have any right to contribution and indemnity from the Conservancy and/or the State of California arising under Government Code Sections 895.2 and 895.6.

Grantee waives any and all rights to any type of express or implied indemnity or right of contribution from the State, its officers, agents or employees, for any liability resulting from, growing out of, or in any way connected with or incident to this Agreement, except such liability as results from the Conservancy's active negligence or the intentional wrongdoing of Conservancy, its member(s), officer(s), agent(s), or employee(s), and, in the case of joint negligence, is in direct proportion to the Conservancy's share of fault.

Conservancy assumes no responsibility for assuring the safety of the Project improvements and the Project site(s). Conservancy's rights under this Agreement to review, inspect, or approve the Final Plans and Project improvements and/or its election to exercise or not to exercise those rights, shall not give rise to any warranty or representation that the Final Plans, Project improvements or the Project site(s) are free of defects and hazards.

16. Insurance

In the event that Grantee enters into an agreement or agreements with independent contractors or other third parties other than agencies of the State of California for construction or implementation of the Project(s) or a portion thereof, such agreement(s) shall include a mandatory insurance provision substantially in the form of Exhibit "E" attached hereto. In addition, Grantee shall make reasonable efforts to assure that Conservancy, and its members, officers and employees, are included as additional insureds under the insurance required by Paragraph 1, (A) - (C) of said Exhibit "E", and that a copy of the endorsements or certificate naming them as additional insureds is furnished to the Conservancy as soon as practical. In the event the contractor or third party is unable to name the Conservancy as an additional named insured, the Grantee shall so notify the Conservancy. Within five (5) working days thereafter the Conservancy should notify the Grantee whether the Grantee shall proceed with the Project(s) or portion thereof absent such provision in the insurance.

The company or companies providing such insurance shall have no recourse against the Conservancy and the State of California, and their members, officers and employees, or any of them, for payment of any premiums or assessments under such insurance. Conservancy shall also be provided with notice of any proposed cancellation of insurance.

17. Audits/Accounting/Records

The Grantee shall establish an official file for the Project(s). The file shall contain adequate documentation of all actions that have been taken with respect to the project.

The Grantee shall establish separate accounting records for receipt, deposit, and disbursement of all project funds, including interest. All funds received by the Grantee shall be deposited into separate fund accounts that identify the funds and clearly show the manner of their disposition. The Grantee agrees that adequate supporting documentation shall be maintained in such detail so as to provide an audit trail which will permit tracing transactions from support documentation to the accounting records to the financial reports and billings.

The grantee shall maintain books, records documents, and other evidence sufficient to reflect properly the amount, receipt, and disposition of all project funds, including State funds, interest earned, and any matching funds by the Grantee and the total cost of the Project)(s). The maintenance requirements extend to books of original entry, source documents supporting accounting transactions, the general ledger, subsidiary ledgers, personnel and payroll records, canceled checks, and related documents and records. Source documents include copies of all awards, applications, and required financial and narrative reports. Personnel and payroll records shall include the time and attendance reports for all individuals reimbursed under the award, whether they are employed full-time or part-time. Time and effort reports are also required for consultants and contractors. Adequate supporting documentation shall be maintained in such detail so as to provide an audit trail which will permit tracing transactions from the invoices to the financial statement, to the accounting records, and to the supporting documentation.

All Grantee records relevant to the project must be preserved a minimum of three years after the final payment of the contract or the final audit, whichever is later, and shall be subject at all reasonable times to inspection, examination, monitoring, copying excerpting, transcribing, and audit by the State of California.

The State of California and the California Tahoe Conservancy reserve the right to call for a program audit or a financial audit at any time between the execution of this Agreement and the Completion or termination of the Project(s). At any time, the Conservancy may disallow all or part of the cost of the activity or action determined to be not in compliance with the terms and conditions of this Agreement.

18. Nondiscrimination

During the performance of this Agreement, the Grantee and its contractors shall not unlawfully discriminate against any employee or applicant for employment because of race, religion, color, national origin, ancestry, physical handicap, medical condition, marital status, age or sex. The Grantee and its contractors shall ensure that the evaluation and treatment of their employees and applicants for employment are free of such discrimination. The Grantee and its contractors shall comply with the provisions of the Fair Employment and Housing Act (Government Code Section 12900 et seq.) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7285.0 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code Section 12990, set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations are incorporated into this contract by reference and made a part hereof as if set forth in full. The Grantee and its contractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement. This nondiscrimination clause shall be included in all contracts entered into by the Grantee for the performance of work within the scope of this Agreement.

19. Independent Status of Grantee and Grantor

The Grantee, its agents and employees, and the Grantor, its agents and employees, in the performance of this Agreement, shall act in an independent capacity and not as officers or employees or agents of the respective parties.

20. Assignability

Without the written consent of the Conservancy or its successors, the Grantee's interest in, and responsibilities under this Agreement shall not be assignable by the Grantee either in whole or in part.

21. Drug-Free Workplace

Grantee agrees to maintain a drug-free workplace in accordance with Government Code Section 8355, et seq. by doing all of the following:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the person's or organizations, workplace and specifying the actions that will be taken against employees for violations of this prohibition;

(b) Establishing a drug-free awareness program to inform employees about (1) the dangers of drug abuse in the workplace; (2) the person's or organization's policy of maintaining a drug-free workplace; (3) any available drug counseling, rehabilitation, and employee assistance programs; and (4) the penalties that may be imposed upon employees for drug abuse violations;

(c) Submitting a drug-free workplace certification form Exhibit F.; and

(d) Requiring that each employee engaged in the performance of the contract be given a copy of the certification.

22. Time of the Essence

Time is of the essence as to the date upon which Grantee has agreed to complete construction of the Project(s). With respect to all other dates set forth herein, Grantee shall use best efforts to accomplish the tasks on the specified dates.

23. Amendments

Except as otherwise provided herein, no alteration or variation of the terms of this Agreement shall be valid unless made in writing and signed by the parties hereto, and no oral understanding or agreement to be incorporated herein shall be binding on any of the parties hereto.

24. Project Coordinators

Steven Goldman (or such other person(s) as the Executive Officer may designate from time to time) is designated the Conservancy's Project Coordinator for this grant. The County Officer or employee with responsibility for administering this agreement is Bruce Lee, Supervising Civil Engineer, Department of Transportation, or successor.

25. Conservancy Approvals

All actions and approvals required to be taken by the Conservancy under this Agreement may be taken by the Executive Officer or his designee.

26. Grantee Approvals

All actions and approvals required to be taken by the Grantee under this Agreement may be taken by the Director of the Department of Transportation or his designee.

27. Resolution

The signature of the Executive Officer of the Conservancy on this Agreement certifies that at its May 23, 2003 meeting, the Conservancy approved a grant of one million seven hundred sixty-six thousand three hundred dollars ($1,766,300) to the Grantee for the implementation of the Project(s) described in the attached Conservancy Staff Recommendation (Exhibit A).

28. Sections and Headings

The headings and captions of the various sections of this Agreement have been inserted only for the purpose of convenience, and are not a part of this Agreement and shall not be deemed in any manner to modify, explain, or restrict any of the provisions of this Agreement.

29. Severability

The provisions of this Agreement are intended to be severable, separate, and distinct from each other. If any provision hereof is determined to be invalid or for any reason becomes unenforceable, no other shall be thereby affected or impaired.

30. Entire Agreement

This Agreement, and the attached exhibits, constitutes the entire contract between the parties hereto, relating to the Project(s) and may not be modified except by an instrument in writing signed by the parties hereto.

EXHIBIT A

Tahoe Conservancy
Staff Recommendation
5-03-6
May 23, 2003

Soil Erosion Control Program Grants

REQUESTED ACTION: Authorization of grants for the implementation of ten soil erosion control and watershed restoration projects involving planning, site improvements, and acquisition of various interests in real property.

LOCATION: Various project sites throughout the Tahoe Basin as shown in Exhibit 1.

FISCAL SUMMARY:

Site Improvement Costs: $4,440,000 from Proposition 12

Land Acquisition Costs: $265,000 from reimbursements

RECOMMENDATION: Staff recommends that the Conservancy adopt the following resolution pursuant to Government Code Section 66905 et seq. and 66907.7:

"The California Tahoe Conservancy hereby authorizes staff to enter into standard agreements and take all other necessary steps, subject to the provisions and conditions discussed in the accompanying staff report, project synopses, and exhibits, in order to fund and implement the following grant projects:

1. To the County of El Dorado

   A total of $1,766,300 for site improvements for the Apalachee Erosion Control Project.

2. To the County of Placer

   A total of $1,153,700 for planning and site improvements for the Nile Road, Upper Cutthroat, Tahoe Pines, and Tahoe Estates Erosion Control Projects, and the Kings Beach Commercial Core Water Quality Improvement Project.

3. To the City of South Lake Tahoe

   A total of $1,520,000 for planning and site improvements and $265,000 for acquisition of various interests in real property for the Glorene and Eighth Street, Sierra Tract, East Pioneer Trail, and Rocky Point Erosion Control Projects.

"The award of the site improvement and acquisition grants and disbursement of funds is conditioned upon a commitment, by resolution and through execution of standard agreements, by the individual grantees to undertake the projects in a manner consistent with the purpose and scope of the grants, to monitor the effectiveness of the projects, and to manage and maintain the projects for the 20-year term of the grants.

"The award of the planning grants and the disbursement of funds is conditioned upon a commitment by the individual grantees, by resolution and through execution of the planning grant agreements, to undertake the planning efforts in a manner consistent with the purposes and scopes of the grants."

STAFF DISCUSSION:

I. Introduction

On November 22, 1985 the Conservancy adopted program guidelines and criteria and authorized staff to take steps to initiate a soil erosion control grants program. In September 2000, the Conservancy adopted planning grant guidelines for this program. Since 1985, the Conservancy has approved grants totaling approximately $62.6 million for 93 erosion control projects, including $50.0 million for the construction of site improvements ($2.7 million of this total in planning grants), and $12.6 million for the acquisition of various interests in real property. In July 2002, the Conservancy adopted revised grant program guidelines and authorized staff to initiate the eighteenth round of erosion control grants. A program announcement and guidelines were circulated among the eligible applicants initiating the 2002-2003 application process.

Under this round of the program, the eligible applicants include the County of El Dorado; the County of Placer; the City of South Lake Tahoe; and the three public utility districts (PUDs) operating on the California side of the Tahoe Basin, the Tahoe City Public Utility District (TCPUD), the North Tahoe Public Utility District (NTPUD) and the South Tahoe Public Utility District (STPUD). Although they are eligible applicants, no PUDs submitted applications this year.

A total of $5,000,000 from the Conservancy's current year Proposition 12 local assistance appropriation for this program was made available for planning, acquisition and site improvements for this round of grants. From this $5,000,000, the Conservancy allocated a total of $3,750,000 (75% of $5,000,000) to El Dorado County, Placer County and the City of South Lake Tahoe. This amount was further allocated equally to each jurisdiction based on similar initial needs as defined by the Tahoe Regional Planning Agency's (TRPA) Environmental Improvement Program (EIP) for Lake Tahoe, as shown below:

El Dorado County	$1,250,000
Placer County	1,250,000
City of South Lake Tahoe	1,250,000
Total jurisdictional allocation	$3,750,000

These funds were allocated to the various jurisdictions provided that they submit applications for projects that meet program criteria.

In response to requests by Placer County to meet urgent project implementation needs for previously authorized projects, the board authorized a $260,000 acquisition grant for the Nile Road Erosion Control Project at the July 2002 board meeting, and in March 2003 the board authorized a $300,000 grant for the Beaver Street site improvement project. Subtracting these amounts from Placer County's jurisdictional funding results in $690,000 in remaining Placer County jurisdictional funds available for award at this time (Exhibit 2).

In the July 2002 announcement for the erosion control program, no additional funds were made available for land acquisitions needed for erosion control projects. At the time staff believed the $5.0 million total allocation (for planning, site improvements and acquisitions) was sufficient to fund necessary acquisitions. However, erosion control funding needs reflected in the applications exceeded the $5 million originally allocated and additional funds are available for acquisition. Including the previously authorized grants to Placer County noted above, grantees have applied for a total of $525,000 in acquisition funding and $470,000 in planning and site improvement funding for a combined of total $5,265,000. Staff is recommending that an additional $265,000 in acquisition funds be made available to fund the remaining requested acquisition activities.

All eligible jurisdictions were encouraged to submit applications for jurisdictional and discretionary planning, site improvement, and acquisition funds needed to implement erosion control projects. The program guidelines specify that the Conservancy will consider in its funding decisions the proposed projects' achievement of the following three objectives:

- the projects address high priority soil erosion control and water quality improvement needs. The grants program is intended to fund and implement projects in areas with critical problems and design projects which maximize, to the extent feasible, water quality benefits. The design objective can be achieved by the preferred design approach or by the use of other approaches which have been shown, by either qualitative or quantitative analysis, to have significant water quality benefit. In particular, projects should focus on preventing the mobilization of fine sediment and nutrients by erosion (source control), reducing surface water volumes (hydrologic design considerations), and removing fine sediment and nutrients from stormwater (treatment).

- the projects address soil erosion control needs effectively (i.e., through the implementation of thorough, comprehensive projects at the lowest necessary cost).

- the projects can be readily implemented.

In addition to these primary objectives, projects must be monitored to document effectiveness in reducing the discharge of sediment and other nutrients to the waters of the Lake Tahoe region. The program guidelines also encourage project monitoring plans that will provide meaningful

information leading to improved future project designs.Finally, to the extent feasible, projects should also be compatible with other resource objectives such as forest health and wildlife habitat enhancement.

Conservancy staff continues to work to improve the overall soil erosion control program in the Basin. The board's approvals of a planning grants component in September 2000, and the Prefered Design Approach in July 2001, were significant milestones in program development. Grant guidelines based on the Conservancy's Preferred Design Approach have been adopted by the U.S. Forest Service (USFS) and Nevada State Lands grant programs, and the Lahontan Regional Water Quality Control Board (LRWQCB) and TRPA staffs support the approach. Conservancy staff play an active role in the Lake Tahoe Basin Storm Water Quality Improvement Committee (SWQIC). This committee was formed in May 2002 by the Lake Tahoe Basin Executives, with the objective of defining strategic project planning and delivery tools needed for water quality improvement projects basinwide. Currently the SWQIC is developing a document that will supplement the Conservancy's Preferred Design Approach by describing methods for formulating and evaluating project alternatives. This document is intended to assist implementing agencies by defining a consistent and efficient process to deliver projects that meet the goals of the Conservancy's guidelines and comply with engineering standards.

II. Evaluation Process for Applications Received

As adopted by the board, the application review process involved a three-step procedure: field review, pre-application, and final application. First, a field review of potential project sites was conducted. In most cases, the field review was attended by representatives of the Conservancy, TRPA, LRWQCB and the applicants. The purpose of the field review was to identify high priority projects and to obtain agency comments and concerns at an early stage in the application process so that pre-applications could address these concerns. In the case of projects that were previously funded and no significant changes to the design were proposed, the field review step was omitted.

The pre-application provided more detailed information about the proposed projects identified during the field reviews (e.g., estimated costs, planning, and acquisition needs), but not as much detail as the final applications require. The purpose of the pre-application was to provide sufficient information to determine whether a project met program requirements, objectives, and criteria. Additionally, it could be determined from such pre-applications which projects within each jurisdiction would receive the strongest consideration for grants from the available funds. This step was intended to allow the applicants to save time and money by avoiding preparation of final grant applications for less competitive, lower priority projects.

During the preliminary application phase the total funding requests submitted by the applicants were greater than the funds available for this funding cycle. The Conservancy staff worked with the applicants to adjust their requests to match the potentially available funds. Priority was given to augmenting ongoing site improvement projects as explained in Section III. Planning grant requests were adjusted so that the total amount requested by all jurisdictions matched the potential amount of funds available. It is expected that grantees may need to apply

for additional planning funds at a later date to complete all the necessary planning products for some of the projects.

In response to the adoption of TRPA's May 2001 update of the EIP and other factors, the Conservancy adopted, in July 2001, new guidelines for the soil erosion control grants program. Prior to July 2001, all site improvement projects were required to meet a minimum sediment reduction efficiency standard of 6.4 pounds of sediment retained per State dollar spent on site improvements. The new guidelines replaced the sediment reduction efficiency standard with the Preferred Design Approach and consistency with the objectives of the EIP as requirements for new erosion control projects in order to broaden the water quality objectives of the program. All of the projects recommended for site improvement funding this year are grant augmentations. Since they all received Conservancy site improvement grants prior to July 2001, they are all required to continue to meet the sediment reduction standard. The projects which must meet the sediment reduction standard are: Apalachee, Nile Road, Upper Cutthroat, Glorene and Eighth Street, and Rocky Point. Applicants have submitted calculations showing that each of these projects meets the standard. Additional information regarding sediment reduction efficiency is presented in the respective project synopses.

Evaluation of the final project applications involved a series of steps. First, staff reinspected the sites, in some cases accompanied by the applicant or with staff from TRPA and LRWQCB if these agencies had raised any concerns about the project. Second, copies of the project applications were transmitted to TRPA and LRWQCB and comments were solicited from them. Staff then re-evaluated each of the projects for consistency with the adopted grant program guidelines and criteria for consistency with TRPA's EIP. All of the projects recommended for funding are included in TRPA's May 2001 EIP update. Additionally, staff evaluated the proposed projects in terms of their priority for discretionary site improvement funds. Finally, staff evaluated the acquisition grant requests for their importance to the overall project or problem to be addressed.

III. Summary of Recommendations

All of the final applications were for projects that were determined to be eligible for, and worthy of, funding under this round of the erosion control grants program. Consequently, staff is recommending award of erosion control grants totaling $4,705,000 ($4,440,000 in site improvement and planning grants and $265,000 in erosion control land acquisition grants) for ten projects. Specifically, staff recommends a total of $1,766,300 in site improvement funds for El Dorado County. A total of $1,153,700 in site improvement and planning funding is recommended for Placer County. A total of $1,785,000 is recommended for the City of South Lake Tahoe ($1,520,000 in site improvement and planning funds and $265,000 in acquisition funds). Eight of the ten funding requests are for augmentations of previously approved grants. Of the ten projects proposed for funding, five are site improvement proposals which augment funding for project implementation, and five are for planning grants. Planning funding helps to ensure a continuous flow of future site improvement projects. Of the site improvement projects, one includes both acquisitions and site improvements, and four include site improvements only. A number of the planning grants augment previous grants, as anticipated. These planning grants were phased because more detailed planning needs were to be developed as part of the scopes of

the original grants. The funding recommendations proposed for this meeting are summarized in Exhibit 2. Based on the currently recommended actions and previously authorized grants, a total of $5,265,000 is recommended for award for this year's grants.

The prioritization of projects and the allocation of jurisdictional and discretionary funds reflect a number of considerations. The main factors which influenced the priorities for funding are the planned date of construction and ability to implement a project quickly, the amount of planning and design work already completed, the proximity to Lake Tahoe or other bodies of water, the significance of the problem to be addressed, and the support of affected property owners. Other factors affecting project ranking include the priority given to the project by other agencies and staff, the cost-effectiveness and comprehensiveness of the project, the value of monitoring to improve the effectiveness of current and future projects, and the availability of funding from other sources. The highest priority projects in each jurisdiction are recommended for the allocated jurisdictional funds. Based on the applications received from all potential grantees, the remaining funding needs are compared, resulting in a funding priority ranking which is used as a basis for recommendations for discretionary funding. By splitting the remaining discretionary funds, each of the jurisdictions will receive funding for overall project planning, design and monitoring, and for the construction of phases of their site improvement projects.

The Nile Road, Upper Cutthroat, Rocky Point, and Glorene and Eighth Street projects are being recommended for award of jurisdictional funds only. Combinations of jurisdictional and discretionary funds are recommended for award to the Apalachee, Kings Beach Commercial Core, and Sierra Tract projects. Discretionary funds only are being recommended for award to the East Pioneer Trail, Tahoe Pines, and Tahoe Estates projects. The additional acquisition-only funds are recommended for award to the Glorene and Eighth Street project, the only project with acquisition needs. All of the site improvement project applications were given highest priority for jurisdictional and discretionary funding because they involve funding of actual improvements that will have direct water quality benefits. The augmentations of grants for ongoing planning projects (Kings Beach Commercial Core, Sierra Tract, East Pioneer Trail) ranked next in priority after the site improvement projects because there has already been progress made in planning these projects and they are closer to implementation than the two projects proposed for initial planning funding. The Sierra Tract and Kings Beach Commercial Core projects also have non-Conservancy funding, which stretches State dollars further. Planning funds are also needed to initiate work on projects and to expand grantee agency capacity to implement projects. Planning of Placer County's Tahoe Pines and Tahoe Estates projects will be initiated if the board approves this funding recommendation.

El Dorado County's jurisdictional allocation was applied to one project proposal, the Apalachee project. As discussed above, much of Placer County's jurisdictional funding was applied in previous board authorizations to high priority site improvement projects in July 2002 (the Nile Road project) and in May 2003 (the Beaver Street project). Based on the identification of needed improvements during construction, the Nile Road project is again being recommended for jurisdictional funding of site improvements. Based on an expanded project scope, additional site improvement funds are also requested for the Upper Cutthroat project. With construction proposed for 2003 and 2004 respectively, these two site improvement projects are ranked highest among Placer County's funding requests this year. Of the three planning proposals submitted by

Placer County, the Kings Beach Commercial Core Project is ranked highest in priority (and thus qualifying for the remaining jurisdictional funds) due to its being at a more advanced stage in development and due to the multiple benefits of this project. The two site improvement funding proposals from the City of South Lake Tahoe were allocated jurisdictional funding because these projects are closer to the construction stage than the two projects proposed for planning grant augmentations. Of these two planning proposals, the Sierra Tract project is recommended to receive the remaining jurisdictional funding because planning is at a more advanced stage on this project.

Regarding prioritizing projects for discretionary funds, El Dorado County's Apalachee project ranks highest in priority, since it is a previously Conservancy-funded site improvement project that can be fully funded with this year's request. The Kings Beach Commercial Core project was ranked as the next highest in priority for discretionary funds. Significant progress has been made in comprehensive watershed planning with previously granted funds. The recommended funding will enable completion of the conceptual watershed improvement plan and beginning detailed design and strategizing implementation phases. If approved, this funding will also contribute to environmental studies and needed documentation for the construction phase of the project. This is a comprehensive project with multiple dimensions of benefit and mutiple funding partners. The City of South Lake Tahoe's grant proposals for the Sierra Tract and East Pioneer Trail projects are next in priority. Planning progress has already been made on these two projects, with Sierra Tract being a higher priority for funding since more progress has been made, and because the U. S. Forest Service has proposed allocating erosion control grant funds to this project. Finally, Placer County's two new planning projects, Tahoe Pines and Tahoe Estates, are recommended to receive the remaining discretionary funds. These are high priority projects identified in the EIP. Funding for these projects allows the County to begin the existing conditions analysis and the alternatives development process.

Gernerally, the complete EIP projects, which include the projects recommended for funding, will treat approximately 34.4 miles of roadway with storm water quality improvements. More specifically, the improvements proposed for funding in this round of grants include a total of approximately 3,430 feet (0.65 miles) of rock-lined and vegetated or AC swales; 6,830 square feet (0.16 acres) of rock slope protection; 1,242 feet (0.24 miles) of stormdrain pipe; 136,251 square feet (3.13 acres) of revegetation; 6,390 feet (1.21 miles) of curb and gutter; 185 square feet of pavement; 1,410 feet (0.27 miles) of microchannels and cells; 17 water quality treatment and infiltration basins; 26 sediment traps; and ten drop inlets.

IV. Award of Site Improvement Funds for Project Applications Submitted by El Dorado County

A. Introduction - As noted earlier, the Conservancy allocated a total of $1,250,000 of the jurisdictional funds available for soil erosion control site improvements for award to qualifying high priority projects submitted by El Dorado County. The County submitted one final application for the funding of the third phase of the Apalachee Erosion Control Project. The project is summarized briefly below and is discussed more fully in the attached project synopsis.

B. Apalachee - The project is located in the Tahoe Paradise area on the south shore of Lake Tahoe, generally bounded by Pioneer Trail on the south and east, USFS lands on the north, and

the Upper Truckee River on the west. The project area includes portions of the Tahoe Paradise and Rolling Woods Heights subdivisions. The primary problems to be addressed include erosion along steep cut banks and roadways that are heavily sanded in the winter for driver safety. These eroding cut banks and heavily sanded roads result in high sediment yields which are conveyed to stream environment zones (SEZs) adjacent to the Upper Truckee River and Trout Creek.

Since May of 2000 the Conservancy has authorized a total of $3,704,600 in site improvement and acquisition funding for Phases I and II. This year, the County is requesting $1,766,300 in site improvement funds for design and construction for the third phase of this project. Improvements covered by this year's funding request include approximately 6,390 feet of curb and gutter, ten drop inlets, 25 sediment traps, 750 linear feet of vegetated and rock-lined channel, 15 water quality treatment and infiltration basins, 0.63 acres of revegetation, 1,077 linear feet of storm drain pipe, 240 square feet of rock slope protection, and other measures.

C. Recommended Award of Grant to El Dorado County - Based on the review of the application submitted, it is staff's opinion that the Apalachee Erosion Control Project meets the Conservancy's eligibility and evaluation criteria and qualifies for funding consideration.

Staff ranks the Apalachee project high in priority because it is a site improvement project that has received previous funding and is currently being designed. Funding is necessary this year to fund Phase III of the project, which will then allow construction of the three-phased project in 2004, 2005, and 2006 respectively. Therefore, staff recommends awarding the County $1,250,000 in jurisdictional funds and $516,300 in discretionary funds for site improvements so that the County can complete the design and construction of this project.

V. Award of Site Improvement and Acquisition Funds for Project Applications Submitted by Placer County

A. Introduction - The Conservancy allocated a total of $1,250,000 in jurisdictional funds for qualifying high priority erosion control projects submitted by Placer County.

Placer County submitted five final applications. Three of the Placer County applications are for additional funding for projects previously funded by the Conservancy. Two applications are for funding to initiate planning. The projects are summarized briefly below and are discussed more fully in the attached project synopses.

B. Nile Road Erosion Control Project - The project is located on the north shore of Lake Tahoe in the Tahoe Vista area. The project is located west of State Highway 28, primarily on Ophir Road, Nile Road, Uplands Road, Victoria Road and Chad Road. The primary problems being addressed include erosion along the unprotected road shoulders of the upper portions of the subdivision, and the severely eroded drainageway in the lower area of the project area between Uplands Road and Nile Road. The County is constructing extensive erosion source controls such as asphalt dike, revegetation, and piped stormwater conveyance systems. Two infiltration basins and numerous sand traps will provide infiltration and treatment. Since May of 2000 the Conservancy has authorized a total of $1,043,000 in site improvement and acquisition funding for this project. The County is now seeking an additional $92,000 for additional project

components that were identified during construction. Since project construction is scheduled to be completed later this year, this grant will provide an opportunity to make needed project improvements during this construction season. Improvements funded by this recommended augmentation include approximately 65 feet of grass-lined swales, 15 feet of stormdrain pipe, 21,500 square feet of revegetation, one sediment trap, 185 square feet of needed roadway pavement over a section of bare dirt road, removal of 420 square feet of excess pavement, 45 feet of asphalt swale and a few additional vehicle traffic barriers. In part due to the extended construction schedule, the County is also requesting additional funding for administrative costs.

C. Upper Cutthroat Erosion Control Project - The project area is located on the north shore of Lake Tahoe in the easterly portion of the Kings Beach subdivisions. The project includes portions of Beaver, Chipmunk, Cutthroat, and Dolly Varden Streets. The project area contains a grid-style road system, which is poorly planned for drainage control. Approximately half of the roadside drainages are directed straight down slope, resulting in erosive flow velocities on the unprotected soils of these areas, and discharge of sediment-laden runoff to Lake Tahoe.

Since May of 2000 the Conservancy has authorized a total of $495,000 in site improvement and acquisition funding for this project. This year, the County is requesting an additional $202,500 in site improvement funding to support more comprehensive improvements and full-time construction inspection in order to ensure quality control. The proposed improvements will mitigate the existing roadside erosion and provide stormwater infiltration and treatment. Proposed additions to the previously funded measures include: one infiltration basin, 175 feet of rock-lined ditches and grass-lined swale, approximately 150 feet of storm drain pipe, 1,245 feet of AC swale, and about 8,900 square feet of revegetation. Construction is scheduled for 2003-2004.

D. Kings Beach Commercial Core Water Quality Improvement Project - Initial planning for the Kings Beach Commercial Core Water Quality Improvement Project includes the entire watershed (5.5 square miles) draining to the Kings Beach commercial area. This is a major planning effort that addresses one of the largest urban areas on the north shore. The total cost of the project, including urban, highway, and water quality improvements, is estimated in excess of $29 million. The planning area is defined by watershed boundaries that include a portion of Martis Peak to the northwest, a ridge which extends to near Mount Baldy on the east side, and by the lakeshore on the south. The commercial core area receives runoff from the entire area above Kings Beach all the way to the ridge west and east of Martis Peak. In order to effectively treat the water in the commercial core area, upstream areas may require treatment as well. The project will develop comprehensive solutions to watershed problems, prevent erosion along County roads, and reduce the discharge of sediment and nutrients to Lake Tahoe. The Kings Beach Commercial Core Improvement Project (EIP #10060) is a large-scale project that includes both water quality improvement measures and features such as sidewalks, landscaping, and parking facilities. At this time the Conservancy is only contributing funding to the water quality improvement planning for this project.

Since December of 2000 the Conservancy has authorized a total of $698,000 in site improvement and acquisition funding for this project. Staff has approved an initial workplan that will carry project planning through conceptual design studies and an analysis of alternative strategies to

improve stormwater quality. This year, the County is requesting $600,000 in additional planning funds to complete the environmental analysis within the commercial core area and begin detailed project design. Construction is currently planned to begin in 2006.

E. Tahoe Pines Erosion Control Project - The recommended grant will initiate planning for water quality improvements located on the northwest shore of Lake Tahoe, approximately four miles south of Tahoe City in the vicinity of Grand Avenue and the surrounding subdivision. Runoff generated by impervious development and roadways flows down unstable earthen road shoulders and into drainage systems that convey sediment and nutrients to Lake Tahoe. Additionally, approximately 250 feet of Grand Avenue adjacent to Lake Tahoe remains unpaved and appears to be a significant source of pollutants discharged to the lake. A grant of $125,000 is recommended for the development of a workplan, an existing conditions study, and beginning the alternatives development and analysis process. These costs appear reasonable when compared to other similar planning efforts. In cooperation with Conservancy staff, the County will develop a workplan that will outline a detailed approach to planning including a list of products to be delivered by the County, along with product completion dates, and a detailed budget. The County will plan improvements that will decrease the potential for erosive surface flows and provide for additional stormwater infiltration and water quality treatment, thus reducing the load of fine sediment and nutrients to Lake Tahoe. The County will include investigation of opportunities for SEZ restoration in the scope of the planning effort.

F. Tahoe Estates Erosion Control Project - The recommended grant will initiate planning for water quality improvements located on the north shore of Lake Tahoe in the Tahoe Vista area. Runoff generated by impervious residential development and roadways flows down unstable earthen road shoulders and into drainage systems that convey sediment and nutrients to Lake Tahoe, contributing to the reduction of clarity of Lake Tahoe. One specific example of problems in the area includes Laurel Avenue, a narrow, unpaved, County-maintained roadway that is located very close to Lake Tahoe. A grant of $134,200 is recommended for the development of a workplan, an existing conditions study, and beginning the alternatives development and analysis process. In cooperation with Conservancy staff, the County will develop a workplan that will outline a detailed approach to planning including a list of products to be delivered by the County, along with product completion dates, and a detailed budget. The County will plan improvements that will decrease the potential for erosive surface flows and provide for additional storm water infiltration and water quality treatment, thus reducing the load of fine sediment and nutrients to Lake Tahoe. As a part of this project, water quality impacts resulting from dirt roads in the project area, such as Laurel Avenue, will be addressed.

G. Recommended Award of Grants to Placer County - Based on its review of the applications, staff finds that all projects submitted meet the Conservancy's eligibility and evaluation criteria and qualify for funding. Placer County has requested $463,700 in discretionary funds above the jurisdictional amount of $1,250,000.

Staff has ranked the Nile Road and Upper Cutthroat projects as the highest priority projects submitted by Placer County because they involve the construction of improvements in 2003 and 2004 that will provide more immediate benefits. The Conservancy has previously funded these projects, and the recommended funding will provide for full funding of project construction.

The planning funding requested is for the development of high priority EIP projects. Of the planning funds requested, staff places the highest priority on the Kings Beach Commercial Core Project funding request since that project will meet multiple environmental threshold objectives and address a very large, high priority urban watershed. The County is also progressing on this project more quickly than on the other two planning proposals. The Tahoe Pines and Tahoe Estates planning grant proposals are high priority projects identified in the EIP.

Accordingly, staff recommends that the Conservancy fund:

(1) The Nile Road Erosion Control Project in the amount of $92,000 in jurisdictional funds;

(2) The Upper Cutthroat Erosion Control Project in the amount of $202,500 in jurisdictional funds;

(3) The Kings Beach Commercial Core Water Quality Improvement Project in the amount of $395,500 in jurisdictional funds and $204,500 in discretionary funds for a total of $600,000;

(4) The Tahoe Pines Erosion Control Project in the amount of $125,000 in discretionary funds; and

(5) The Tahoe Estates Erosion Control Project in the amount of $134,200 in discretionary funds.

VI. Award of Site Improvement and Acquisition Fund for Project Applications Submitted by the City of South Lake Tahoe

A. Introduction - The Conservancy allocated a total of $1,250,000 of the jurisdictional funds available for soil erosion control site improvements for award to qualifying high priority projects submitted by the City of South Lake Tahoe.

The City submitted four final applications for consideration in this funding cycle. These projects are briefly summarized below and more fully described in the attached synopses.

B. Glorene and Eighth Street - This project is located in the City of South Lake Tahoe, northwest of the intersection of Highway 89 and Lake Tahoe Boulevard. The project area is generally bounded by the Tahoe Island Unit 2 subdivision to the north, Thirteenth Street to the west, Gardner Street to the south and Fifth Street to the east. The primary problems to be addressed include erosion along roadside shoulders and inadequate drainage systems along steep slopes, all of which drain to Lake Tahoe.

Due to the size of the project and availability of funds, this project has been funded in two phases. Since December of 2000 the Conservancy has authorized a total of $3,238,011 in planning, site improvement, and acquisition funding for Phases 1 and 2. This year the City is requesting an additional $329,000 to fully fund the construction of Phases 1 and 2, and $265,000 is requested for acquisitions identified in the design phase. This request reflects updated cost estimates and expansion of the scope of the project. Construction is scheduled to be completed

in 2004. Additional improvements include an estimated 1.8 acres of revegetation, 6,590 square feet of rock slope protection, 1,150 feet of asphalt/concrete and vegetated swale, and 1,410 feet of micro-channels and micro-cells for water quality treatment.

C. Rocky Point Erosion Control Project - This project is located in the City of South Lake Tahoe near the intersection of Pioneer Trail and Highway 50. The project area is roughly bounded by Pine Boulevard and Highway 50 on the west, Fern Road on the north, Rocky Point Road on the east, and Larch Avenue on the south. The proposed project area is over 110 acres in size and is located in a heavily developed area of commercial and residential uses. The existing roadway drainage collection system is very poorly developed. The typical roadside drainage system consists of unprotected roadside ditches, a few drainage inlets, very few storm drainage channels, and very little treatment of the stormwater before it reaches the lake. Runoff from the upper portion of the project area flows over unpaved road shoulders and between private property along steep slopes. City maintenance staff report chronic erosion and drainage problems in this area.

Due to the size and scope of this project, phasing is also required to fund the improvements. Since May of 2000 the Conservancy has authorized a total of $5,664,250 in site improvement and acquisition funding for Phases 1 and 2. This year, the City is requesting an additional $584,000, to fund site improvements for Phases 1, 2, 3 and 4. Of this total, $184,000 is needed to fully fund the construction of Phases 1 and 2 to be constructed this year. The additional funds are needed since the actual cost of the construction bid exceeded the engineer's estimate for a few items. Also, an additional water quality treatment basin has been added to the project for polishing treatment. The remaining $400,000 is needed to fund construction and related design costs of a portion of Phases 3 and 4.

D. Sierra Tract Erosion Control Project - The Sierra Tract Erosion Control Project is located in the Sierra Tract and Highland Woods subdivisions of the City of South Lake Tahoe. The project area is roughly bounded by the Upper Truckee River to the west, Trout Creek to the east, Barbara Avenue to the south, and the Truckee Marsh to the north. Although the project area is relatively flat, the natural drainage tends to flow uncontrollably through City rights-of-way, private property, and public parcels with much of it reaching the Upper Truckee River and Trout Creek. These flows spread out across streets and developed property causing local flooding and depositing sediment. The effectiveness of facilities downstream, such as meadows and existing treatment basins, is limited since these facilities are overburdened by heavy loads of sediment and nutrients.

The Conservancy awarded a $284,694 planning grant in December 2000 to begin the development of the conceptual project plan. This year, the City is requesting an additional $363,000 in planning funds. The existing grant is funding the majority of the alternatives analysis for the entire project area. This grant augmentation will fund a portion of the project-wide conceptual plan plus the final construction plans for the first construction project. The design will involve evaluating the developed portion of the entire watershed, as well as some of the undeveloped areas within the watershed. This is the first time the City has approached project design from a watershed scale. Due to annual funding limitations and construction date limits, a conceptual plan will be developed for the entire project, and then the project area will be

divided into about five areas (delineated by sub-basin) to complete designs and construction for individual projects. This is a model project in that it is the City's first new project to apply the Conservancy's Preferred Design Approach and the alternatives analysis developed by the SWQIC on a watershed scale.

E. East Pioneer Trail Erosion Control Project -The East Pioneer Erosion Control Project is located in the eastern portion of the City. The project is roughly bounded by Keller Road to the east, Al Tahoe Blvd. to the west, Lake Tahoe to the north and the upper portion of the watersheds to the south. The majority of the East Pioneer watershed is characterized by uncontrolled stormwater runoff through City rights-of-way, private property, and public parcels. Runoff from the upper portion of the East Pioneer watershed flows over land area of steep slopes and unprotected road shoulders. As the slopes level off, these flows spread out across streets and developed property causing local flooding and leaving sediment deposits. Stormwater enters existing drainage inlets and drainage channels carrying large amounts of sediment and nutrients. The water flows through open drainage channels and poorly designed drainage conveyance systems that offer little opportunity for treatment.

The Conservancy awarded a $91,977 planning grant in December 2000 to develop a preliminary hydrology study and compile aerial topographical mapping. This year, the City is requesting an additional $244,000 in funds to develop a watershed master plan consisting of compiling existing conditions information, a comprehensive hydrology study, and developing a conceptual design for this large project area. In December 2000 the project was defined as improving the road shoulder conditions adjacent to Pioneer Trail. Since the December 2000 award, the Conservancy, with the support of the City, has developed guidelines that encourage project planning at a watershed scale. In response to this, the City has redefined the project to include the majority of the Bijou Creek watershed and the southwestern portion of the Bijou Park watershed. In general, this project area includes drainage to Bijou Creek and the Ski Run Marina outfall. A consultant will be retained to develop a watershed master plan to delineate the sub-watersheds and identify individual project areas within these two large watersheds. These future erosion control construction projects will be prioritized and identified for future planning and site improvement funding annually.

F. Recommended Award of Grants to the City of South Lake Tahoe - Based on review of the City's applications, staff believes that all the projects meet the Conservancy's eligibility and evaluation criteria and qualify for funding consideration. The Glorene and Eighth Street project is a high priority because these funds will provide the balance needed to fully fund the design and implementation of the project, which is scheduled to complete construction by 2004. Staff recommends awarding the City $329,000 in jurisdictional site improvement funds to fully fund contructing Phases I and II of the project. Rocky Point is also a high priority and will provide significant water quality improvements. Therefore, staff is recommending an award of $584,000 in jurisdictional funds. The Sierra Tract and East Pioneer Trail projects are ranked lower than the Glorene and Rocky Point projects because these projects are still in the initial stages of planning , although significant progress has been made. The Sierra Tract project is ranked higher than East Pioneer Trail because it is farther along in the planning process and because the USFS has proposed allocating erosion control grant funds to the Sierra Tract Project. Staff is recommending an award of $363,000 for Sierra Tract planning and $244,000 for East Pioneer

Trail planning. In addition, staff is recommending an award of $265,000 in acquisition funds for the Glorene and Eighth Street project.

In summary, staff recommends that the Conservancy fund:

(1) The Glorene and Eighth Street project in the amount of $329,000 in jurisdictional funds and $265,000 in land acquisition funding for a total of $594,000;

(2) The Rocky Point Erosion Control Project in the amount of $584,000 in jurisdictional funds;

(3) The Sierra Tract Erosion Control Project in the amount of $337,000 in jurisdictional funds and $26,000 in discretionary funds for a total of $363,000; and

(4) The East Pioneer Trail Erosion Control Project in the amount of $244,000 in discretionary funds.

VII. Implementation of the Grants

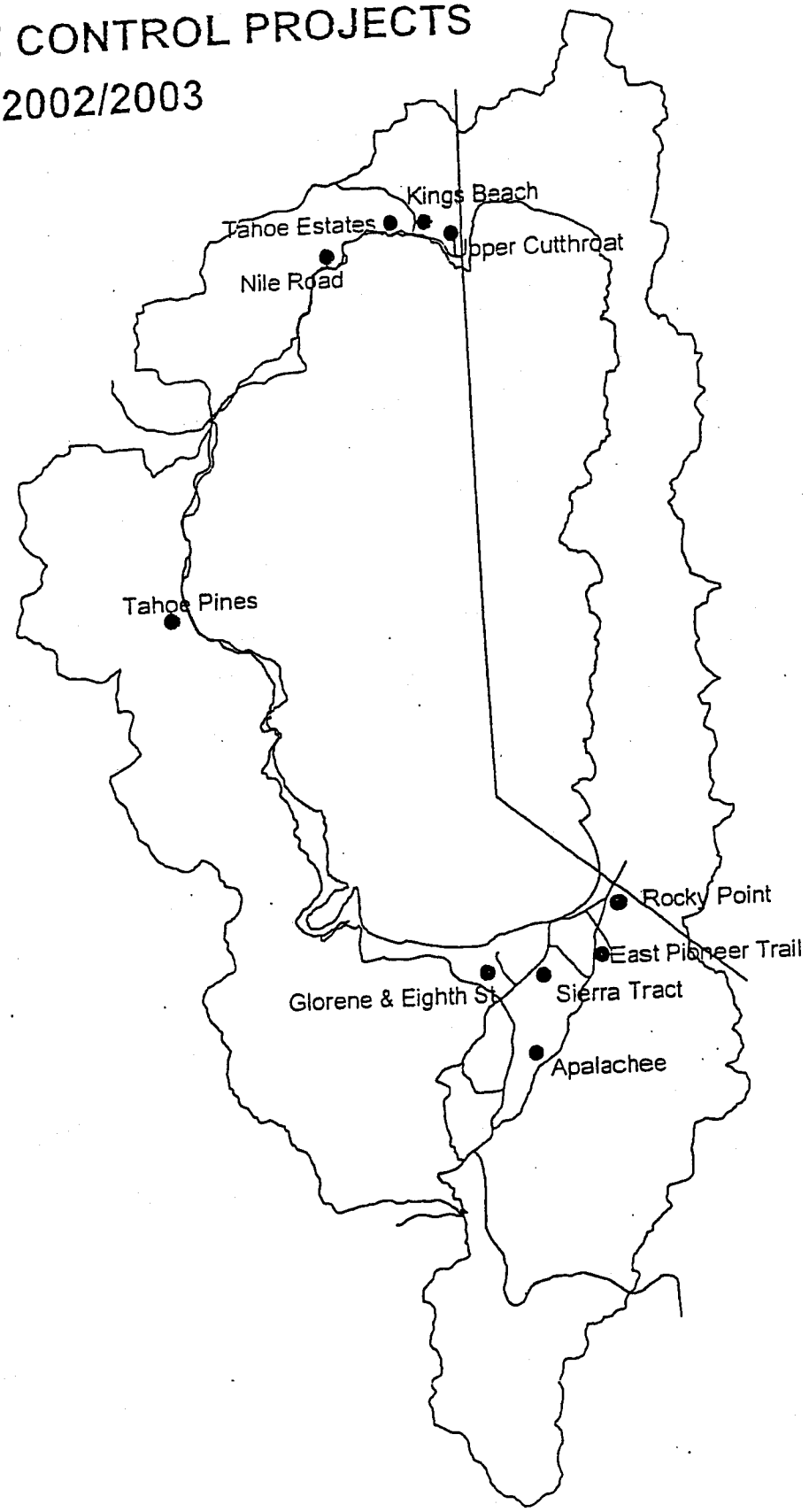
If the staff recommendation is approved, implementation of the projects will be governed by standard grant agreements entered into by the Conservancy and the individual grantees. As in recent agreements, the new grants will provide for advances of up to 90% for design, administration, and construction, subject to meeting certain requirements. In addition, where appropriate all site improvement and land acquisition projects within a jurisdiction will be governed by a single grant agreement for each type of activity rather than separate agreements for each individual project. This approach gives the Conservancy and grantees flexibility to transfer funds between projects to meet funding needs identified in the final design, permit and bid stages of a project. Such transfers must be approved by staff and each project must still meet program requirements such as sediment reduction efficiencies.

Site improvement grants must be executed by the end of this fiscal year (June 30, 2003) pursuant to program deadlines. Existing appropriations will be used for the land acquisition grants. Additionally, it should be noted that the lists of parcels and the project budgets and schedules in the project synopses are preliminary. Final project design may alter the need for the acquisition of particular parcels or the allocation of funds between major budget items. However, such changes will not exceed the total amount awarded in the grant. Any remaining funds in site improvement projects will be used, if necessary, to extend improvements to adjoining areas, or upon board notification, applied to another project included in the same grant.

Pursuant to a previous board action, staff is providing notice of its intent to issue licenses for the use of a number of Conservancy parcels for erosion control improvements.

EXHIBIT 1

SOIL EROSION CONTROL PROJECTS
FISCAL YEAR 2002/2003



PROJECT LOCATIONS ARE APPROXIMATIONS

EXHIBIT 2 - SUMMARY OF MAY 23, 2003 EROSION CONTROL FUNDING RECOMMENDATIONS

	Jurisdictional	Discretionary	Subtotal	Acquisitions	Total
El Dorado County					
Apalachee (site improvement)	$1,250,000	$516,300	$1,766,300	$0	$1,766,300
Placer County*					
Nile Road (site improvement)	$92,000	$0	$92,000	$0	$92,000
Upper Cutthroat (site improvement)	$202,500	$0	$202,500	$0	$202,500
Kings Beach Commercial Core Water Quality Improvement Project (planning)	$395,500	$204,500	$600,000	$0	$600,000
Tahoe Pines (planning)	$0	$125,000	$125,000	$0	$125,000
Tahoe Estates (planning)	$0	$134,200	$134,200	$0	$134,200
Subtotals:	$690,000	$463,700	$1,153,700	$0	$1,153,700
City of South Lake Tahoe					
Rocky Point (site improvement)	$584,000	$0	$584,000	$0	$584,000
Glorene and Eighth Street (site improvement & acquisition)	$329,000	$0	$329,000	$265,000	$594,000
Sierra Tract (planning)	$337,000	$26,000	$363,000	$0	$363,000
East Pioneer (planning)	$0	$244,000	$244,000	$0	$244,000
Subtotals:	$1,250,000	$270,000	$1,520,000	$265,000	$1,785,000
GRAND TOTALS:	$3,190,000	$1,250,000	$4,440,000	$265,000	$4,705,000

* A total of $560,000 in fiscal year 2002-03 jurisdictional erosion control funding has been authorized for Placer County by the Conservancy at previous board meetings. Adding this figure to the recommended Placer County jurisdictional funding results in a total of $1,250,000 in jurisdictional funding for Placer County, and a grand total of $1,713,700 in fiscal year 2002-03 erosion control grants to the County.

APALACHEE EROSION CONTROL PROJECT
SITE IMPROVEMENT GRANT AUGMENTATION

PROJECT SYNOPSIS
May 23, 2003

APPLICANT:

El Dorado County

LOCATION:

The project is located between Pioneer Trail and the Lake Tahoe Airport, generally bounded by Pioneer Trail on the south and east, U.S. Forest Service (USFS) lands on the north, and the Upper Truckee River and the former Caltrans freeway right-of-way corridor on the west (now owned by the Conservancy). The overall project area includes the Tahoe Paradise and Rolling Woods Heights Subdivisions, encompassing a total of about 400 acres (Exhibit 1).

TOTAL PROJECT COST: (estimated)	$5,667,607
AMOUNT REQUESTED FROM CONSERVANCY:	
Site improvements:	$1,766,300
AMOUNT RECOMMENDED:	
Site improvements:	$1,766,300
OTHER FUNDING SOURCES:	
Previous Conservancy Grants:	$658,600
Site improvements (2000):	$98,300
Acquisition (2000):	$954,000
Site Improvements (2001):	$52,700
Acquisition (2001):	$1,941,000
Site Improvements (2002):	
Tahoe Regional Planning Agency (TRPA) Water Quality Mitigation Funds	$179,739
Burton-Santini / USFS (2001)	$16,968

PROBLEM DESCRIPTION:

The project area consists of steep eroding cut banks and roadways that are heavily sanded in the winter for driver safety. The runoff from roadways and cut banks typically drains into old rock-lined channels that have become blocked with sediment and willows and are no longer functional. As a result of these conditions, sediment loads are now discharging to the stream environment zones (SEZs) adjacent to the Upper Truckee River and to a tributary that flows into Trout Creek. The deposition of road sand and sediment reduces the effectiveness of SEZ areas in treating runoff.

PROJECT BACKGROUND:

Because of annual funding limitations and the large scale and cost of this project, it was necessary to fund the project over several grant cycles. The first portion of this project was funded in May 2000 ($756,900). The second portion was funded in 2001($1,006,700), which completed funding for Phase I of this project. The third portion was funded in 2002 ($1,941,000), which completed funding for Phase II of this project. This funding request will fund Phase III of the project as currently proposed. All three phases of the project area are depicted in Exhibit 1. Phases I and II of the project are scheduled for construction in 2004 and 2005, with Phase III construction scheduled for 2006.

PROJECT DESCRIPTION:

The project involves stabilizing existing sediment sources, capturing road sand, and treating the stormwater and snowmelt runoff. The proposed improvements for all three phases are shown on Exhibit 2. Sheet 3 of Exhibit 2 shows the improvements proposed for Phase III of this project. To stabilize existing sediment sources, cut slopes will be revegetated. A compost/seed/fertilizer inoculum mix will be used to revegetate the bare slopes. In areas where the toe of the slope is also bare, a combination of compost and seed, and rock breast wall, is proposed to stabilize the toe and reduce the slope angle. Curb and gutter will protect soils from disturbance by snow removal equipment and from erosive stormwater flows. Curb and gutter will also convey runoff and road sand into sediment traps which will capture coarse sediments. These measures will reduce the sediment load that would otherwise reach SEZs and sediment basins, and will improve their effectiveness in removing fine sediment and nutrients.

Runoff will be treated by constructing sediment basins in or outside the SEZ in areas surrounded by development. Where possible, existing sod, willows, and topsoil will be salvaged and replanted in the basins. Outflow from the basins will be directed to the existing man-made drainage channels in SEZ areas via rock-lined channels or vegetated swales. In SEZ areas that are gently-sloping and do not have man-made channels cutting through them, flow spreading devices will be constructed to provide nutrient uptake, stormwater retention, and additional sediment removal.

Erosion control and water quality improvements funded under this grant cycle include revegetating cut slopes on Brule and Carnarsee Streets, and installing sediment basins on Tooch, Jicarilla, Susquehana and Koyukon Drive. Some undersized culverts in the project area will need to be replaced, particularly those with diameters smaller than 18 inches (small culverts frequently plug with sediment and debris and are difficult to maintain).

In response to staff's concerns about plant survival and long-term slope stability on the proposed revegetation areas of the project, the County has proposed a strategy to ensure plant survival, including irrigation, soil enhancement, and seed application. Irrigation will be applied to the revegetation sites twice a week during the first growing season, with drier sites receiving additional irrigation. Second growing season irrigation will consist of one watering per week, with drier areas receiving additional attention. Irrigation and plant establishment will continue for a period of two years following construction and will include additional irrigation and replanting if necessary.

Improvements covered by this year's funding request include approximately: 6,390 feet of curb and gutter, ten drop inlets, 25 sediment traps, 1,077 feet of stormdrain pipe, 240 square feet of rock breast wall, 750 linear feet of vegetated and rock-lined channel, 15 water quality treatment and infiltration basins, .63 acres of revegetation, and other measures. The site improvement budget summary for the project is shown in Exhibit 3. The total Conservancy funded budget for site improvements is shown below (the sum of all site improvement grants to date and the current proposed grant) with additional detail provided in Exhibit 3. Exhibit 4 shows the proposed project schedule.

PROPOSED CONSERVANCY SITE IMPROVEMENT GRANT BUDGET

Budget Category	Amount
Design and Administration	1,594,687
Construction	2,874,531
Project Monitoring	241,827
Project Irrigation	164,340
Project Contingency	444,515
Total	5,319,900

The estimated cost of the Apalachee project has increased from the County's original 2000 estimate. The increase is due to the following factors: unit costs of improvements were increased based on actual costs of recently constructed County projects, and new treatment areas were added as a result of feedback received at a public meeting and from

field reviews by Conservancy and County staff. The County is also in the process of reevaluating treatment types within the entire project area and is placing emphasis on treatment types which comply with the Conservancy's Preferred Design Approach. Elements of the Preferred Design Approach are now being utilized by the County and may affect the level of project funding. The County anticipates that future public meetings and agency reviews may identify the need for some additional treatment areas or measures. If additional areas or measures are identified, the County may need to apply for additional funding as part of their 2004-2005 grant application.

The County has previously been granted $151,000 for easement and fee title acquisitions expected to be needed for this project. No additional acquisition funds are being requested at this time. As design and survey work for the project progresses, the County will determine where easements for revegetation and/or rock breast wall work are necessary. The County will also determine if any more easements are necessary for the installation of the proposed sediment traps or sediment basins. Should additional easements be required, the County will request an acquisition grant augmentation in a future grant cycle.

As noted in last year's staff recommendation, the project will involve up to 16 USFS parcels and 18 Conservancy-owned parcels. The publicly-owned parcels are expected to be used for erosion and sediment control improvements, including revegetation, sediment basins, and flow spreading devices. The board has authorized the granting of licenses and/or easements for this project in the prior authorization.

The County will monitor vegetation, soils, groundwater, surface water, and sediment basins. Vegetation and soil monitoring will consist of three vegetation/soil monitoring sites within the project area that have been stabilized with an approved revegetation treatment. These plots will be monitored three times a year (i.e. spring, mid-summer, and fall). Pre-project soil samples will be collected from each monitoring plot to evaluate the long-term benefits of mycorrhizal innoculum, to measure the long term percent of plant cover by species, and to determine long-term pine needle compost mulch stability. Nine groundwater observation wells will be monitored for groundwater levels and water quality. During the fall and winter, groundwater levels will be monitored once a month. Throughout the spring and summer, groundwater levels will be recorded at a minimum of twice per month, with more frequent monitoring following precipitation events. The County will collect two groundwater quality samples at each of the nine wells to establish a pre-project baseline. One of these samples will be collected during spring runoff and one in the late summer or early fall. Groundwater monitoring will assist in the design of sediment basins and other infiltration measures and will address the Lahontan Regional Water Quality Control Board (LRWQB) staff's concerns about planning infiltration measures in areas of high groundwater or low permeability soils. The post-construction groundwater quality monitoring plan has not been finalized, but the County expects to conduct two monitoring cycles per year.

Three storm water treatment basins will be monitored for performance during selected storm events. Visual monitoring of selected sediment basins for performance during storm events will be aided by the installation of a staff gauge and piezometer with automated gauge in selected basins to measure: depth of water for the specific event, rate of infiltration of water in the basin, and the amount of time water remains in the basin during high antecedent moisture conditions. Photographs will be taken before and after construction for a period of two years, and following significant storm events, to monitor the performance of improvements. Photo monitoring will document the success of the restoration of the eroded and bare areas, the areas disturbed during construction, and the sediment basin landscaping. Exhibit 2 shows the proposed photo monitoring points.

CONSISTENCY WITH CRITERIA:

Significant and documentable benefit to Lake Tahoe water quality

TRPA's Water Quality Management Plan for the Lake Tahoe Region was prepared pursuant to the requirements of Section 208 of the Federal Clean Water Act and is often referred to as the "208 Plan". The 208 Plan is a key document guiding water quality management in the Tahoe Basin. TRPA's EIP complements and updates the Capital Improvements Program of the 208 Plan. The Apalachee erosion control project is listed in TRPA's EIP as Project # 188.

The 208 Plan states that management practices necessary to control the problems associated with streets, roads, and highways should be geared toward infiltration of runoff; revegetation of denuded areas; and stabilization of unstable drainages, slopes, and shoulders. Without proper stabilization these areas are potential sediment sources that can affect Lake Tahoe. According to the 208 Plan, street and road networks, in combination with existing development, represent a large source of elevated sediment and nutrient loads that the lake is currently receiving. Studies in other parts of the country indicate that best management practices (BMPs) can reduce yields of suspended sediment from small urbanized areas by 80 to 100 percent, and yields of phosphorus and nitrogen by 40 to 80 percent. The long-term decline in lake clarity has long been associated with increased algal productivity. Studies by the Tahoe Research Group (TRG) indicate that the lake is now phosphorus-limited; adding phosphorus to the lake increases algal productivity more than other nutrients, like nitrogen. Algal growth is particularly responsive to the combination of nutrients, trace elements, and natural organic compounds released by the erosion of Tahoe watersheds. Since phosphorus adheres to sediment, it often enters Lake Tahoe attached to sediment contained in surface runoff, particularly fine sediment. Recent TRG studies also indicate that very fine inorganic particles may significantly contribute to the reduced clarity of the lake. Conservancy projects work to control waterborne nutrient and fine sediment inputs to tributaries and the lake by reducing and preventing erosion, reducing runoff volume generated, and treating storm water to remove pollutants.

Installation of storm drain pipe and paved swales reduces erosion by providing a non-erodible surface to carry runoff and helps control the path the storm runoff takes. Drainage improvements, such as rock-lined channels, reduce erosion by decreasing the velocity of runoff and by protecting underlying soils. Revegetation of road shoulders reduces erosion by physically stabilizing soil. Sediment traps and infiltration and treatment basins help remove sediment and nutrients from storm runoff. The infiltration and treatment improvements also may reduce the peak flows and slow the delivery of storm runoff to the treatment basins within the project area. Site improvements from this project will contribute to the goal of completing the EIP and bringing all County roads into compliance with the 208 Plan's goal of completing all BMPs on County roads by 2008.

Adequacy of design

The proposed combination of treatment measures and their placement on the site are appropriate for addressing the identified problems within the project area. Proven erosion control techniques will be used including: curb and gutter, revegetation, rock-lined channels, sediment basins, sediment traps, culverts, vegetated swales, and flow spreading measures.

Comprehensiveness

The proposed project will address the erosion problems in the entire Phase III project area.

Cost-effectiveness

In response to the May 2001 adoption by TRPA of the updated EIP, and recent scientific findings regarding the cause of the decline in Lake Tahoe's clarity, the Conservancy, in July 2001, adopted revised grant guidelines for erosion control projects. Prior to July 2001, all site improvement projects were required to meet a minimum sediment reduction efficiency standard of 6.4 pounds of sediment retained per State dollar spent on site improvements. The new guidelines replaced the sediment reduction standard with the preferred design approach as a requirement for funding new projects. . Projects that received Conservancy site improvement funding before July 2001 must continue to meet the sediment reduction standard when new State funding is added. Since this project received a Conservancy site improvement grant prior to July 2001, it is required to meet the 6.4 lbs/$ sediment reduction standard. This project has an estimated sediment reduction efficiency of 8.8 lbs./$, which is based on a State contribution of $5,319,900 for site improvements (the total of all Conservancy site improvement funding to date, including this year's funding request, is shown in Exhibit 3, page 1 of 2). This efficiency rating exceeds the minimum standard of 6.4 lbs./$ required for eligibility under this grant program.

Implementability

The project is expected to be readily implementable, since most of the improvements will be constructed within County right-of-way and on publicly-owned land. However, the County has identified a need to acquire two privately owned parcels and two permanent easements and one temporary construction easement for water quality treatment purposes. The County is in the process of acquiring the necessary easements for this project.

Support

The El Dorado County Board of Supervisors, LRWQCB staff, and TRPA staff support the proposed improvements.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE:

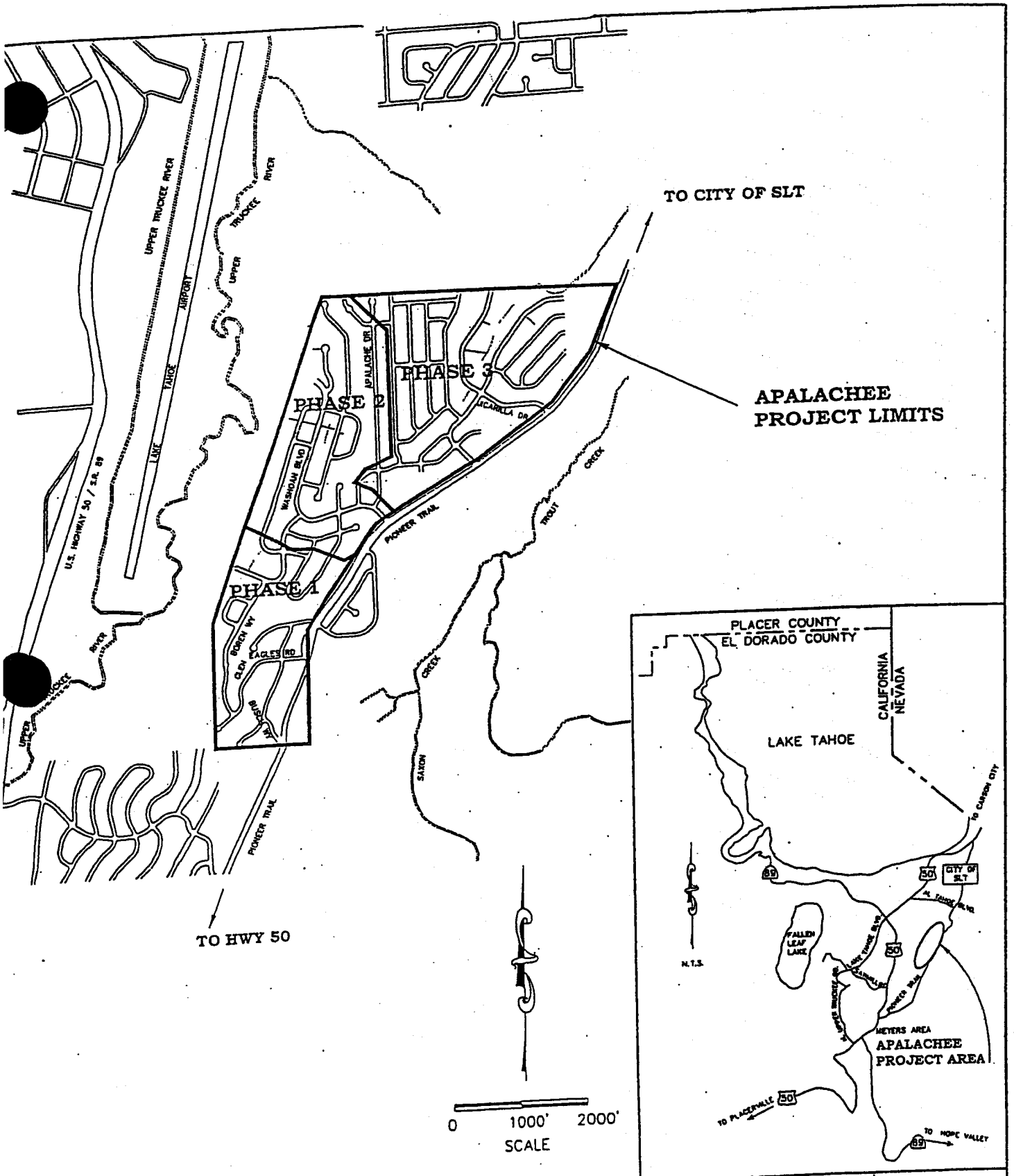
El Dorado County has prepared a Mitigated Negative Declaration for this project. The County has determined that this project will not have a significant effect on the environment and has filed a Notice of Determination with the State Clearinghouse. Exhibit 5 contains the County's Notice of Determination, the Mitigated Negative Declaration, and the CEQA Initial Study.

Pursuant to Section 15096 of the State CEQA Guidelines, the Conservancy is required to consider the environmental effects of a project as shown in a Negative Declaration prior to reaching a decision on a project. In May 2000 the board made a finding that the project would have no significant effect on the environment, and staff filed a Notice of Determination with the State Clearinghouse in accordance with Section 15096 of the State CEQA Guidelines. Exhibit 6 shows the Conservancy's Notice of Determination. In staff's opinion the current funding request is for project elements that are within the original project description, and there are no new significant environmental impacts that were not previously analyzed. Therefore, if the board concurs, no new environmental documents will be filed.

RECOMMENDATION:

Staff recommends approval of a grant of $1,766,300 for site improvements for this project since it is cost-effective and should result in a significant benefit to Lake Tahoe water quality.

EXHIBIT 1

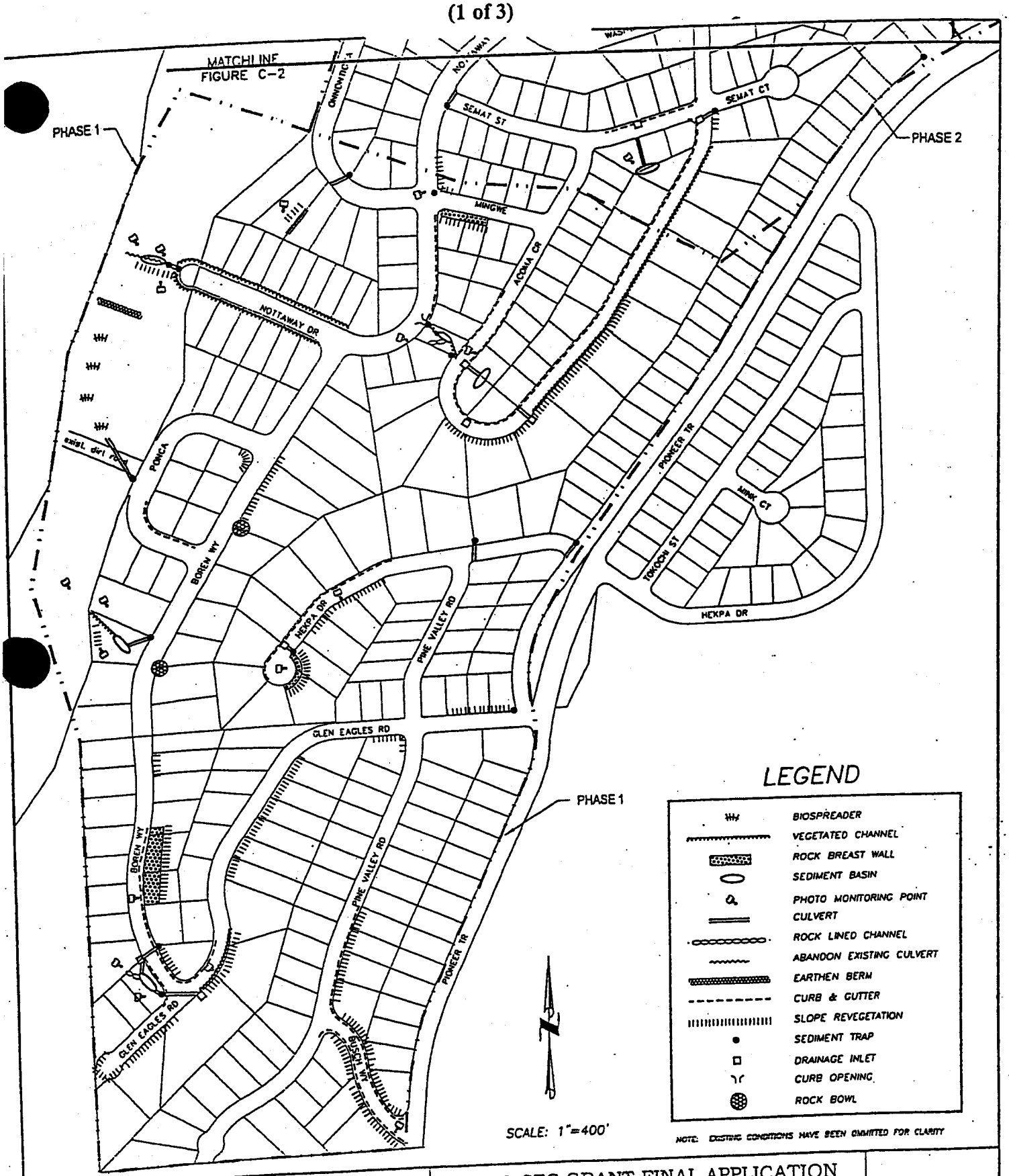


EL DORADO COUNTY
SOUTH LAKE TAHOE OFFICE

2003 CTC GRANT FINAL APPLICATION
APALACHEE EROSION CONTROL PROJECT
AMENDMENT NO.3
Location Map

DATE:	PROJECT NO.:	BY:
1/03	95154	DWK

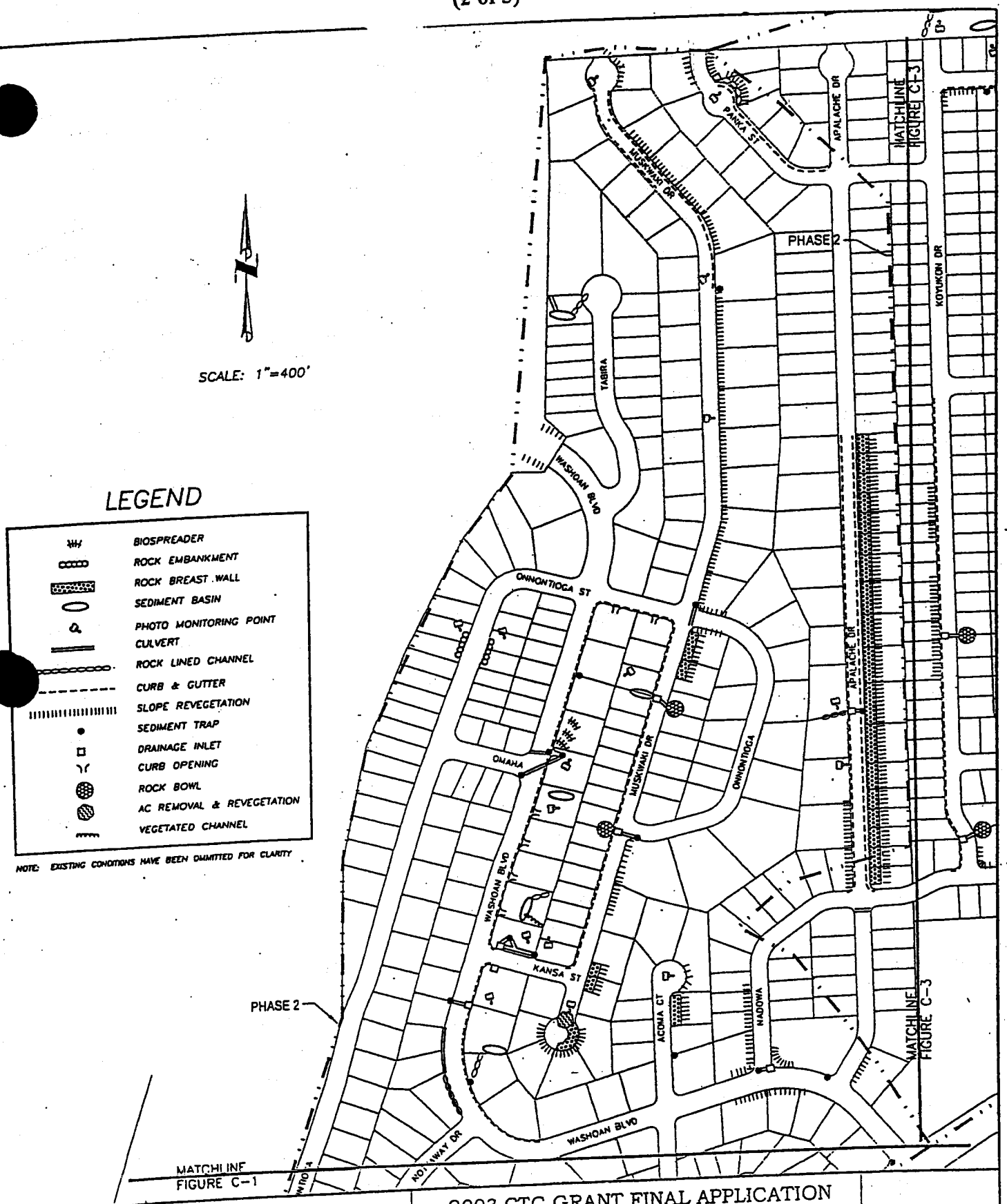
EXHIBIT 2
(1 of 3)



EL DORADO COUNTY
SOUTH LAKE TAHOE OFFICE

2003 CTC GRANT FINAL APPLICATION
APALACHEE EROSION CONTROL PROJECT
AMENDMENT NO.3
Proposed Improvements and Photo Monitoring Points

DATE: 1/03	PROJECT NO.: 95154	BY: DWK

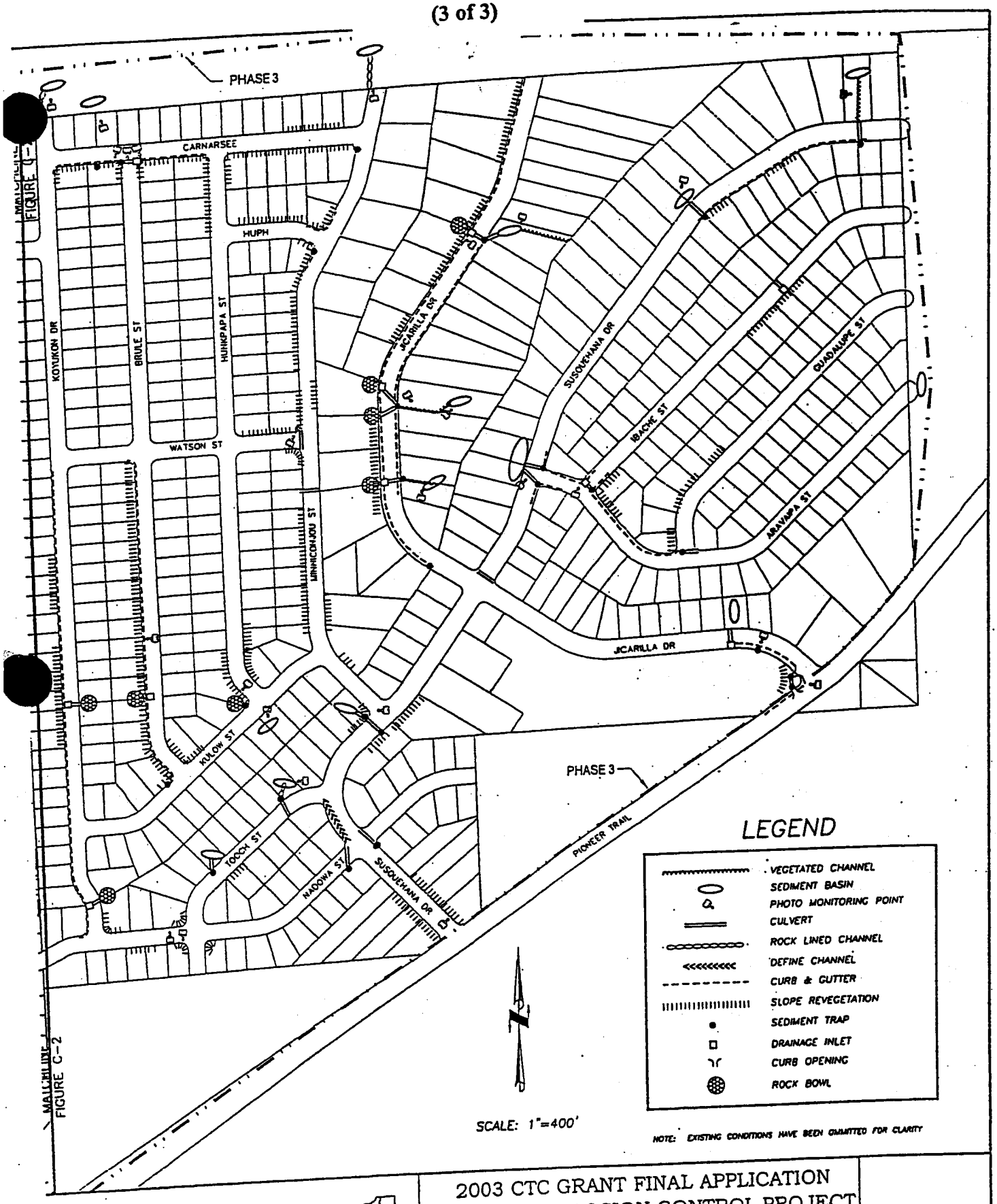


EL DORADO COUNTY
SOUTH LAKE TAHOE OFFICE

2003 CTC GRANT FINAL APPLICATION
APALACHEE EROSION CONTROL PROJECT
AMENDMENT NO.3
Proposed Improvements and Photo Monitoring Points

DATE: 1/03	PROJECT NO.: 95154	BY: DWK

EXHIBIT 2
(3 of 3)



EL DORADO COUNTY
SOUTH LAKE TAHOE OFFICE

DOT

2003 CTC GRANT FINAL APPLICATION
APALACHEE EROSION CONTROL PROJECT
AMENDMENT NO.3
Proposed Improvements and Photo Monitoring Points

DATE: 1/03	PROJECT NO.: 95154	BY: DWK

04-2

DEPARTMENT OF TRANSPORTATION
INTEROFFICE MEMORANDUM

Date: January 12, 2004

To: Ruth Young
Bridget Pooley

From: Janel Gifford

SUBJECT: Billing for Period 9/19/03 through 12/31/03 unless noted otherwise

I have completed assigning revenue sources to the expenses for the above referenced period. I wanted to point out the following items:

1. We have not yet received all of the money shown in our second request to TRPA dated September 16, 2003. We did receive the TRPA SEZ for 95147 so I did bill those expenses for the billing period of **9/5/03** through 12/31/03. Because we didn't receive the TRPA for 95156 yet, no expenses for 95156 can be billed yet. I have attached a spreadsheet that shows the latest status of our TRPA fund request.

2. Some general comments about updating the Program Summary Sheets, Project Summary Sheets and the TRPA WQ Request for Reimbursement:
   a. I think that you have received a copy of the fully executed amendment to CTA 02007 for Apalachee Phase 3 only. We won't have any expenses for this for a while, but if you wanted you could set up the Project Summary Budget as follows:

Construction	$1,000,571
Design & Administration	521,799
Irrigation	54,780
Monitoring	46,609
Contingency	142,541
TOTAL	1,766,300

   b. For the BOR/TRCD **Program** Summary page for 95147 the balance was incorrect on invoice 04-1. It should have been $801,979.88.
   c. Please send me a copy of TRPA billing 04-6 and any subsequent TRPA billings. I noticed that the back-up billing information sent to Charles Emmett at TRPA for invoice 04-2, 04-3, and 04-5 did not have the $5,720.91 charge to 95139 TRPA WQ deducted from the totals. These expenses were from the 03-8 billing. It is a little confusing having TRPA invoices for money we don't have (e.g. 04 invoices sent with 9/16/03 letter

EXHIBIT 3
(1 of 2)

SITE IMPROVEMENT BUDGET SUMMARY

EXPENDITURES	FY 99-00	FY 00-01	FY 01-02	FY 02-03	FY 03-04	FY 04-05	FY 05-06	FY 06-07	FY 07-08	FY 08-09	FY 09-10	TOTAL
						728,000	1,145,960	1,000,571	See Notes below			2,874,531
Construction						400,610	418,870	169,770	6,512	6,512	6,512	1,744,804
Design & Administration	30,649	140,789	57,658	230,432	276,490	9,130	36,520	54,780	45,650	18,260		164,340
Irrigation						53,791	31,060	15,530	15,530	15,530	15,530	288,417
Monitoring		16,782	34,604	37,265	52,795	130,122	171,852	142,541				444,515
Contingency												
TOTAL	30,649	157,571	92,262	267,697	329,285	1,321,653	1,804,262	1,383,192	67,692	40,302	22,042	5,516,607

REVENUE	TRPA	CTC 00	CTC 01	CTC 02	CTC 03	USFS	TOTAL
Construction		441,520	286,480	1,145,960	1,000,571		2,874,531
Design & Administration	69,239	123,990	427,099	521,799	521,799	16,968	1,680,894
Irrigation	53,910	13,060	41,720	54,780	54,780		228,250
Monitoring	46,590	22,170	126,439	46,609	46,609		288,417
Contingency		57,860	72,262	171,852	142,541		444,515
TOTAL	179,739	658,600	954,000	1,941,000	1,766,300	16,968	5,516,607

CTC TOTAL	
Construction	2,874,531
Design & Administration	1,584,687
Irrigation	164,340
Monitoring	241,827
Contingency	444,515
TOTAL	5,319,900

Notes: Additional funding will be obtained from the TRPA Water Quality Mitigation Funds and/or 04 Grant augmentation which will fund the D&A, Irrigation, and Monitoring Expenses for FY 07-08, FY 08-09, and FY 09-10. The current Budget depicts these funds from the TRPA Water Quality Mitigation Funds.

EL DORADO COUNTY
SOUTH LAKE TAHOE OFFICE

2003 CTC GRANT FINAL APPLICATION
APALACHEE EROSION CONTROL PROJECT
AMENDMENT NO.3
Budget Summary

DATE: 1/03 | PROJECT NO.: 95154 | BY: DWK

FIGURE
G

APALACHEE
EROSION CONTROL PROJECT
CONSTRUCTION COST ESTIMATE
AND FUNDING DISTRIBUTION

95154 95185 95184/

ITEM NO.	DESCRIPTION	QUAN	UNIT	UNIT PRICE	TOTAL	CTC 00/CTC 01 Phase 1 QUANTITY	CTC 00/CTC 01 Phase 1 TOTAL	CTC 02 Phase 2 QUANTITY	CTC 02 Phase 2 TOTAL	CTC 03 Phase 3 QUANTITY	CTC 03 Phase 3 TOTAL
1	18" Culvert in pavement	1,998	LF	72	143,856	310	22,320	651	46,872	1,037	74,664
2	18" Culvert out of pavement	420	LF	50	21,000	280	14,000	140	7,000		
3	24" Culvert in pavement	90	LF	75	6,750	50	3,750			40	3,000
4	24" Culvert out of pavement	150	LF	68	10,200	70	4,760	80	5,440		
5	24"Culvert in pavement, steep slope	60	LF	95	5,700	60	5,700				
6	30" Culvert out of pavement	150	LF	72	10,800	150	10,800				
7	Abandon Exist. S.D.	18	EA	1,000	18,000	9	9,000	8	8,000	1	1,000
8	AC Removal	2,000	SF	1.75	3,500			2,000	3,500		
9	Basin	4,664	CY	60	279,840	1,203	72,180	1,035	62,100	2,426	145,560
10	Basin Revegetation	1	LS	44,476	44,476	0.24	10,674	0.13	5,782	0.63	28,020
11	Berm	200	CY	25	5,000	200	5,000		0		
12	Biospreader	2	EA	5,000	10,000	1	5,000	1	5,000		
13	Channel Definition	160	LF	14	2,240					160	2,240
14	Curb and Gutter with tie-in pavement	17,330	LF	42	727,860	4,500	189,000	6,440	270,480	6,390	268,380
15	Curb Opening	24	EA	1,000	24,000	4	4,000	10	10,000	10	10,000
16	Drop Inlet	29	EA	4,500	130,500	7	31,500	12	54,000	10	45,000
17	Embankment Stabilization	1	LS	5,000	5,000			1	5,000		
18	Misc. Paving	10,000	SF	.7	70,000	2,300	16,100	3,000	21,000	4,700	32,900
19	Other Revegetation	1	LS	12,000	12,000	0.17	2,040	0.33	3,960	0.50	6,000
20	Remove existing DI	6	EA	500	3,000	1	500	2	1,000	3	1,500
21	Revegetation on a Slope	1	LS	61,264	61,264	0.27	16,541	0.45	27,569	0.28	17,154
22	Revegetation w/shrubs	1	LS	171	171					1	171
23	Riser	7	EA	3,000	21,000	3	9,000			4	12,000
24	Rock Breast Wall	12,375	SF	14	173,250	2,070	28,980	10,065	140,910	240	3,360
25	Rock Lined Channel	972	LF	58	56,376	127	7,366	645	37,410	200	11,600
26	Rock Sediment bowl	1,320	SF	13	17,160	240	3,120	240	3,120	840	10,920
27	S.D. Flared Ends	19	EA	450	8,550	8	3,600	4	1,800	7	3,150
28	Sediment Trap	53	EA	4,800	254,400	11	52,800	17	81,600	25	120,000
29	Sod Salvage	392	SY	12	4,704	33	396	89	1,068	270	3,240
30	Tree Removal	10	EA	525	5,250			3	1,575	7	3,675
31	Vegetated Swale	2,964	LF	14	41,496	2,349	32,886	65	910	550	7,700
32	Willow Salvage & Transplant	10	EA	125	1,250	2	250	3	375	5	625
33	Construction Staking	1	LS	42,500	42,500	0.32	13,600	0.34	14,450	0.34	14,450
34	Mobilization	1	LS	100,000	100,000	0.32	32,000	0.34	34,000	0.34	34,000
35	Temp. Erosion Control	.1	LS	42,120	42,120	0.32	13,478	0.34	14,321	0.34	14,321
36	Traffic Control	1	LS	50,000	50,000	0.32	16,000	0.34	17,000	0.34	17,000
37	Public Meeting	1	LS	316,902	316,902	0.23	73,902	0.65	205,500	0.12	37,500
	SUBTOTAL				2,730,115		710,244		1,090,742		929,129
	INFLATION FACTOR						1.025[1]		1.025[2]		1.025[3]
	TOTAL				2,874,531		728,000		1,145,960		1,000,571

EL DORADO COUNTY
SOUTH LAKE TAHOE OFFICE

2003 CTC GRANT FINAL APPLICATION
APALACHEE EROSION CONTROL PROJECT
AMENDMENT NO.3
Construction Cost Estimate & Funding Distribution

DATE: 1/03 | PROJECT NO.: 95154 | BY: DWK

EXHIBIT 4

DESIGN AND CONSTRUCTION SCHEDULE

	Phase 1	Phase 2	Phase 3
Preliminary Design	Jun 2003	Jun 2004	Jun 2005
Final Design	Mar 2004	Mar 2005	Mar 2006
Construction	Jul 2004-Oct 2004	Jul 2005-Oct 2005	Jul 2006-Oct 2007
Irrigation	May 2005-Oct 2006	May 2006-Oct 2007	May 2007-Oct 2008
Submit Final Report	Dec 2004	Dec 2005	Dec 2006
Submit Initial Monitoring Report	Dec 2005	Dec 2006	Dec 2007
Submit Final Monitoring Report	Dec 2006	Dec 2007	Dec 2008

ACQUISITION SCHEDULE

	Phase 1	Phase 2	Phase 3
Finalize Acquisition Needs	Jul 2003	Jul 2004	Jul 2005
Request Preliminary Title Reports and Appraisals	Jul 2003	Jul 2004	Jul 2005
CTC Approval of Preliminary Title Reports and Appraisals	Sep 2003	Sep 2004	Sep 2005
Negotiation and Agreement of Sales	Nov 2003	Nov 2004	Nov 2005
CTC Approval of Instruments of Conveyance, Escrow Instructions, and Purchase Agreements	Jan 2004	Jan 2005	Jan 2006
Close of Escrow	May 2004	May 2005	May 2006

EXHIBIT 5

RECEIVED
APR 12 2000

NOTICE OF DETERMINATION

F TRANSPORTAT
do
e
South Lake Tahoe, CA 96150

TO: ☒ COUNTY CLERK
County of El Dorado
330 Fair Lane
Placerville, CA 95667

or

☒ OFFICE OF PLANNING AND RESEARCH
1400 Tenth Street
Sacramento, California 95814

FILED
FEB 11 2000
WILLIAM E. SCHULTZ, Recorder/Cler
M. A. VAN BUSKIR

SUBJECT: **Filing of NOTICE OF DETERMINATION in compliance with Section 21108 or 21152 of the Public Resources Code.**

PROJECT TITLE: Apalachee Erosion Control Project

STATE CLEARINGHOUSE NUMBER: 99122015

CONTACT PERSON: Janel Gifford TELEPHONE NUMBER: (530) 573-3180 ext. 2

PROJECT LOCATION: Tahoe Paradise Unit Nos. 1, 2, 3, 4, 5, 6, 7, and 8 and Rolling Woods Height Subdivisions, east of U.S. Highway 50 and west of Pioneer Trail in South Lake Tahoe, El Dorado County, California

PROJECT DESCRIPTION: Construction of erosion control/water quality improvements consisting of infiltration basins, culverts, sediment traps, rock and vegetation-lined channels, rock slope protection, revegetation, and property acquisitions.

The EL DORADO COUNTY Board of Supervisors has approved the above described project and has made the following determinations regarding the project:

1) Project ☐ will ☒ will not, have a significant effect on the environment.

2) ☐ An Environmental Impact Report was prepared pursuant to provisions of CEQA.

☒ A Negative Declaration was prepared pursuant to provisions of CEQA.
The EIR or Negative Declaration and record of project approval may be examined at:

El Dorado County Department of Transportation

1121 Shakori Drive, South Lake Tahoe, CA 96150

3) Mitigation Measures ☒ were ☐ were not, made a condition of the approval of the project.

4) A Statement of Overriding Considerations ☐ was ☒ was not, adopted for this project.

EL DORADO CO. RECORDER/CLERK
DATE POSTED: 2-17-00

Date Received for Filing 2/11/2000

Signature

FISH AND GAME AB 3158 FEES

Director of Transportation
Title

☒ Project is de minimis in effect. No fee required.
☐ Negative Declaration filed. $1,275.00 fee required.
☐ EIR filed. $875.00 fee required.

California Department of Fish & Game
CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

FILED

FEB 11 2000

WILLIAM E. SCHULTZ, Recorder-Clerk

M. A. VAN BUSKIRK

Project Title/Location (include county):

APALACHEE EROSION CONTROL PROJECT
Tahoe Paradise Unit Nos. 1, 2, 3, 4, 5, 6, 7, and 8 and Rolling Woods Height Subdivisions, east of U.S. Highway 50 and west of Pioneer Trail in South Lake Tahoe, El Dorado County, California

Project Description:

Construction of erosion control and water quality improvements consisting of infiltration basins, culverts, sediment traps, rock and vegetation-lined channels, rock slope protection, revegetation, and easement acquisition.

Findings of Exemption (attach as necessary):

The initial study conducted by the lead agency found that no potential individual or cumulative impacts on wildlife resources will result from the project. A Mitigated Negative Declaration was approved by the El Dorado County Board of Supervisors on February 8, 2000.
SCH 99122015

Certification:

I hereby certify that the El Dorado County Department of Transportation has made the above finding and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish & Game Code.

Director of Transportation
El Dorado County
Department of Transportation

Date: 2/9/00

EL DORADO CO. RECORDER/CLERK
DATE POSTED: 2-11-00
REMOVED: 3-29-00
RETURNED: 3-31-00

California Regional Water Quality Control Board
Lahontan Region

Internet Address: http://www.mscomm.com/~rwqcb6
2501 Lake Tahoe Boulevard, South Lake Tahoe, California 96150
Phone (530) 542-5400 • FAX (530) 544-2271

Gray Davis
Governor

RECEIVED
JAN - 5 2000

uary 5, 2000

el Gifford
Dorado County Department of Transportation
hoe Engineering
21 Shakori Drive
uth Lake Tahoe, CA 96150

ar Ms. Gifford:

OMMENTS CONCERNING PROPOSED MITIGATED NEGATIVE DECLARATION
OR THE APALACHEE EROSION CONTROL PROJECT, EL DORADO COUNTY

e have reviewed the above-referenced document, which includes the Initial Study, Environmental
ecklist, Determination, Environmental Assessment, and Mitigation Measures for the Apalachee
osion Control Project. We understand that the County proposes to design and construct drainage
provements in several existing subdivisions south and east of the Lake Tahoe Airport between the
pper Truckee River and Pioneer Trail. The project area is bounded by Pioneer Trail on the south and
SFS land on the north, and the Upper Truckee River and the rescinded Caltrans freeway
on the west. The project, which encompasses approximately 500 acres, has been divided into
ee phases for funding and construction purposes, but the environmental documents cover the entire
oject. On September 10, 1999, Regional Board staff accompanied you on a site visit

e recommend that changes be made to the project description, environmental checklist, and
vironmental assessment form, and that you send responses to our comments in writing. We have the
llowing general and specific comments.

eneral Comments

Soils that are relatively shallow over either a pan or fine lake sediments are common within the project area (see discussion in Specific Comments). These soils are unusual in the Tahoe Basin. Even where these areas are not found to be Stream Environment Zones, identification of these soils is critical to selecting appropriate erosion control conveyance and treatment improvements. On these soils, flow spreading and shallow vegetated swales could function as designed. However, deeper rock-lined ditches, which could dewater well-vegetated areas, and basins and sediment traps designed for infiltration are not recommended on these soils. Additional soil investigations, particularly in the mapped JgC soils, should be incorporated into the early phases of design.

Disturbance of SEZ areas is discussed in several parts of the document. The existing project description adequately explains that basins would be located outside of the wettest portions of the SEZs, and that construction of basins or flow spreading improvements would not result in loss of SEZ function. In the Initial Study I.G (*Coverage and Permit Issues*) section, there is a

statement that after construction and revegetation, "the areas of SEZ to receive sediment basins will be considered restored SEZ". For the purpose of tracking SEZ restoration in the Tahoe Basin, these SEZ areas might only be considered "restored" if it is determined that these areas were not previously functioning as SEZs and if adequate pre-treatment of runoff occurs before discharge to basin.

Disturbance to areas of SEZ not considered to be existing coverage by TRPA will require that the Regional Board grant exemptions to the waste discharge prohibitions. Requests for exemptions to the prohibitions for areas in excess of 2000 square feet of new disturbance or more than 100 cubic yards of fill or excavation within SEZs must be considered at a Regional Board meeting. The Basin Plan allows exemption for erosion control projects where the disturbance is necessary for environmental protection and no reasonable alternative exists.

There is likely to be disturbance to the SEZ, but the documents do not provide an estimate of the maximum amount of SEZ disturbance that is covered by the Negative Declaration. Providing an estimate of SEZ disturbance area in the environmental documents, even at this early stage of conceptual design, assists Regional Board staff in later making the findings necessary to recommend an exemption to the prohibitions against disturbance to the SEZ. Please estimate areas of disturbance proposed in SEZ that are not considered existing coverage.

Specific Comments

1. In discussions and maps in Initial Study I.G (*Coverage and Permit Issues*), Figures D1-D3 (*Land Capability Class Maps*), and Environmental Checklist and Explanation of Responses IVc "*federally protected wetlands,*" SEZs are shown as being classified by TRPA as loamy alluvial lands (Lo) by Soil Conservation Service classification. This classification is given as an indication that these areas are not jurisdictional wetlands, and would not require a Corps of Engineer Permit or Water Quality Certification from Lahontan. Though most of the SEZs do not appear to be jurisdictional wetlands, additional field work may be needed to make these determinations.

The SEZ boundaries shown on Figures D1-D3 appear to be from TRPA maps, which may require project-level TRPA field verification. These boundaries often do not correspond with underlying or adjacent soil classifications shown in the Soil Conservation Service 1974 Soil Survey of the Tahoe Basin. The Lo (Loamy alluvial land) map unit is mostly west of the project area and includes the Upper Truckee River and its associated jurisdictional wetlands.

Most of the SEZs in the Apalachee project area are found on JgC or EbE soil map units on Sheet No. 9 (Bijou Quadrangle) of the Soil Survey. Most of these SEZs are unlikely to be jurisdictional wetlands, but Sheet No. 9 shows several symbols for wet spots within the JgC map units in the project area. The JgC soils, which are a moderately fine subsoil variant of the Jabu series soils, have a coarse 6-10 inch deep surface soil layer underlain by a heavy loam to clay loam subsoil on top of impermeable clay loam to clay texture lake sediments. This JgC soil covers about 70% of the map unit. Another 20% of the JgC map unit described on page 23 of the Soil Survey consists of fine textured, poorly drained soils.

Even outside of the mapped SEZs, additional soils investigations, early in the design phase, are needed to determine soil limitations before selecting appropriate improvements. Responses to Hydrology and Water Quality questions should also be changed to include discussion of collection of data before design. Please include a discussion of measures to identify soil parameters and incorporate soils data into project design.

2. Under Environmental Checklist Question VII b, "... *accident conditions involve release of hazardous materials....*", please describe potential for a sewage spill and describe mitigation. Mitigation measures could include locating and marking sewer lines prior to construction, having silt fences in place and other absorbent materials on site for spill containment. Appendix A now only addresses fuel spills from construction equipment.

3. Under Environmental Checklist Question VIII a, *"Violation of water quality standards or waste discharge requirements"* and Environmental Assessment Question 8 *"direct or indirect discharge of silt or any other particles,"* please discuss measures to avoid these discharges during construction.

4. Under responses to Environmental Checklist Question VIII e *"... capacity of stormwater drainage systems..."*, and VIII f *"Otherwise substantially degrade water quality"*, the goal of upgrading conveyances to design capacities to handle the 100 yr. storm is mentioned. Please discuss measures to assure that upgrading these capacities will not impact SEZs. Particularly if conveyance capacities are upgraded, the potential for impacts between the discharge points at the west boundary of the project and the Upper Truckee River should be discussed. No improvements are shown in this area, but there may be potential impacts or the potential for water quality benefits from improvements in this area. At a minimum, please discuss the condition of channels or other conveyances in this area, and the rationale for excluding from the project this section that receives runoff from the project area.

Should you have any questions, please contact Robert Erlich at (530) 542-5433 or me at (530) 542-5436.

Sincerely,

Lauri Kemper

Lauri Kemper, P.E.
Chief, Lake Tahoe Watershed Unit

cc: TRPA/Kara Russell
Tahoe Conservancy/Steve Goldman

RE/cgt:Apalachee.env
[09/new pending/Apalachee Erosion Contro Project]

:OUNTY OF EL DORADO DEPARTMENT OF TRANSPORTATION

TAHOE ENGINEERING
1121 Shaked Drive
South Lake Tahoe, California 96150

Phone: (530) 573-3180 ext. 2
FAX: (530) 577-8402

nuary 20, 2000

:. Lauri Kemper
ief, Lake Tahoe Watershed Unit
lifornia Regional Water Quality Control Board-Lahontan Region
01 Lake Tahoe Boulevard
uth Lake Tahoe, Ca 96150

ar Lauri:

bject: Apalachee Erosion Control Project – Response to Comments on Proposed Mitigated Negative Declaration (JN 95154)

ank you for your comments on the above-referenced document. As usual, another perspective is useful creating the most thorough CEQA document for what is presently known about the project.

recommended that changes as a result of your comments be made to the project description, vironmental checklist, and environmental assessment form. The CEQA guidelines do not specify how response to comments must be incorporated into the original CEQA document. In the past we have pared a separate "Response to Comments" section that we attach to the CEQA document to be proved by the Board. The separate "Response to Comments" section is also sent to the agency who mmented and to the CTC. We have continued with this practice to save paper and avoid duplicating the ponses to comments in the CEQA document and in the separate section.

have attached a copy of our responses to your comments dated and received on January 5, 2000.

cerely,

el Gifford
ior Civil Engineer

lm

losure

Dave Zander – CTC
Bob Sleppy – Department of General Services, Real Estate Division
Kara Russell - TRPA

January 18, 2000

RESPONSE TO COMMENTS FROM LAHONTAN REGIONAL WATER QUALITY CONTROL BOARD RECEIVED JANUARY 5, 2000

The responses are numbered in accordance with the order of the comments.

General Comments/ Specific Comments

1. We agree that the areas mapped as SEZ by TRPA are incorrectly described as Lo, loamy alluvial lands, in IG of the Initial Study, Figures D-1 through D-3, and IVc. of the Environmental Checklist and Explanation of Responses. Rather the SCS does show JgC or EbE soil map units for most of the SEZs shown within the project area. We agree that often the TRPA mapped SEZ boundaries do not correspond with the soil classifications shown in the Soil Conservation Service 1974 Soil Survey of the Tahoe Basin.

The SEZs shown on Figures D-1 through D-3 were taken from the TRPA's GIS Needs Assessment performed by Larry Benoit for the project area. It was incorrectly assumed that, because the SCS had not mapped these areas as Marsh, and site visit indicated that these areas were not extremely wet due to the man-made channels constructed through the SEZ, that these areas were Lo. According to Joe Pepi of TRPA, if TRPA has mapped an area as SEZ, but SCS shows it as JgC, JaC, JaD, or EbE, the soil type will change from the SCS calssification when TRPA provides the Land Capability Verification for the project area.

Therefore, the first and second sentence of IG "Coverage and Permit Issues" should read "TRPA has defined some areas within the project area as SEZ. During the project design, TRPA will provide a Land Capability Verification in which the soil type(s) for these areas will be provided. Also during the design, soil investigations will be performed on selected areas where some of the sediment basins are proposed to better define whether a Corps of Engineers Permit or Water Quality Certification from Lahontan will be necessary." In the legend shown on Figures D-1 through D-3 the SEZ item should read " Stream Environment Zone " only. IVc. of the Environmental Checklist and Explanation of responses should be modified as follows:

- The response on the Checklist should be "No Impact" instead of "Potentially Significant Unless Mitigation Incorporation".
- The Explanation of Responses to IVc. should read "TRPA's GIS Needs Assessment (Larry Benoit circa 1996) classifies some areas of the project as SEZ. During the design phase, TRPA will provide the soil type(s) associated with this Land Capability. Also soil investigations will be performed in selected areas of these SEZs where some of the proposed improvements will be constructed. With this information, it will be determeined what mitigation will be required and whether a Corps of Engineers Permit and Water Quality Certification from Lahontan is necessary." This statement should be added to Attachment B under Biological Resources Impacts.

In the last paragraph of your 1. Specific Comments you request that we include a discussion of measures to identify soil parameters, incorporate soils data into the project design, and include this discussion in the Responses to the Hydrology and Water Quality questions. We believe it would be premature to elaborate on such a soil investigation program at this time. We would not expect that such an elaboration would change the impact noted in the Checklist. Suffice it to say for now we plan to perform soil investigation for type, permeability, and percolation rates, and install ground water observation wells at the appropriate proposed basin sites in the early part of the design. Please note that IE2. "Proposed Improvements-Treating Storm Water and Snow Melt Runoff " already contains a description of these investigations.

January 18, 2000

General Comments

2. Since TRPA determines whether a project creates a "restored" SEZ, the second to last and the last sentences of paragraph 1 of IG should read "...the areas of SEZ to receive sediment basins may be considered by TRPA to be restored SEZ. TRPA may also consider the areas of SEZ in which flow spreading devices will be constructed as enhanced SEZs".
Since we have not yet received grant funding for the project, there are not funds available to estimate the quantities of disturbance to SEZ areas. Should we perform this estimate, we don't believe it would be meaningful because the design is at best conceptual at this stage. This information will be available during the detailed design phase when the quantities will be more accurate and meaningful.

Specific Comments

2 Environmental Checklist VIIb. The following statement should be added to the Explanation of Responses (Attachment A) and to Attachment B under Construction Related Impacts. " It is possible that sewer lines could be damaged during construction of the project. The following measures to reduce the potential for this damage and subsequent sewage spill will be implemented:

- Compliance with USA (Under ground Service Alert) regulations regarding marking of the location of utilities prior to excavation.
- Potholing to expose marked utilities prior to excavation for the installation of improvements.

Should such a spill occur, the following measures will be taken:

- Filter fence will be installed before excavation in the area takes place to contain the spill.
- The responsible Public Utility District (PUD) will be immediately notified. The PUD will vacuum the waste into a vactor truck and dispose of it in accordance with federal, state, and local requirements."

3. Environmental Checklist VIIa and Environmental Assessment #8. For this particular question we were considering the "project" to be the "as constructed" project. The response on the Checklist should say "No Impact" instead of "Potentially Significant Unless Mitigation Incorporation". The following statement should be added to the Explanation of Responses (Attachment A) and to Attachment B under Construction Related Impacts: " During construction temporary erosion control measures such as filter fence on the downstream side of excavations and material storage areas will be installed and maintained to avoid the violation of any water quality standards or watse discharge requirements."

4. The channels and conveyances beyond the limits of the proposed improvements on the westerly edge of the project area appear to be stable from visual observations. Because the project will not increase the runoff to these areas, no work is recommended beyond the limits shown. The area beyond the westerly edge of the project area is steep, making access difficult. The disturbance that would be created by working in this area appears to be unwarranted since improvements appear to be unnecessary.

EL DORADO COUNTY

DEPARTMENT OF TRANSPORTATION

CEQA INITIAL STUDY

FOR

The Apalachee Erosion Control Project

State Clearinghouse No. _____

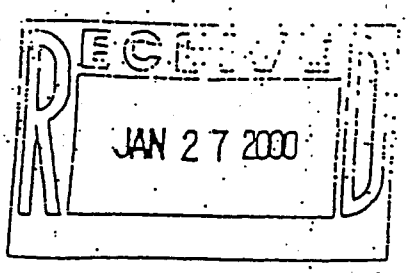
REC. DEC. 2, 1999
D. Zanh

Job Number: 95154
Date: December 2, 1999

CEQA

OF CALIFORNIA-BUSINESS, TRANSPORTATION AND HOUSING AGENCY — GRAY DAVIS, Governor

PARTMENT OF TRANSPORTATION
CT 3
X 911
E CA 95901
ephone (530) 741-4509
) 741-5346
x (530) 741-4498



January 24, 2000

KTAH113
03-ELD-50 PM 71.48
Apalachee Erosion Control Project
JN 95154 PND SCH# 99122015

Ms. Janel Gifford
El Dorado County Department of Transportation
1121 Shakori Drive
South Lake Tahoe, CA 96150

Dear Ms. Gifford:

Thank you for the opportunity to review and comment on the above referenced document.

No significant hydraulic impacts are expected to occur to State highway facilities from the 500 acre project.

If you have any questions regarding these comments, please contact Terri Pencovic, Local Development/Inter-Governmental Review Coordinator, at (530) 741-4199.

Sincerely,

Jean L Baker

EAN L. BAKER, CHIEF
)ffice of Environmental Management, M-2

: Ms. Cathleen Pierce, Gov.'s Office of Planning and Research (Fax State :learinghouse)

COUNTY OF EL DORADO — DEPARTMENT OF TRANSPORTATION

TAHOE ENGINEERING
1121 Shakori Drive
South Lake Tahoe, California 96150

Phone: (530) 573-3180 ext 2
FAX: (530) 577-8402

December 2, 1999

To: Reviewers of the Apalachee Erosion Control Project CEQA Document

Subject: Notice of Intent to Adopt a Mitigated Negative Declaration for the Apalachee Erosion Control Project (JN 95154)

Enclosed is the Initial Study, the Environmental Checklist, Determination, Environmental Assessment, and Mitigation Measures for the Apalachee Erosion Control Project. These documents have been prepared to qualify for California Tahoe Conservancy funding. The project location and description are included in these documents.

El Dorado County intends to seek a mitigated Negative Declaration for this project. Please send comments to:

Bruce Lee, Supervising Civil Engineer
El Dorado County
Department of Transportation
1121 Shakori Drive
So. Lake Tahoe, CA 96150

The public review period shall begin on Tuesday, December 7, 1999 and shall end on Wednesday, January 5, 2000. Comments received after the ending date will not be considered.

Sincerely,

Janel Gifford

Janel Gifford
Senior Civil Engineer

JG/jg
Enclosure

El Dorado County
Department of Transportation
APALACHEE EROSION CONTROL PROJECT
INITIAL STUDY

This document includes the following sections:

LIST OF FIGURES

APALACHEE EROSION CONTROL PROJECT

Initial Study

This Initial Study is based on a conceptual design and has been prepared in order to qualify for the California Tahoe Conservancy (CTC) grant funding for the Apalachee Erosion Control Project.

El Dorado County intends to seek a mitigated Negative Declaration for this project. Even though this CEQA document is being prepared before the design review process is completed, the design concepts are known and changes are expected to be insignificant. However, if significant impacts or new mitigation measures result from this review process, El Dorado County will recirculate the document to address these new issues.

The initial review period shall begin December 7, 1999 and end on January 5, 2000. Comments received after January 5, 2000 will not be considered.

I. PROJECT DESCRIPTION

A. Project Location

The project area is located in eastern El Dorado County, in the Lake Tahoe Basin, east of U.S. Highway 50, and west of Pioneer Trail. The project area is bounded by Pioneer Trail on the south [redacted] east, Trout Creek on the north and east, United States Forest Service (USFS) lands on the [redacted]th, and the Upper Truckee River and the rescinded Caltrans freeway corridor on the west. The project area includes Tahoe Paradise Unit Nos. 1, 2, 3, 4, 5, 6, 7, and 8 Subdivisions as well as Rolling Woods Heights Subdivision which encompasses approximately 500 acres. The project has been divided into three phases for funding and construction purposes. Figure A provides a map of the project area.

B. Site Description

The project area encompasses El Dorado County right-of-way, CTC, USFS, and private property. Approximately 23% of the parcels are publicly owned either by the CTC or by the USFS, and approximately 55% of the parcels have been developed with single family residences. Figures B-1, B-2, and B-3 depict the ownership of the public parcels. Subdivision improvements include 25- to 30-foot wide paved roads within 50, 56, or 60-foot County rights-of-way, overhead and underground utilities, and limited drainage improvements.

The natural slopes in the project area are steep, well vegetated with pines, fir, manzanita, and other shrubs, and are covered with a blanket of pine needles. Cut banks in the project area are steep and eroding and are bisected with steep roadways that are heavily sanded in the winter for driving safety. The storm water and snow melt runoff from the roadways and banks is conveyed via eroding roadside shoulders and channels and drains into generally well-vegetated but channelized stream environment zones (SEZs) depositing sediment and road sand. The deposition of road [redacted]nd and sediment reduces the effectiveness of these SEZ areas in treating the runoff. Since [redacted]ese SEZs discharge into the Upper Truckee River (which is within 0.20 miles of the westerly edge [redacted]f the project area) and Trout Creek (which is within 0.60 miles of the northeasterly edge of the project area) both of which flow into Lake Tahoe, the water quality of these streams and Lake

Tahoe is negatively affected by this reduction in effectiveness. Figures C-1, C-2, and C-3, each entitled "Problem Area and Watershed Map," show the locations of these various problem sources and the watershed areas draining into these SEZs.

Land Capability Classes include Stream Environment Zone (SEZ) Class 1b and Classes 4,5, and 6. The corresponding soils types accompanying these classes are loamy alluvial lands, gravelly and stony coarse loamy sand, loamy coarse sand, coarse sandy loam, and gravelly loamy coarse sand. Figures D-1, D-2, and D-3 depict the Land Capability Classes in the project area.

C. Project Need

Pursuant to the requirements of Section 208 of the Clean Water Act, the Tahoe Regional Planning Agency (TRPA) has prepared a Water Quality Management Plan (208 Plan) for the Lake Tahoe Basin. This plan identifies erosion, runoff, and disturbance resulting from developments such as the subdivision roads within the project area as primary causes of the decline of Lake Tahoe's water quality. TRPA's 208 Plan also mandates that capital/environmental improvement projects such as the Apalachee Erosion Control Project be implemented to bring all County roads into compliance with the Best Management Practices by the year 2008.

The proposed project area encompasses multiple projects included in both the Tahoe Regional Planning Agency's (TRPA) Environmental Improvement Program (EIP) and the California Tahoe Conservancy's (CTC) 1987 "A Report on Soil Erosion Control Needs and Projects in the Lake Tahoe Basin" (CTC 1987 Report). These projects are listed in the 1987 CTC report and prioritized as follows:

> Washoan Boulevard, priority no. 6, Glen Eagles Road, priority no. 13, Apalachee Drive, priority no. 22, Jicarilla Drive, priority no. 26, and Muskawaki Drive, priority no. 31.

Each of these projects were identified as project #0188 within Plan Area Statement 117 in the TRPA EIP.

El Dorado County Department of Transportation (DOT) proposes to resolve the problems mentioned above by:

1) stabilizing existing sediment contributors;
2) capturing road sand; and
3) treating the storm water and snow melt runoff..

D. Hydrology/Hydraulics

During the design of the proposed project, hydrology and hydraulic studies will be performed and included in the Project Report. The Project Report will be reviewed by all funding and regulatory agencies. In general conveyances will be designed to handle the 100-yr storm event and the sediment basins will be designed to retain the runoff from the 20-yr 1-hr storm falling within the County right-of -way as a minimum. Surface areas of the sediment basins will be considered in determining treatment efficiencies for sediment removal.

Proposed Improvements

For funding purposes and to facilitate construction, this rather large project area has been divided into three phases which are depicted on Figures A as well as B-1, B-2, B-3, D-1, D-2, D-3, E-1, E-2, and E-3.

Phase 1 includes the following County roads: Glen Eagles Road, Boren Way, Ponca Street, Mingwe Street, the southern portions of Onnontioga Street, Nottaway Drive, and Acoma Circle, Pine Valley Road, Hekpa Drive, and Busch Way.

Phase 2 includes the northerly portions of Acoma Circle, Nottaway Drive, and Onnontioga Street, Acoma Court, Semat Court and Street, Omaha Street, Kansa Street, Washoan Boulevard, Tabira Court, Muskawaki Drive, Panka Street, the southerly portion of Nadowa Street, and all but the most northerly portion of Apalachee Drive.

Phase 3 includes the northerly-most portions of Nadowa Street and Apalachee Drive, Kulow Street, Koyukon Drive, Brule Street, Watson Street, Hunkpapa Street, Huph Street, Canarsee Street, Minniconjou Street, Tooch Street, Susquehana Drive, Jicarilla Drive, Guadalupe Street, Ibache Street, and Aravaipa Street.

1. Stabilizing Existing Sediment Contributors and Capturing Road Sand

Cut slopes will be primarily stabilized with revegetation. DOT proposes to use the California [redacted]servation Corps (CCC) labor in this revegetation work. Where the existing roadside ditches [redacted]e toes of these slopes are well vegetated, a compost/seed mix will be used to revegetate the bare areas. In areas where the toes of the slope are also bare, a combination of compost/seed and rock breast wall to armor the toe and flatten the slope is proposed. Curb and gutter will be installed for toe protection from snow removal equipment in the areas where equipment gouging is evident and where other roadside disturbances have occurred. Curb and gutter will also convey runoff and road sand into sediment traps before the runoff is discharged into existing SEZs or into proposed sediment basins. The sediment traps will capture the coarser sediments and a fair portion of the smaller grain sizes. This will reduce the total sediment/road sand discharged to the SEZ or sediment basin thus improving the SEZs' and basins' effectiveness.

2. Treating Storm Water and Snow Melt Runoff

In the existing drainage areas that are surrounded by development, we propose to construct sediment basins in the drier areas of the SEZ or just outside the SEZ for treatment of the runoff. Where possible existing sod and willows will be salvaged and replanted in the proposed sediment basins. Topsoil will also be salvaged and reused. Overflows from the basin will be directed into the existing drainage channels within these SEZ areas via rock-lined channels or vegetated swales. During the design process soil and percolation testing will most likely be performed to determine infiltration rates at proposed basin sites. Ground water observation wells will probably be installed to determine ground water elevations at proposed basin sites.

In the existing drainage areas in which the surrounding SEZ is undeveloped, and, for the most part, [redacted]licly-owned or privately owned but unbuildable, we propose to construct flow spreading devices [redacted]the SEZ. These devices will spread the road runoff throughout the SEZ area to provide nutrient uptake and longer retention duration prior to discharging into the channelized areas.

3. Other Erosion Control/Water Quality Improvements

A portion of the pavement has been removed from the southern cul de sac bulb of Muskawaki Drive. We propose to remove the pavement remaining in the bulb area and to restore the area by revegetation with consideration of the need for access by the utility companies.

The existing road embankment at the existing drainage on Onnontioga just northerly of Omaha Street exhibits signs of instability. We propose to replace the existing sack-crete embankments with a rock buttress to prevent the road fill from sloughing into the existing drainage way.

A site investigation was performed to determine the existing culvert locations, drainage ways, watersheds, and problem areas. The hydrology/hydraulics for the area will determine if the existing culverts are undersized. Some culverts are damaged and require replacement. Typically, the replacement will be a culvert of 18" minimum diameter for ease of maintenance. Figures C-1, C-2, and C-3 show the watershed boundaries with the existing drainages. Figures E-1, E-2, and E-3 show the proposed improvements. A summary of mitigation measures to reduce environmental impacts to a less than significant level is presented on Attachment B included herein.

4. Right-of-Way Acquisition Requirements

The subdivision maps show drainage easements for all of the existing drainage ways. The maps also show slope easements along some of the existing cut slopes. As the design and survey progresses, it will be determined where these slope easements are adequate and where easements for revegetation and/or rock breast wall work are necessary. It will also be determined if any easements are necessary for the installation of the proposed sediment traps or sediment basins (e.g. Semat Street).

Although every effort was made to locate the proposed improvements within the County right-of-way or on publicly-owned parcels, the conceptual design resulted in the need for two full acquisitions: APN 33-813-05 for construction of a sediment basin and APN 33-691-05 for flow spreading of runoff in the existing SEZ. APN 33-813-05 is undeveloped but buildable, whereas APN 33-691-05 is undeveloped and unbuildable. The owners of these parcels will be contacted in the near future to determine their willingness to sell their parcels to the County.

A number of public parcels are proposed for use. Improvements are proposed to be constructed on 15 United States Forest Service (USFS) parcels as well as on 2 parcels of National Forest Service Lands. Either a Special Use Permit or direct transfer of USFS parcels to the County will be the mechanism that will allow the County to use these parcels.

It is proposed to use 19 CTC parcels. The CTC will grant license agreements allowing these improvements to be constructed on their property.

APN 33-050-15 is listed with the assessor's office as owned by the State of California. The Agenda for the September 1999 CTC Board meeting listed this parcel among the 300 surplus Caltrans parcels along the former Highway 50 freeway corridor for which the CTC would accept jurisdiction and control of. We propose to construct sediment basins off of Ponca Street and Nottaway Drive on this parcel.

ures B-1, B-2, and B-3 show all the public parcels within the project. The public lots proposed for use have their assessor's parcel number shown. Also shown on Figures B-1 and B-2 are the two private acquisitions.

During the design process, public meeting(s) will be held to inform the project area property owners and residents of the project and to receive their input.

F. Mitigation Monitoring

Mitigation measures described in attachments to the Environmental Checklist, referred to in the Environmental Assessment, and summarized in Attachment B, will require monitoring to assure that the desired result is achieved.

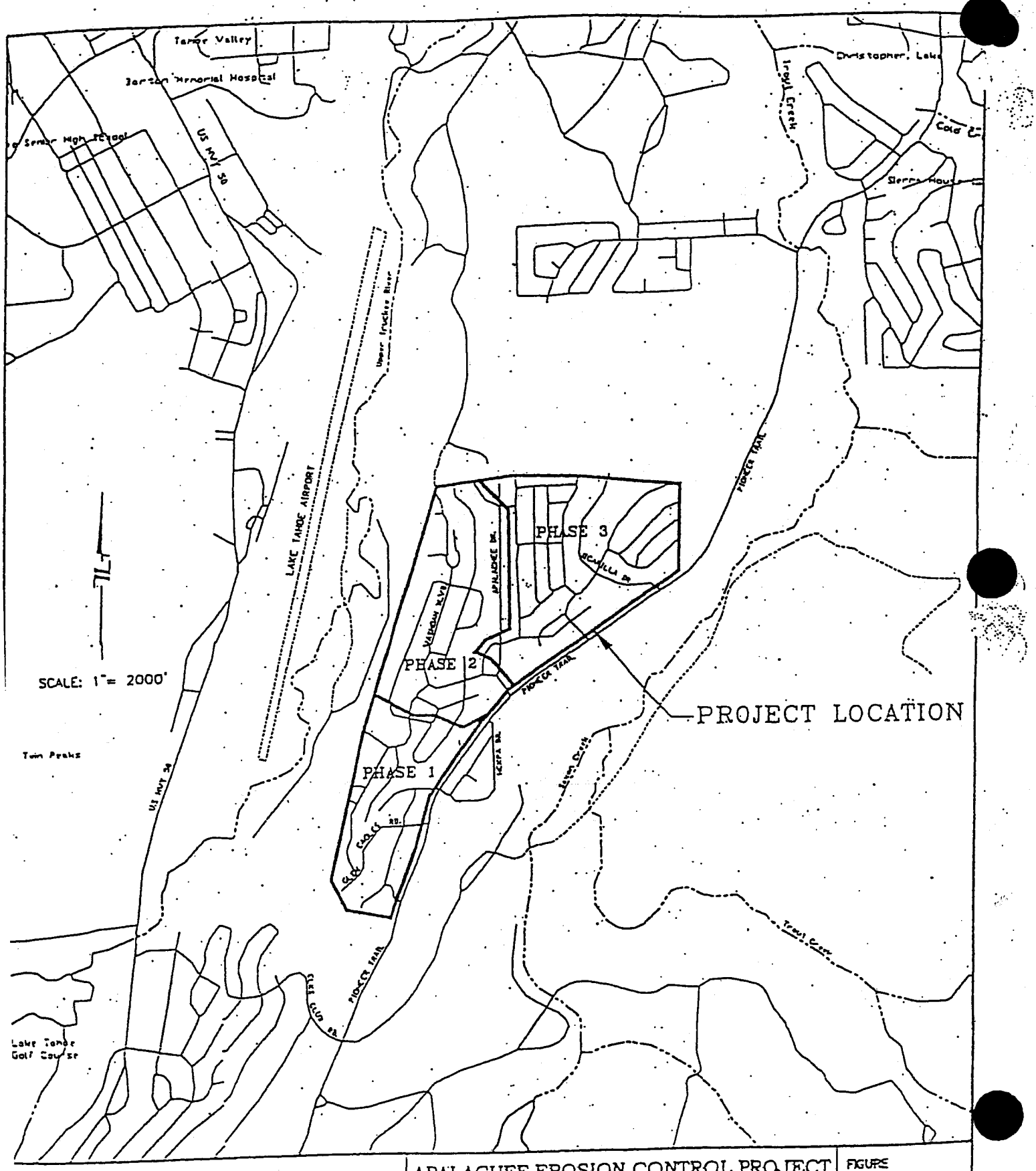
Mitigation of potential impacts due to construction will be carefully monitored by a full time construction inspector provided by the County. This inspector will insure that the temporary erosion control requirements and other environmental protection requirements are strictly adhered to by the Contractor. In addition to County inspections, all regulatory agencies review project plans and specifications to ensure compliance with local, state, and federal requirements. These agencies also visit projects in progress to enforce the implementation of Best Management Practices (BMPs).

The maintenance and monitoring of the project improvements will continue well after completion of construction. Revegetation monitoring and establishment will continue for a minimum of two years following construction. Plant establishment will include irrigation and replanting if necessary. The County will inspect all project improvements during the Spring and Fall of each year during the twenty year maintenance period required by erosion control grant conditions. County engineering staff will direct maintenance staff to provide maintenance of new facilities based on results of the inspections. Photographs will be taken before and after construction for a period of two years, and following significant storm events to monitor the performance of the improvements.

G. Coverage and Permit Issues

During the final design phase, coverage/disturbance calculations required for TRPA and Lahontan permits will be made. It is anticipated that no new coverage will result from the project construction. At the present stage, it is unknown how many square feet of SEZ will be disturbed due to the installation of curb and gutter, tie-in pavement, sediment traps, culverts, sediment basins, and rock-lined and vegetated channels. However, after construction is completed and revegetation is established, the areas of SEZ to receive sediment basins will be considered restored SEZ. The areas of SEZ in which flow spreading devices will be constructed will also be considered enhanced.

The areas defined by TRPA's land capability classes as SEZ are defined as loamy alluvial lands by the Soil Conservation Service classification. This indicates that these areas are not jurisdictional wetlands and would therefore not require a Corps of Engineer Permit or Water Quality Certification from Lahontan. If more than 5 acres of overall disturbance will occur during construction, a NPDES Waste Discharge Permit from Lahontan will be required. It is possible that more than 2000 square feet of new disturbance and more than 100 cubic yards of fill or excavation within SEZs will be required to construct the proposed sediment basins. If these quantities are exceeded, exceptions to the Basin Plan prohibitions against discharging to SEZs will be requested from the Lahontan Regional Board.



APALACHEE EROSION CONTROL PROJECT

CEQA - INITIAL STUDY

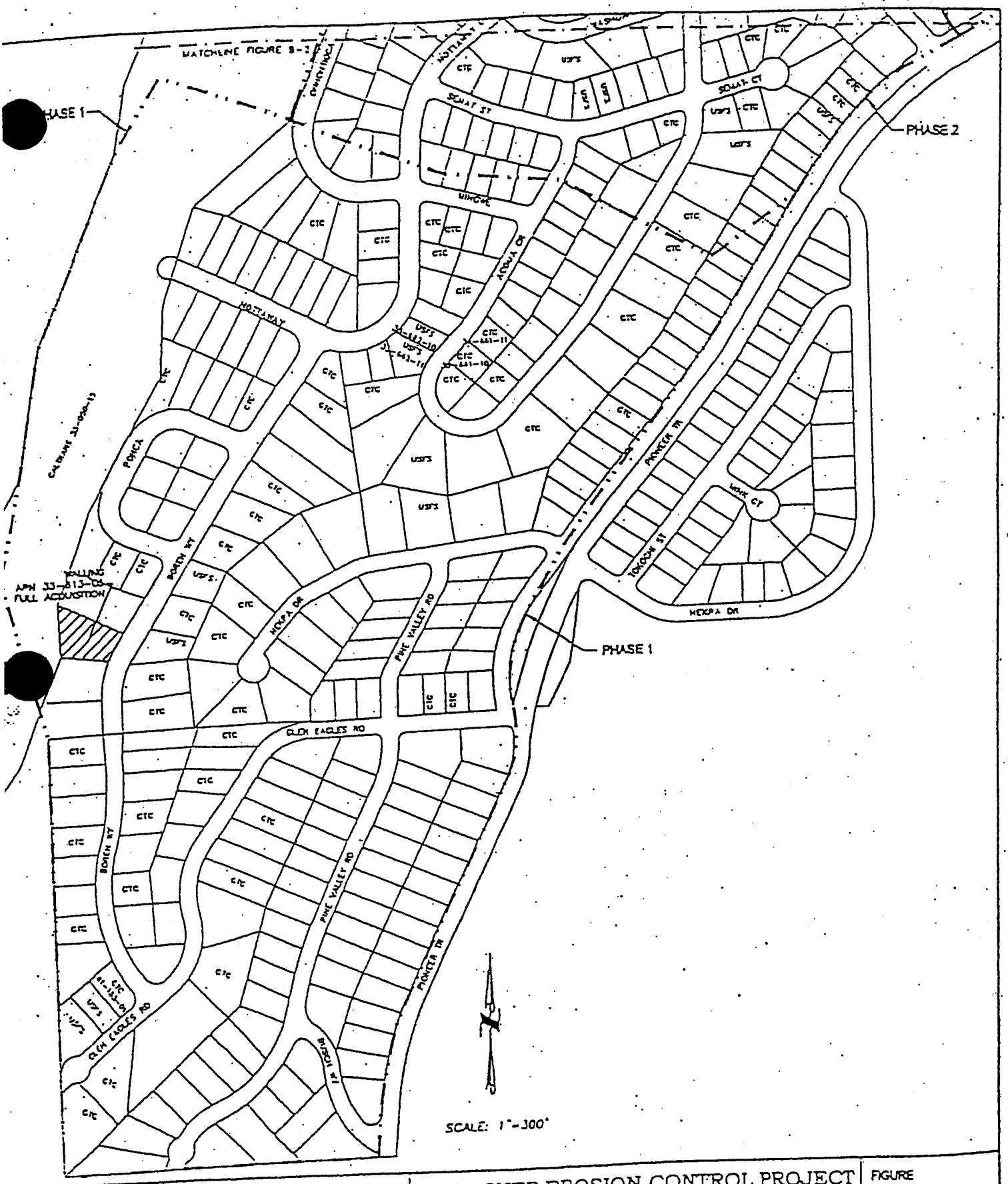
Project Location Map

FIGURE

A

EL DORADO COUNTY

SOUTH LAKE TAHOE OFFICE



EL DORADO COUNTY
SOUTH LAKE TAHOE OFFICE

DOT

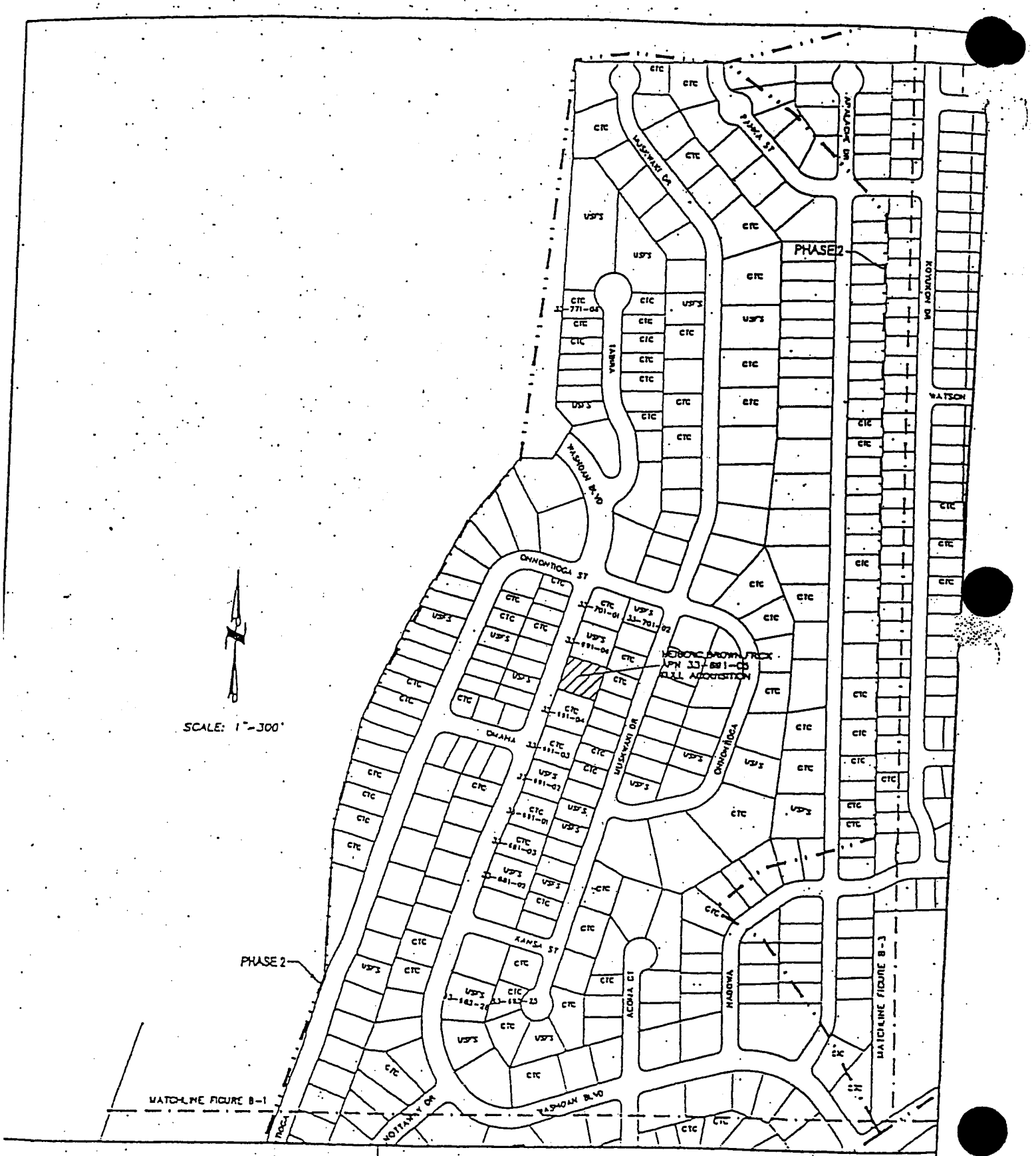
APALACHEE EROSION CONTROL PROJECT

CEQA - INITIAL STUDY

Public Property and Right-Of-Way Acquisition Map

FIGURE B-1

DATE: 12/90	PROJECT NO.: 96154	BY: TCA



EL DORADO COUNTY
SOUTH LAKE TAHOE OFFICE

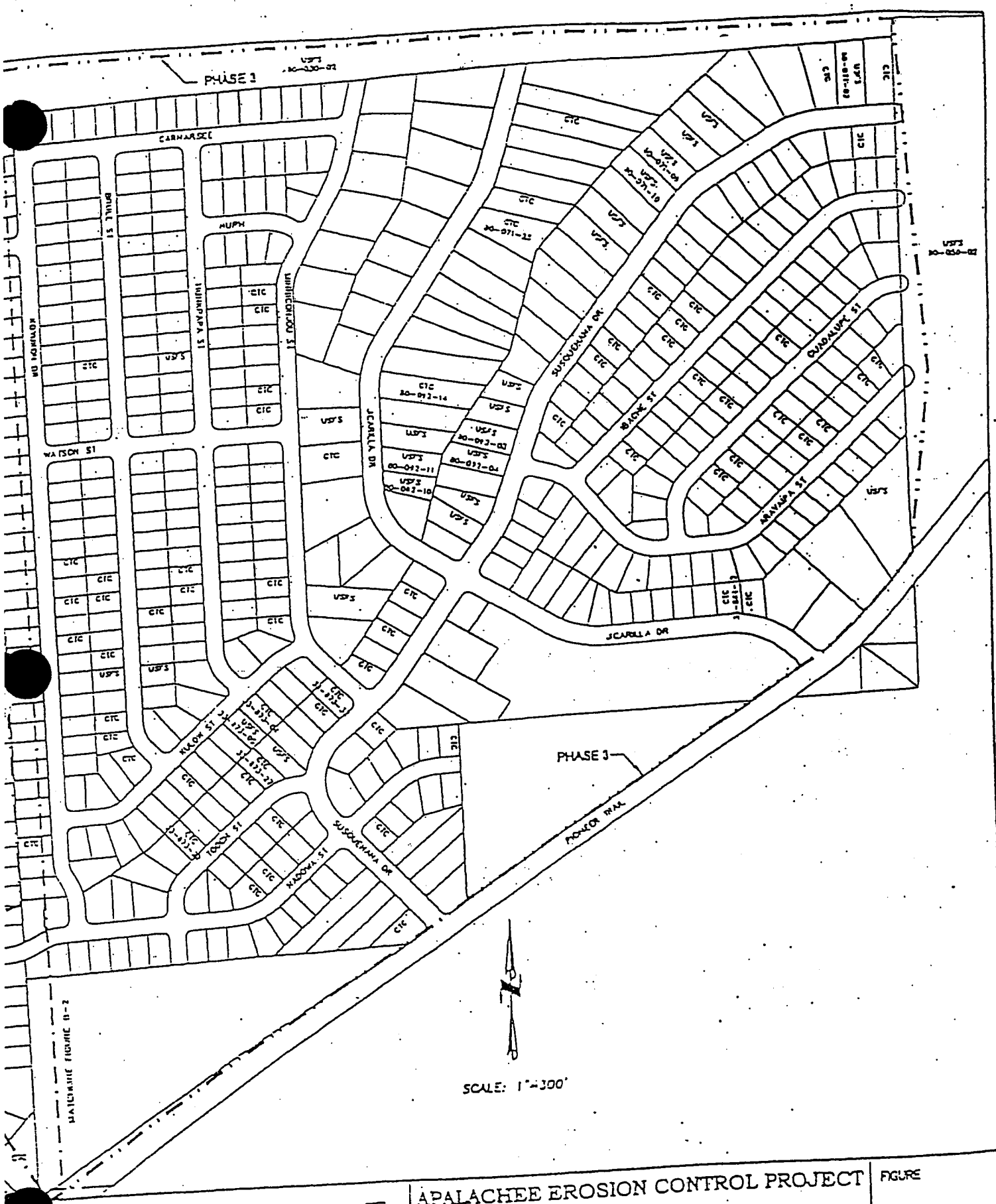
APALACHEE EROSION CONTROL PROJECT

CEQA - INITIAL STUDY

Public Property and Right-Of-Way Acquisition Map

FIGURE B-2

DATE: 12/90 | PROJECT NO.: 96154 | BY: TTA



EL DORADO COUNTY
SOUTH LAKE TAHOE OFFICE

DOT

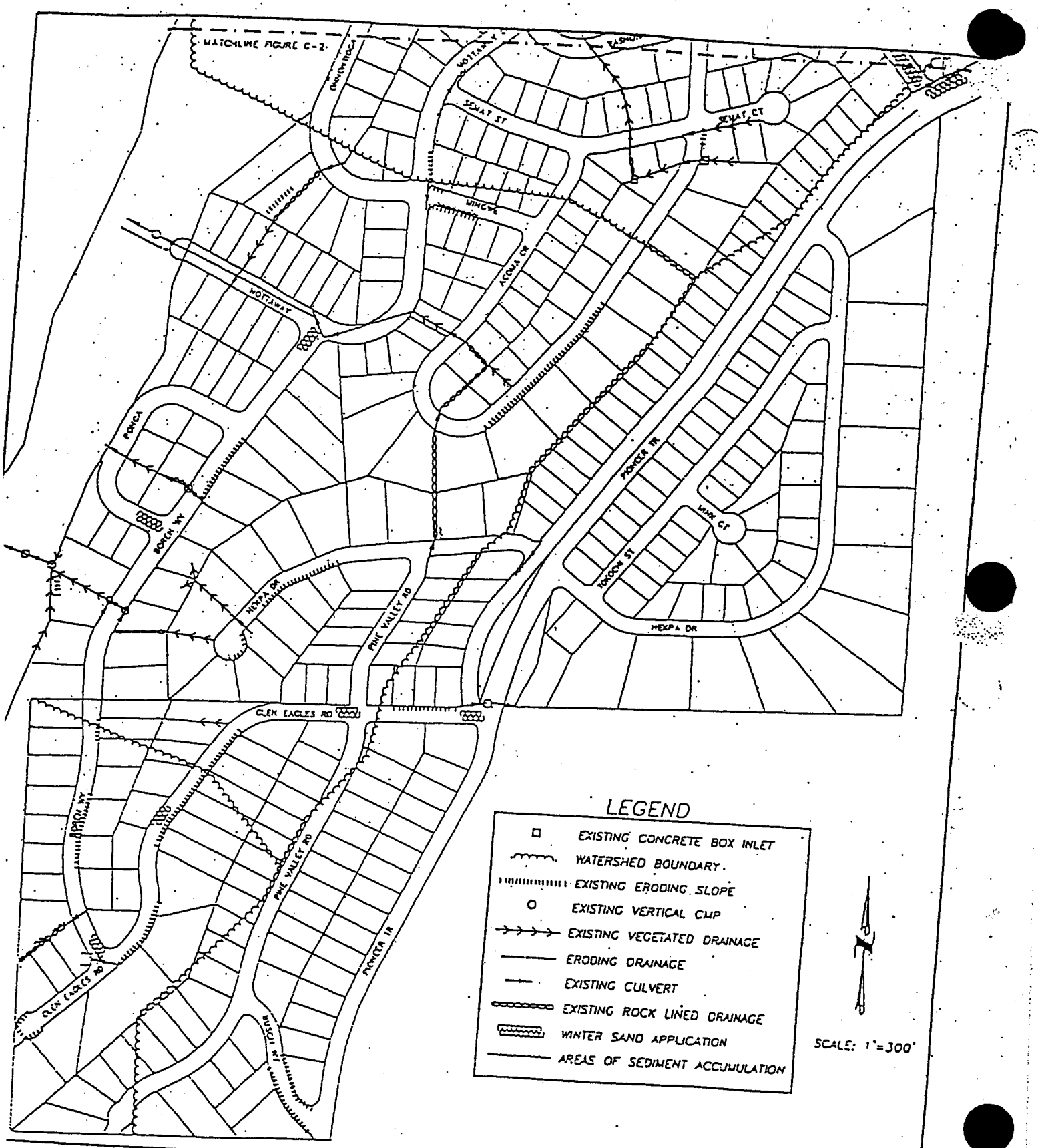
APALACHEE EROSION CONTROL PROJECT

CEQA - INITIAL STUDY

Public Property and Right-Of-Way Acquisition Map

FIGURE B-3

DATE 12/90 | PROJECT NO: 95151 | BY: TCA



DORADO COUNTY
TH LAKE TAHOE OFFICE

DOT

APALACHEE EROSION CONTROL PROJECT

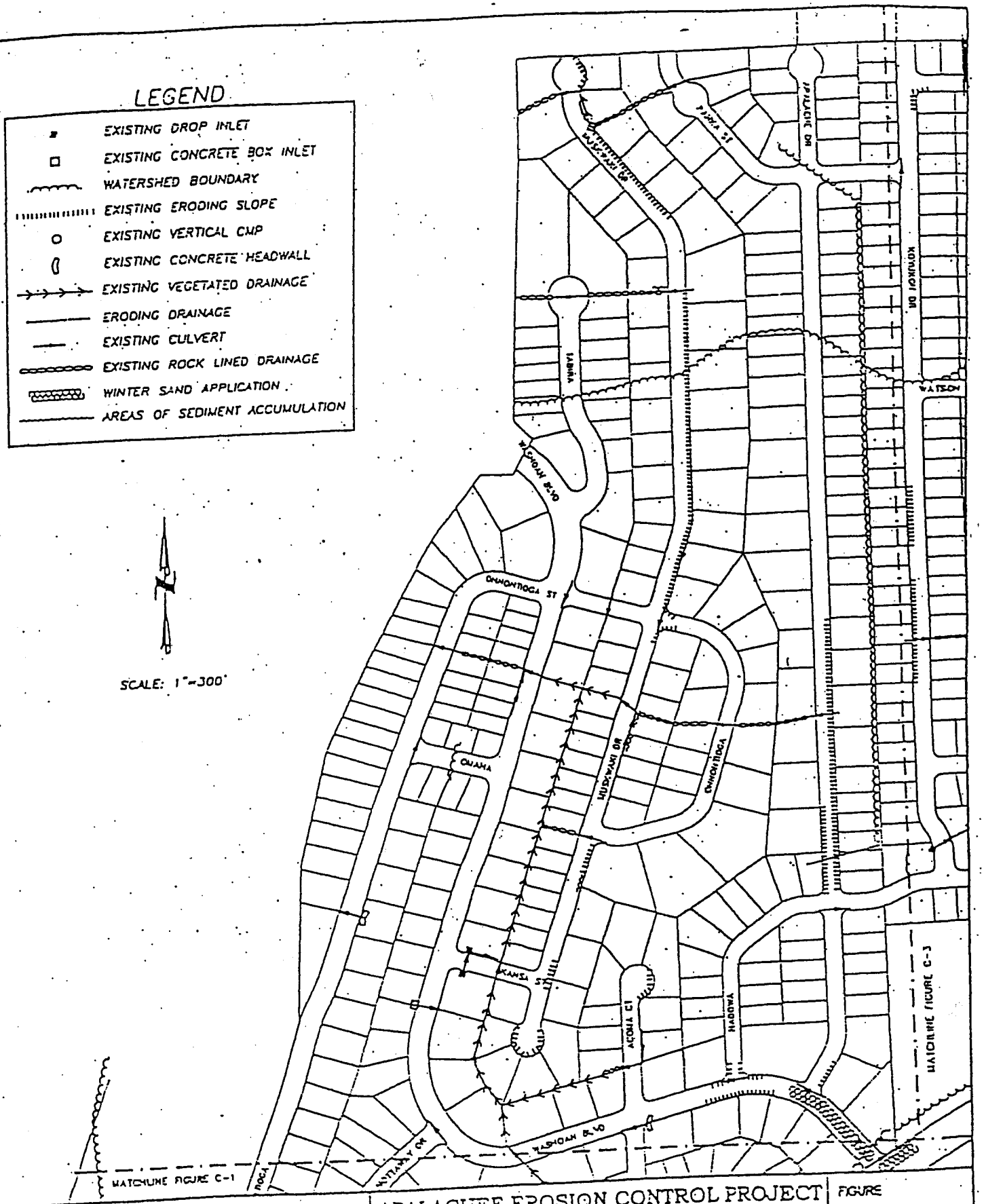
CEQA - INITIAL STUDY

Problem Area and Watershed Map

FIGURE

C-1

DATE:



EL DORADO COUNTY
SOUTH LAKE TAHOE OFFICE

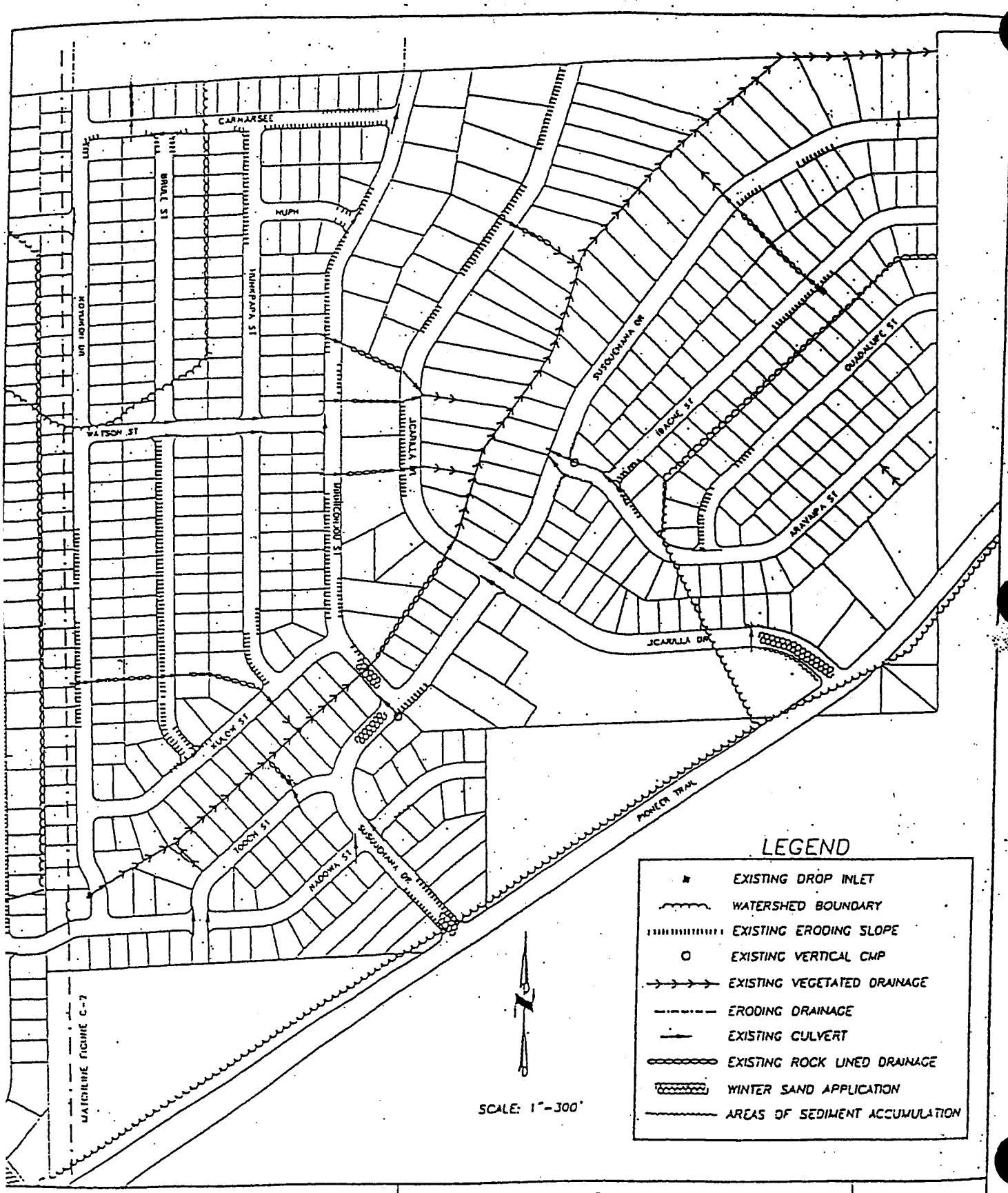
APALACHEE EROSION CONTROL PROJECT

CEQA - INITIAL STUDY

Problem Area and Watershed Map

FIGURE C-2

DATE: 12/98 | PROJECT NO.: 98154 | BY: TCA



EL DORADO COUNTY
SOUTH LAKE TAHOE OFFICE

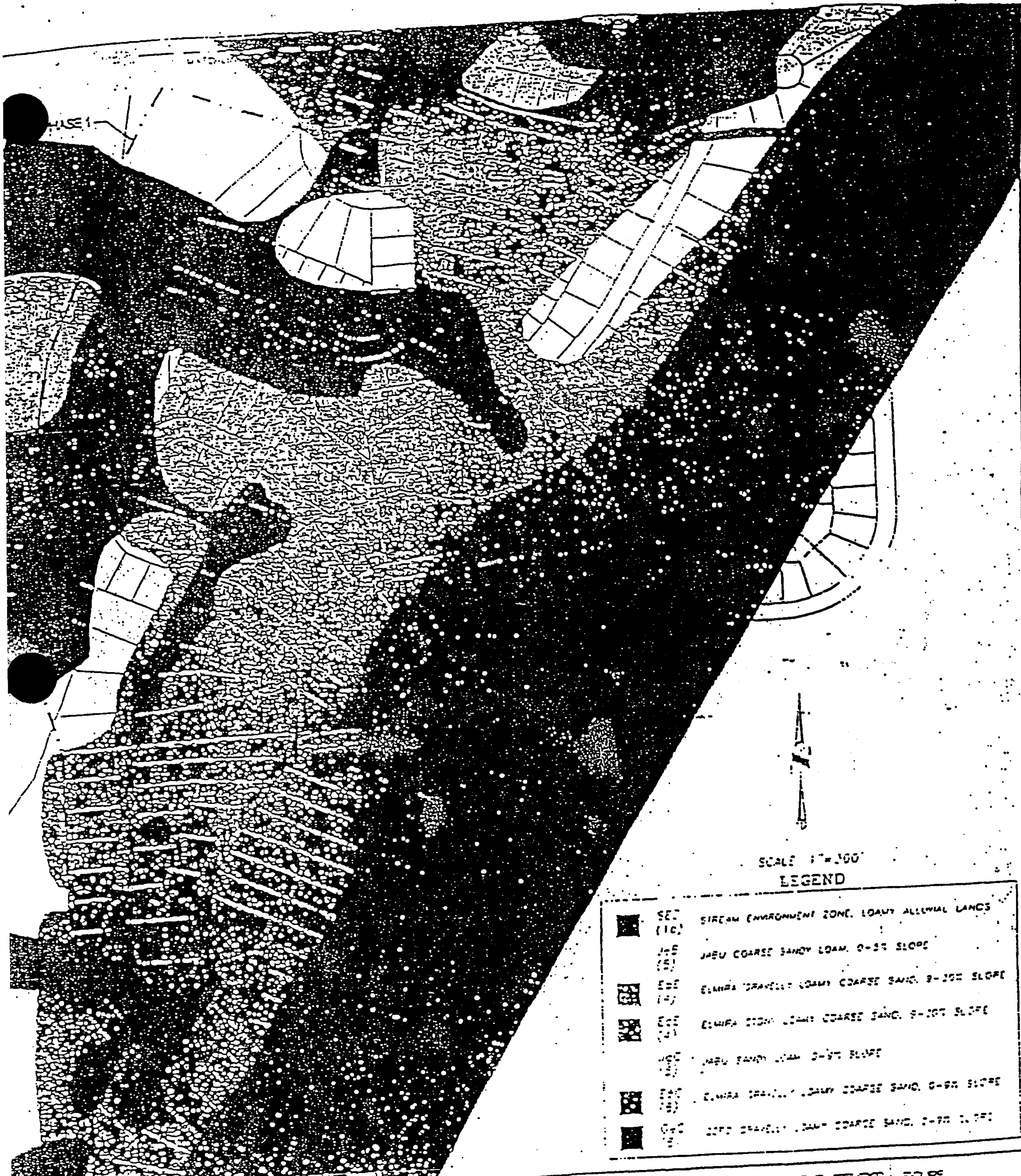
APALACHEE EROSION CONTROL PROJECT

CEQA - INITIAL STUDY

Problem Area and Watershed Map

FIGURE C-3

DATE: 12/99 | PROJECT NO.: 96161 | BY: TCA



APALACHEE EROSION CONTROL PROJECT

CEQA - INITIAL STUDY

Land Capability Class Map

FIGURE

D-1

EL DORADO COUNTY

SOUTH LAKE TAHOE OFFICE

APALACHEE EROSION CONTROL PROJECT

CEQA - INITIAL STUDY

Land Capability Class Map

FIGURE

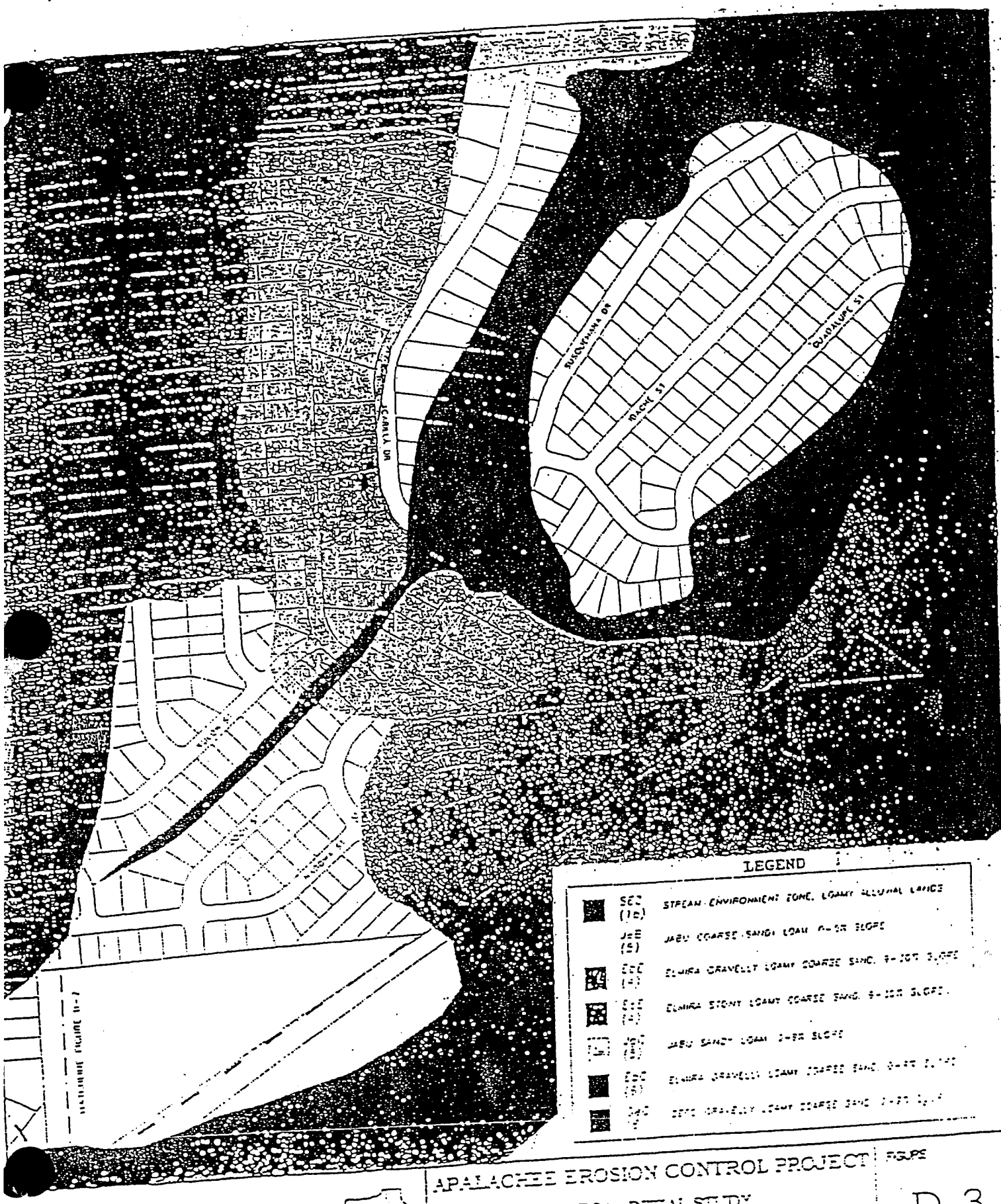
D-2

EL DORADO COUNTY

SOUTH LAKE TAHOE OFFICE

DOT

DATE



APALACHEE EROSION CONTROL PROJECT

CEQA - INITIAL STUDY

Land Capability Class Map

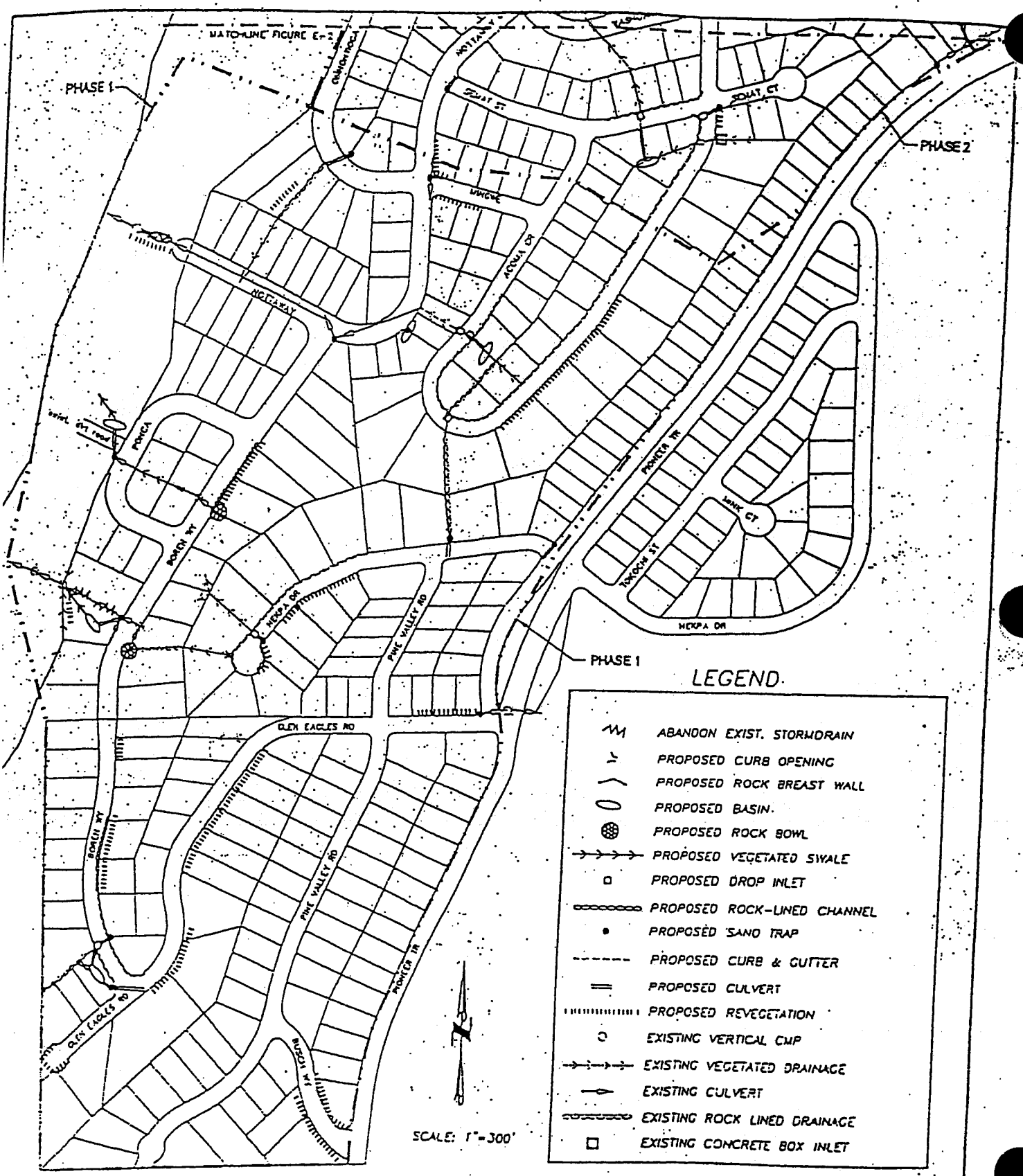
FIGURE

D-3

EL DORADO COUNTY
SOUTH LAKE TAHOE OFFICE

DOT

DATE 1996 PROJECT NO.: 96154 BY: TDI



EL DORADO COUNTY
SOUTH LAKE TAHOE OFFICE

DOT

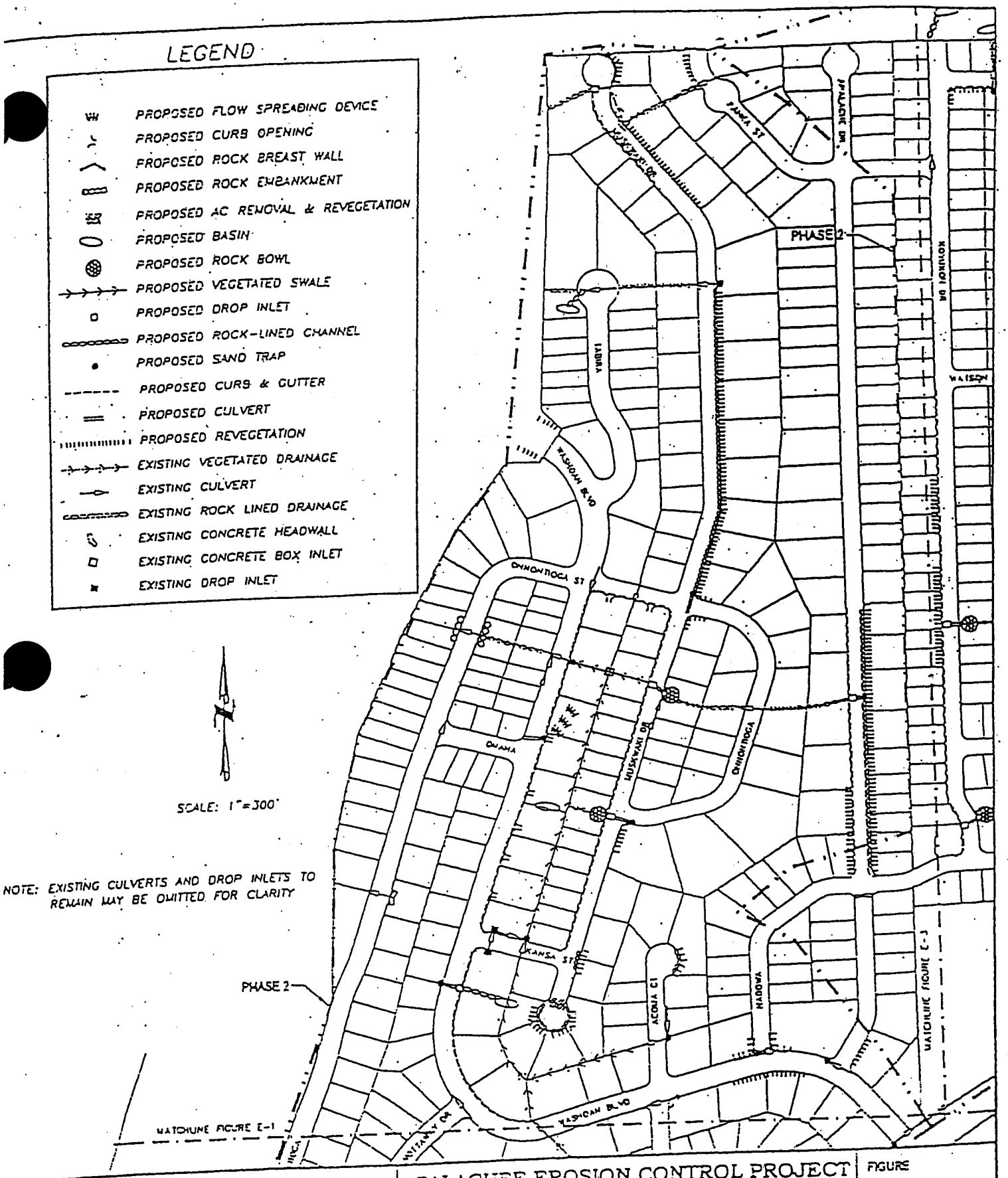
APALACHEE EROSION CONTROL PROJECT

CEQA - INITIAL STUDY

Proposed Improvements

FIGURE E-1

DATE: 12/96 | PROJECT NO.: 96154 | BY: TDA



EL DORADO COUNTY
SOUTH LAKE TAHOE OFFICE

DOT

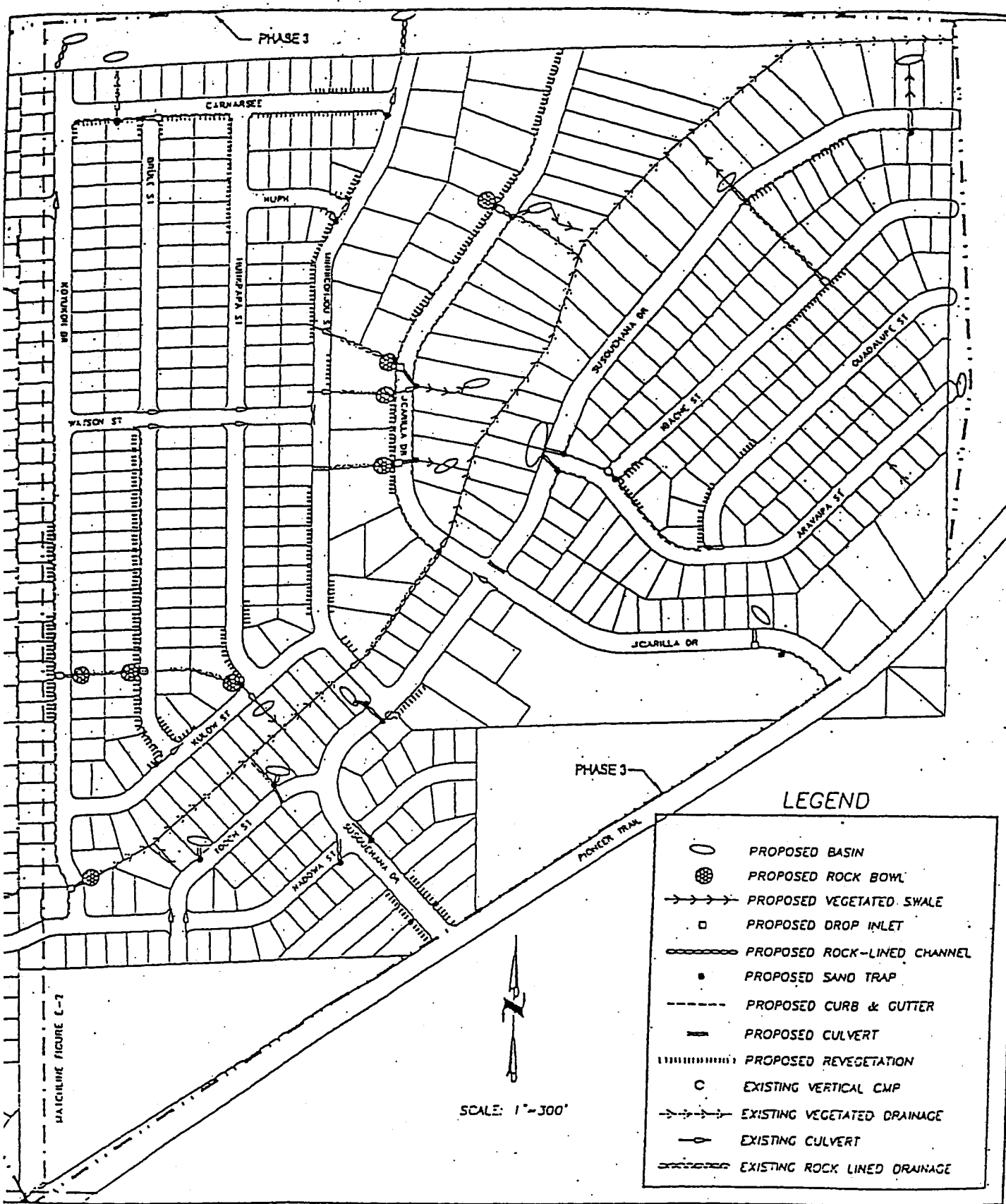
APALACHEE EROSION CONTROL PROJECT

CEQA - INITIAL STUDY

Proposed Improvements

FIGURE E-2

DATE: 12/96 | PROJECT NO.: 96154 | BY: TCA



EL DORADO COUNTY
SOUTH LAKE TAHOE OFFICE

APALACHEE EROSION CONTROL PROJECT

CEQA - INITIAL STUDY

Proposed Improvements

FIGURE

E-3

DATE | PROJECT NO.: | BY:

County of El Dorado
DEPARTMENT OF TRANSPORTATION

ENVIRONMENTAL CHECKLIST FORM

Project Title: APALACHEE EROSION CONTROL PROJECT JN 95154

Lead Agency Name and Address:
El Dorado County Department of Transportation
1121 Shakori Drive
South Lake Tahoe, CA 96150

Contact Person and Phone Number: Janel Gifford (530) 573-3180 ext. 2

Project Location: El Dorado County, South Lake Tahoe, Tahoe Paradise Unit Nos. 1 through 8 Subdivisions and Rolling Woods Heights Subdivision westerly of Pioneer Trail

Project Sponsor's Name and Address: El Dorado County Department of Transportation,
1121 Shakori Drive, South Lake Tahoe, CA 96150

General Plan Designation: N/A

7. Zoning: N/A

Description of Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary)
See attached initial study for detailed project description

Surrounding Land Uses and Setting: Briefly describe the project's surroundings:
See attached initial study for surrounding land uses and setting

Other public agencies whose approval(s) are required (e.g. permits, financing approval, or participation agreement.)
Tahoe Regional Planning Agency, California Tahoe Conservancy, California Regional Water Quality Control Board - Lahontan Region, U.S. Forest Service Lake Tahoe Basin Management Unit

VIRONMENTAL FACTORS POTENTIALLY AFFECTED:

environmental factors checked below would be potentially affected by this project, involving at least one impact that is otentially Significant Impact" as indicated by the checklist on the following pages.

esthetics

iological Resources

lazardous & Hazardous Materials

Resources

ublic Services

Utilities/Service Systems

☐Agriculture Resources

☐Cultural Resources

☐Hydrology/Water Quality

☐Noise

☐Recreation

☐Mandatory Findings of Significance

☐Air Quality

☐Geology/Soils

☐Land Use/Planning

☐Population/Housing

☐Transportation/Traffic

ENVIRONMENTAL CHECKLIST

ETERMINATION (To be completed by the Lead Agency.)

n the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Janel Gifford
Signature

12/2/99
Date

Janel Gifford
Printed Name

El Dorado County
For

ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
AESTHETICS. Would the proposal:				
Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☒	☐	☐
Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☒	☐	☐
AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒
AIR QUALITY — Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	☒
Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	☒

ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
e) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
f) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒
IV BIOLOGICAL RESOURCES – Would the project				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☒	☐	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒
V CULTURAL RESOURCES – Would the project?				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐

ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐
GEOLOGY AND SOILS – Would the project?				
Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
Strong seismic ground shaking?	☐	☐	☐	☒
Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
Landslides?	☐	☐	☐	☒
Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐
Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
Be located on expansive soil, as defined in Table 18- 1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
HAZARDS AND HAZARDOUS MATERIALS – Would the project				
Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	☐	☒	☐	☐
Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐

ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
:) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒
HYDROLOGY AND WATER QUALITY – Would the project:				
Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐

ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
Otherwise substantially degrade water quality?	☐	☐	☐	☒
Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
Inundation by seiche, tsunami, or mudlow?	☐	☐	☐	☒
LAND USE AND PLANNING – Would the project?				
Physically divide an established community?	☐	☐	☐	☒
Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒
MINERAL RESOURCES – Would the project?				
Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
XI. NOISE – Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
II. POPULATION AND HOUSING – Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
Displace substantial numbers of existing housing necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
II. PUBLIC SERVICES				
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or				

ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
other performance objectives for any of the public services:				
a) Fire protection?	☐	☐	☐	☒
b) Police protection?	☐	☐	☐	☒
c) Schools?	☐	☐	☐	☒
d) Parks?	☐	☐	☐	☒
e) Other public facilities?	☐	☐	☐	☒
RECREATION				
Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐
TRANSPORTATION/TRAFFIC – Would the project?				
Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	☐	☒	☐	☐
Exceed, either individually or cumulatively, a level of service standard established by the county congestion/ management agency for designated roads or highways?	☐	☐	☐	☒
Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
Result in inadequate emergency access?	☐	☒	☐	☐
Result in inadequate parking capacity?	☐	☐	☒	☐
Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒

ENVIRONMENTAL CHECKLIST

		Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
XVI.	UTILITIES AND SERVICE SYSTEMS – Would the project:				
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
e)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒
g)	Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒
XVII.	MANDATORY FINDINGS OF SIGNIFICANCE				
a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major period of California history or prehistory?	☐	☐	☒	☐
b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☐	☒

ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

ENVIRONMENTAL CHECKLIST

ATTACHMENT A

EXPLANATION OF RESPONSES TO QUESTIONS ON THE

ENVIRONMENTAL CHECKLIST FORM

a) The project area has not been designated as a scenic corridor by the Tahoe Regional Planning Agency (TRPA).

b) The project area is not within a state scenic highway.

c) The only element of the project that could degrade the existing visual character or quality of the site and its surroundings is the construction of sediment basins that may have berms to retain runoff and metal inlet/outlet structures. The basin berm slopes will be constructed as gently as the topography allows and basin shapes will be designed to blend in with the surrounding area to minimize the visual impact. The inlet/outlet structures as well as the basin berms will be screened with vegetation as much as possible without compromising the hydraulics of the system (see 1d explanation also).

d) The only element of the project that could create a new source of light or glare would be from the sediment basin metal inlet/outlet structures. Besides vegetative screening referenced in 1c, these metal structures can also be painted with earth tones to blend in with the surroundings.

a)b)c) The project area is not used as farmland. The project area has been subdivided into parcels outside the County road right-of-way of which 55% has been developed with single family residences. The remaining parcels are either privately-owned but undeveloped (22%) or publicly-owned (23%).

a)b)c)d)e) The proposed project is an erosion control/water quality improvement project and as such has no adverse impact on air quality. Equipment on-site during construction may emit odors and fumes but not in a magnitude to violate any air quality standard, or to result in a cumulative increase of any criteria pollutant for which the project region is non-attainment, or to expose sensitive receptors to substantial pollutant concentrators, or to create objectionable odors affecting a substantial number of people.

a)d)f) Since the project area is highly developed with roads and single family residences, the species most likely to occur in and near the project area are those that are already adapted to human presence, activities, and noise. The relatively undeveloped areas to the north and to the west of the project area provide movement corridors for these tolerant wildlife species. The existing potential for wildlife habitat will not be altered by the project construction. Although any wildlife in and near the project area might be temporarily disturbed during the project construction, and then only during the day, the disturbance will last only as long as the construction. Therefore no significant adverse impacts to species identified as a candidate, sensitive, or special status in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service are expected.

The project proposed improvements include construction of sediment basins to treat storm water runoff. These basins may be located in stream environment zones (SEZs) which may also be classified as riparian habitat. The basin construction could entail removal of material or filling in these areas. During the design process an effort will be made to locate the basins on the fringes of these areas rather than directly within these areas. If this is not possible, the proper permits will be obtained; disturbance will be minimized by restricting the Contractor's access with the equipment through the use of construction limit fencing; the equipment causing the least disturbance will be specified; sod, topsoil, and willows removed during construction will be salvaged and reused. All disturbed areas will be revegetated with native seeding and compost. All vegetated areas as well as transplanted areas will be irrigated for two years following construction. In some areas storm water and snow melt runoff will be directed for treatment to SEZs that are largely publicly-owned and undeveloped. It is possible that flow-spreading devices will be constructed in these SEZs to maximize treatment benefits and possibly reduce the volume of flows currently discharged into the man-made channels within these SEZs. Such use of SEZs will be beneficial rather than adverse. To reduce the amount of sediment and pollutants, flows will be pre-treated through the use of sediment traps

prior to discharging into the SEZ.

A review of the Soil Conservation Service soil classification shows that the areas classified by TRPA as SEZ areas are not classified as marsh but as loamy alluvial lands and therefore would not be considered federally protected wetlands. In any case, as described in IVb) above, the proposed use of the SEZ areas is beneficial and not adverse.

The only construction locations that could potentially affect biological resources protected by local policies and ordinances are the areas where sediment basins and flow spreading devices are proposed. As the design of these facilities progresses, available information on biological resources will be researched (e.g. USFS may have done biological studies on their parcels). If necessary biological surveys of the individual basin and flow spreading sites will be performed during the optimal season to assess whether any protected resources will be affected. Avoidance of these areas, or where possible, replacement of the resource will serve as mitigation measures. These measures will reduce any impacts to less than significant. At this time, the number and diameter of trees to be removed are unknown. In any case, every effort will be made to avoid removal of trees 30 inches and larger. But because the area is residential, the TRPA prohibition of cutting trees of 30 inches diameter or greater at breast height does not apply.

) The only areas of proposed construction that could affect a historical or archaeological resource or disturb any human remains interred outside of formal cemeteries are those areas where sediment basins will be constructed. When the design progresses and the locations, sizes, and depths of the basins' areas are better defined, a records search will be performed by a qualified archaeologist to determine the available prehistoric and historic literature and to determine prior archaeological research. If necessary a field investigation of the individual basin sites will be performed. If any of the above resources are found the appropriate mitigation measures will be implemented. If any buried remains are discovered during construction, project activities in the area will cease and a qualified archaeologist will be consulted for recommendations on proper procedure.

It is unlikely that any unique paleontological resource or site or unique geological feature will be destroyed by the project because of the nature of the project and the fact that the project area is highly developed. All excavations will be relatively near the surface and the existing topographic features (geologic) will not be altered by the project.

iv)c)d)e) The construction activities associated with the proposed project include installation of curb and gutter, rock-lined and vegetated channels, culverts, sediment traps, sediment basins, and revegetation and/or rock breast walls. None of these activities will expose people or structures to potential adverse effects involving rupture of a known earthquake fault, strong seismic ground shaking, seismic related ground failure, landslides, subsidence, liquefaction or collapse. None of the proposed improvements will create risks of any kind to life or property due to being located on expansive soils. Given the types of construction activities stated above, item e is not applicable to the project.

Construction will disrupt soils and create unstable earth conditions. Topsoil will be removed during excavation for the installation of culverts, sediment basins, sediment traps, vegetated swales, and rock-lined channels. Where appropriate topsoil will be salvaged. To control the erosion of disrupted soils, temporary erosion control measures based on TRPA's Best Management Practices will be implemented. All areas disturbed during construction will be permanently stabilized with revegetation. In addition, one of the goals of the project is to stabilize existing eroding cut slopes with revegetation and/or rock breast wall.

b) During construction, there exists the risk of a fuel spill from construction equipment. The Contractor will be required to submit a Spill Contingency Plan that will be subject to the review by the County. Furthermore, cleaning of vehicles or construction equipment shall not be permitted anywhere onsite.

The project area is not located within 1/4 of a mile of an existing or proposed school.

The project area is not located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

/IIe)f) The project area is located within 2 miles (approximately 0.5 miles) of an existing airport, but since the project area is highly developed, any risks are already present and won't be increased by the proposed project.

/IIg) Emergency vehicles will be accommodated at all times during construction including times when traffic controls are in effect.

/IIh) The project area is bordered by and contains forested lands. The project will do nothing to increase the risk of wildland fires.

/IIIa) The purpose of the project is to improve the quality of storm water and snow melt runoff from County roads.

/IIIb) The proposed treatment of storm water and snow melt runoff is through the use of sediment basins which retain and infiltrate the runoff. The infiltration will obviously not deplete groundwater supplies or interfere with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.

'IIIc)d) The proposed project will alter existing drainage patterns in the following ways: flows previously conveyed in roadside ditches will be conveyed in concrete curb and gutter; flows that were discharged in a concentrated fashion to undeveloped SEZs will be dispersed to the SEZ in a greater number of locations through curb openings and spread through the SEZ through flow spreading devices. The use of sediment traps will reduce siltation in natural drainages on and off site. New drainages will be designed with consideration of flows, slopes, and velocities such that stable conveyances result. The amount of surface runoff will be altered by the replacement of roadside ditches that have some infiltrating capabilities with impervious concrete curb and gutter. This increase in surface runoff will be offset by the installation of the sediment basins that through infiltration will attenuate flows such that flooding on- or off-site will not result. These changes will result in less than significant impacts.

IIIe)f) One of the goals of the project is to upgrade conveyances to design capacities that can handle the 100 yr storm. Additional sources of polluted runoff would not be provided as a result of the project since another project goal is water quality improvement by treatment of runoff.

IIIg)h)i)j) The project area is within the area mapped as Zone C, area of minimal flooding, on the October 18, 1983 Flood Insurance Rate Map.

:a) The proposed project would not physically divide an established community.

:b) The proposed project is consistent with the General Plan in that the County Board of Supervisors adopted it in the 5-yr Capital Improvement Program in January 1998. The proposed project is also consistent with TRPA's 208 Plan and Environmental Improvement Program and Lahontan's Tahoe Basin Plan.

:c) see IVf).

a)b) The project would not affect any known mineral resources or locally important mineral resource recovery sites.

la)b)c)d) It is stated in TRPA's Plan Area Statement (PAS) that this particular plan area (117) in which the project area is located does not meet the 50 Community Noise Equivalent Level (CNEL) noise threshold due to the airport traffic. Noise levels in the project area will be affected by construction. Noise from construction will be limited by restrictions included in the Caltrans Standard Specifications and the construction contract Special Provisions. In accordance with the TRPA permit conditions maximum work day hours will be between 8:00 a.m. and 5:30 a.m.. Blasting on the site will not be permitted. Alternative cracking agents will be specified in lieu of blasting.

le)f) see VIIe)f)

IIa) The proposed project will not be growth inducing as it does not extend any roads or increase other growth-

inducing infrastructure.

Only two parcels are proposed for acquisition. These parcels are not now developed. One of the parcels can not be developed because it lies within an SEZ.

b)c)d)e) Maintenance of public facilities (water, sewer, power, phone, gas, etc.) is a continuous process, and the need to maintain or repair some of these facilities may occur during construction. The Contractor will be required to provide ease of access to utility service units if any emergency occurs during construction. The same will apply to police, fire, and ambulance vehicles. Contract Special Provisions will include conditions to provide access for public service. Schools and parks will not be impacted by the project. Installation of sediment traps and sediment basins will require additional maintenance consisting of periodic removal of accumulated sediment. El Dorado County Maintenance crews will provide servicing of these facilities on an annual basis, or as needed. Monitoring of the control of sediment accumulation is a part of after-construction project inspections.

) The project will not affect existing recreational facilities.

) At this stage of project development, construction of recreational facilities are not included. However, at the present time, the California Tahoe Conservancy is acquiring the rescinded Caltrans freeway property just west of the project area for the construction of bike trail facilities. It is possible that biking facilities linking the Pioneer Trail bike lanes to the rescinded freeway property bike facilities may be recommended. These linking facilities would logically be located within the project area. If this course of action becomes feasible, public input from the neighborhood will be encouraged in public meetings.

)e)f) Alterations to traffic patterns will occur during construction that would result in temporary congestion but would not increase the number of vehicle trips or the volume to capacity ratio on roads. The installation of curb and gutter utilizes equipment which occupies one travel lane. When this equipment is working, signage and flaggers will direct traffic to the remaining available lane. One lane traffic control could also be implemented during the installation of culverts. Detours will be more convenient in some areas where a circle road can bypass sections of roadway receiving curb and gutter or culverts. All traffic diversions or detours will be temporary and at no time will residents or school buses be prohibited or emergency vehicle prevented from reaching a destination. Traffic Controls will be implemented during working hours and only when it is necessary to perform the work. Parking in driveways may be restricted for 24 hours after curb and gutter is installed. During construction parking on the street will be limited by construction activities.

b) The project will not increase the number of vehicle trips or volume to capacity ratios and therefore will not exceed any level of service standards.

c) The proposed project will not affect air traffic patterns.

d) The proposed project does not include any geometric changes to the roads or implementation of incompatible uses on the roads.

/g) The proposed project will not conflict with adopted policies, plans, or programs supporting alternative transportation.

Vla)b)d)e)f) The proposed project will not affect waste water treatment facilities, water supplies, or landfill disposal capacities.

Vlc) The proposed project includes the installation of new storm water drainage facilities that supplement existing facilities by providing water quality treatment features. Undersized culverts will be replaced with culverts designed to convey the 100 yr storm event. The construction will not cause a significant adverse impact but is intended to have a beneficial effect.

:g) In accordance with the TRPA permit conditions any excavated material from the project that is in excess of what is necessary for backfill on the project will be disposed of by the Contractor outside of the Tahoe Basin or within the Basin at an approved disposal site that is in compliance with all regulatory agencies.

ENVIRONMENTAL CHECKLIST

XVIIa) The appropriate research and surveys of biological, historical, and archaeological resources existing within the project area will be performed to ensure the proposed project has a less than significant impact on these resources.

XVIIb) When considered with past, current, and future similar projects the cumulative effects will have a beneficial impact on the environment specifically by the improvement of water quality.

XVIIc) Any impacts on human beings from the project will occur during the project construction and will be less than significant.

County of El Dorado

DEPARTMENT OF TRANSPORTATION

ENVIRONMENTAL ASSESSMENT FORM

File No. 95154

Date Filed 11/30/99

Project Title Apalachee Erosion Control Project Lead Agency El Dorado County

Name of Owner El Dorado County Department of Transportation Phone (530) 573-3180 ext. 2

Address 1121 Shakori Drive, South Lake Tahoe, CA 96150

Name of Applicant El Dorado County Department of Transportation Phone (530) 573-3180 ext. 2

Address 1121 Shakori Drive, South Lake Tahoe, CA 96150

Project Location County Subdivisions - Tahoe Paradise Unit Nos. 1 through 8 and Rolling Woods Heights adjacent to Pioneer Trail

Assessor's Parcels N/A Acreage N/A Zoning

Please answer all of the following questions as completely as possible. If more space is needed for your answer, use the back of the page. Subdivisions and other major projects will require a Technical Supplement to be filed together with this form.

1. Type of project and description: The project is a water quality improvement and an erosion control project. The goals of the project are to stabilize existing sediment contributors, capture road sand, and treat storm water and snow melt runoff. Existing eroding cut slopes will be stabilized with revegetation and/or rock breast walls. Eroding roadside shoulders and channels will be stabilized by installing curb and gutter to convey runoff. Road sand will be captured with sediment traps. Runoff will be treated by sediment traps, sediment basins, and flow spreading devices.

2. What is the number of units/parcels proposed? N/A

GEOLOGY AND SOILS

3. Identify the percentage of land in the following slope categories:

35 0 to 10% 35 10 to 15% 15 15 to 20% 15 Over 20%

4. Have you observed any building or soil settlement, landslides, rock falls, or avalanches on this property or in the nearby surrounding area? No

5. Could the project affect any existing agriculture uses or result in the loss of agricultural land? No
If so, describe in detail:

ENVIRONMENTAL CHECKLIST

VALUATION OF ENVIRONMENTAL IMPACTS:

A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

"Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analysis," may be cross-referenced).

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c)(3)(D). In this case, a brief discussion should identify the following:

a) Earlier Analysis Used. Identify and state where they are available for review.
b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extend to which they address site-specific conditions for the project.

Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

The explanation of each issue should identify:

a) the significant criteria or threshold, if any, used to evaluate each question; and
b) the mitigation measure identified, if any, to reduce the impact to less than significance.

GE AND HYDROLOGY

Is the project located within the flood plain of any stream or river? (If so, which one?) No

What is the distance to the nearest body of water, river, stream, or year-round drainage channel? (Name of water body) Upper Truckee River is within 0.2 miles of the westerly edge of the project; Trout Creek is within 0.6 miles from the northeasterly edge of the proje

Will the project result in the direct or indirect discharge of silt or any other particles in noticeable amounts into any lakes, rivers, or streams? No

Will the project result in the physical alteration of a natural body of water or drainage way? (If so, in what way?) No

Does the project area contain any wet meadows, marshes, or other perennially wet areas? Yes, Stream Environment Zones wet meadows described by the Tahoe Regional Planning Agency as

EGETATION AND WILDLIFE

What is the predominant vegetative cover on the site (trees, brush, grass, etc.)? (Estimate % of each) 35% trees; 10% brush; 30% grass; 25% houses

How many trees of 6 inch diameter will be removed when this project is implemented? unknown; see item IVe) of Environmental Checklist form and responses

RE PROTECTION

3. In what fire structural protection district (if any) is the project located? Lake Valley Fire District

4. What is the nearest emergency source of water for fire protection purposes? (Hydrant, pond, etc.) several hydrants within project area

5. What is the distance to the nearest fire station? approximately 1 mile from the northeasterly edge of the project area

.6. Will the project create any deadend roads greater than 600 feet in length? No

17. Will the project involve the burning of any material, including brush, trees, and construction materials? No

NOISE QUALITY

18. Is the project near an industrial area, freeway or major highway? If so, how far? The project is approximately 4 miles from U.S. Highway 50

What types of noise would be created by the establishment of this land use, both during and after construction? Equipment noise between 8:00 a.m. and 6:30 p.m. during construction. No noise increase after construction. Note: The project area is within 0.5 miles of the Lake Tahoe Airport.

AIR QUALITY

20. Would any noticeable amounts of air pollution, such as smoke, dust or odors, be produced by this project? During construction, there may be temporary, unavoidable increase in dust. The impacts will be mitigated with appropriate BMPs.

WATER QUALITY

21. Is the proposed water source public or private; treated or untreated? Name the system.
Public - South Tahoe Public Utility District

22. What is the water use (residential, agricultural, industrial, or commercial)? Construction for soil compaction and dust control; irrigation to establish vegetation.

AESTHETICS

23. Will the project obstruct scenic views from existing residential areas, public lands, public bodies of water, or roads? No

ARCHEOLOGY/HISTORY

24. Do you know of any archeological or historical areas within the boundaries or adjacent to the project? (Example: Indian burial grounds, gold mines, etc.) No. But as design progresses record searches and if necessary surveys will be performed to determine if such areas are within the project area.

SEWAGE

25. What is the proposed method of sewage disposal?

Septic system _____ or Sanitation District (name) So. Tahoe Public Utility District

26. Would the project require a change in sewage disposal methods from those currently used in the vicinity? No

TRANSPORTATION

27. Will the project create any traffic problems or change any existing roads, highways, or existing traffic patterns? During construction, 2-lane roads may be restricted to 1-lane travel. Emergency access will be maintained.

28. Will the project reduce or restrict access to public lands, parks, or any public facilities? No

GROWTH INDUCING IMPACTS

29. Will the project result in the introduction of activities not currently found within the community? No

30. Could the project serve to encourage development of presently undeveloped areas, or increases in development intensity of already developed areas? (Examples include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities.) No

VIRONMENTAL ASSESSMENT FORM

Will the project require the extension of existing public utility lines? No
If so, identify and give distances.

ENERAL

2. Does the project involve lands currently protected under the Williamson Act or an Open Space Agreement? No

3. Will the project involve the application, use, or disposal of potentially hazardous materials, including pesticides, herbicides, other toxic substances, or radioactive material? No

4. Will the proposed project result in the removal of a natural resource for commercial purposes (including rock, sand, gravel, trees, minerals, or top soil)? No

5. Could the project create new, or aggravate existing health problems (including, but not limited to flies, mosquitoes, rodents, and other disease vectors)? No

6. Will the project displace any community residents? No

DISCUSS ANY YES ANSWERS TO THE PREVIOUS QUESTIONS
Use additional sheets if necessary.

MITIGATION MEASURES
Proposed mitigation measures for any of the above questions where there will be an adverse impact:

See Attachment B

M COMPLETED BY: Janel Gifford, Senior Civil Engineer — 11/30/99
Name and Title — Date

ADMINISTRATIVE CONCLUSIONS	Yes	No
1. The project will have impacts which achieve short-term goals to the disadvantage of long-term environmental goals.	___	X
2. The project will have impacts which are individually insignificant, but cumulatively significant.	___	X
3. The project could have significant adverse environmental impact.	___	X

NOTE:

If the administrative decision on one or more of these items is "Yes", an environmental impact report shall be submitted and approved prior to issuance of a permit or approval of the project.

TECHNICAL SUPPLEMENT REQUESTED FOR PROJECT?	___	X
NEGATIVE DECLARATION		
The above document and any attachments meets the criteria for a Negative Declaration and is so designated.	X	___

12/2/99
Date

Bruce R. Lee
Responsible Official

The above document (including any technical supplements, if required) is available for public review for thirty (30) days at the Office of the Clerk of the Board of Supervisors.

STAFF COMMENTS: _____

Although the goal of the project is to mitigate impacts to the water quality of Lake Tahoe caused by the development of the existing subdivisions by controlling erosion and improving the quality of storm water and snow melt drainage, the project also includes proposals which require mitigation to prevent potential environmental impacts and to comply with local environmental regulations. The potential impacts and associated mitigation measures that were discussed in Attachment A and alluded to in a more general format in the Environmental Assessment Form are summarized below.

POTENTIAL IMPACT	MITIGATION MEASURES
1. Design Related	
Aesthetics	
Degrade the existing visual character or quality of the site and its surroundings.	The only element of the project that could degrade the existing visual character or quality of the site and its surroundings is the construction of sediment basins that may have berms to retain runoff and metal inlet/outlet structures. The basin berm slopes will be constructed as gently as the topography allows and basin shapes will be designed to blend in with the surrounding area to minimize the visual impact. The inlet/outlet structures as well as the basin berms will be screened with vegetation as much as possible without compromising the hydraulics of the system.
Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.	The only element of the project that could create a new source of light or glare would be from the sediment basin metal inlet/outlet structures. Besides vegetative screening, these metal structures can also be painted with earth tones to blend in with the surroundings.
2. Biological Resources	
Riparian Habitat/SEZ Disturbance	
Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service.	The project proposed improvements include construction of sediment basins to treat storm water runoff. These basins may be located in stream environment zones (SEZs) which may also be classified as riparian habitat. The basin construction could entail removal of material or filling in these areas. During the design process an effort will be made to locate the basins on the fringes of these areas rather than directly within these areas. If this is not possible, the proper permits will be obtained;

disturbance will be minimized by restricting the Contractor's access with the equipment through the use of construction limit fencing; the equipment causing the least disturbance will be specified; sod, topsoil, and willows removed during construction will be salvaged and reused. All disturbed areas will be revegetated with native seeding and compost. All vegetated areas as well as transplanted areas will be irrigated for two years following construction. These mitigation measures will reduce the disturbance caused by the construction of the sediment basins and outlets to a level less than significant and such that the disturbance would not be considered permanent. In some areas storm water and snow melt runoff will be directed for treatment to SEZs that are largely publicly-owned and undeveloped. It is possible that flow-spreading devices will be constructed in these SEZs to maximize treatment benefits and possibly reduce the volume of flows currently discharged into the man-made channels within these SEZs. Such use of SEZs will be beneficial rather than adverse. To reduce the amount of sediment and pollutants, flows will be pre-treated through the use of sediment traps prior to discharging into the SEZ.

Tree Removal

Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

The only construction locations that could potentially affect biological resources protected by local policies and ordinances are the areas where sediment basins and flow spreading devices are proposed. As the design of these facilities progresses, available information on biological resources will be researched (e.g. USFS may have done biological studies on these parcels). If necessary biological surveys of the individual basin and flow spreading sites will be performed during the optimal season to assess whether any protected resources will be affected. Avoidance of these areas, or where possible, replacement of the resource will serve as mitigation measures. These measures will reduce any impacts to less than significant. At this time, the number and diameter of trees to be removed are unknown. In any case, every effort will be made to avoid removal of trees 30 inches and larger. But because the area is residential, the TRPA prohibition of cutting trees of 30 inches diameter or greater at breast height does not apply.

3. Cultural Resources

Historic Archaeological, Human Remains

Cause a substantial adverse change in the significance of a historical or archaeological resource as referenced in Section 15064.5 of the CEQA

The only areas of proposed construction that could affect a historical or archaeological resource or disturb any human remains interred outside of formal cemeteries are those areas where sediment basins will be constructed. When the design

Guidelines; disturb any human remains, including those interred outside of formal cemeteries.	progresses and the locations, sizes, and depths of the basins' areas are better defined, a records search will be performed by a qualified archaeologist to determine the available prehistoric and historic literature and to determine prior archaeological research. If necessary a field investigation of the individual basin sites will be performed. If any of these resources are found the appropriate mitigation measures will be implemented. If any buried remains are discovered during construction, project activities in the area will cease and a qualified archaeologist will be consulted for recommendations on proper procedure.

4. Construction Related

Erosion, Loss of Topsoil

Result in substantial soil erosion or the loss of topsoil.	Construction will disrupt soils and create unstable earth conditions. Topsoil will be removed during excavation for the installation of culverts, sediment basins, sediment traps, vegetated swales, and rock-lined channels. Where appropriate topsoil will be salvaged. To control the erosion of disrupted soils, temporary erosion control measures based on TRPA's Best Management Practices will be implemented. All areas disturbed during construction will be permanently stabilized with revegetation. In addition, one of the goals of the project is to stabilize existing eroding cut slopes with revegetation and/or rock breast wall.

Hazardous Material Use or Release

Create a significant hazard to the public or the environment through the routine use of hazardous materials or through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment.	During construction, there exists the risk of a fuel spill from construction equipment. The Contractor will be required to submit a Spill Contingency Plan that will be subject to the review by the County. Furthermore, cleaning of vehicles or construction equipment shall not be permitted anywhere onsite.

Traffic/Parking

Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in congestion at intersections).	Alterations to traffic patterns will occur during construction that would result in temporary congestion. The installation of curb and gutter utilizes equipment which occupies one travel lane. When this equipment is working, signage and flaggers will direct traffic to the remaining available lane. One lane traffic control could also be implemented during the installation of culverts. Detours will be more convenient in some areas where a circle road can bypass sections of roadway receiving curb and gutter or culverts. All traffic diversions or detours will be temporary and at no

time will residents or school buses be prohibited or emergency vehicle prevented from reaching a destination. Traffic Controls will be implemented during working hours and only when it is necessary to perform the work. Parking in driveways may be restricted for 24 hours after curb and gutter is installed. Parking on the street will be restricted by the construction activities.

EXHIBIT 6
(1 of 2)

NOTICE OF DETERMINATION

TO: Office Of Planning And Research
1400 - Tenth Street, Room 121
Sacramento, California 95814

FROM: California Tahoe Conservancy
2161 Lake Tahoe Boulevard
South Lake Tahoe, California 96150

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resource Code.

Project Title: Apalachee Erosion Control Project

State Clearing House Number	Contact Number	Telephone Number
99122015	Dave Zander	(530) 542-5560, ext. 309.

Project Location:
Tahoe Paradise Unit Numbers 1, 2, 3, 4, 5, 6, 7, and 8, and Rolling Woods Height Subdivisions, east of U.S. Highway 50 and west of Pioneer Trail in South Lake Tahoe, El Dorado County, California.

Project Description:
The proposed project will construct erosion control/water quality improvements consisting of infiltration basins, culverts, sediment traps, rock and vegetation-lined channels, rock slope protection, revegetation, and property acquisitions.

This is to advise that the California Tahoe Conservancy, acting as a responsible agency, has approved the above described project and has made the following determinations regarding the above described project:

1. The project will not have a significant effect on the environment.
2. A Negative Declaration for the project was prepared and approved by El Dorado County Department of Transportation on December 2, 1999 and a Notice of Determination along with the California Department of Fish and Game fee were filed February 11, 2000. The Notice of Determination, Negative Declaration, and record of project approval may be examined at the El Dorado County Department of Transportation, 1121 Shakori Drive, South lake Tahoe, California 96150. The California Tahoe Conservancy reviewed and considered the Negative Declaration that was prepared by the El Dorado County Department of Transportation prior to project approval.
3. Mitigation Measures were made a condition of the approval of the project by the California Tahoe Conservancy.
4. A Statement of Overriding Considerations was not adopted for this project.
5. Findings were not required pursuant to the provisions of CEQA.

FISH & GAME FEES: See attached

Dennis T. Machida
Executive Officer
(May 19, 2000 Board Meeting)

Date Received for Filing

RECEIVED
MAY 25 2000
STATE CLEARINGHOUSE

RECEIVED
MAY 30 2000
CA TAHOE CONSERVAN

EXHIBIT 6
(2 of 2)

CALIFORNIA DEPARTMENT OF FISH AND GAME
CERTIFICATE OF FEE EXEMPTION

De Minimis Impact Finding

Project Title:

Apalachee Erosion Control Project

Location:

South shore of Lake Tahoe, in the vicinity of eastern El Dorado County, bounded by Pioneer Trail on the south and east, Trout Creek on the north and east, U.S. Forest Service lands on the north, and the Upper Truckee River and rescinded Caltrans freeway corridor on the west..

Project Description:

The proposed project will stabilize existing sediment contributors, capturing road sand, and treating storm water and snow melt runoff. The project involves revegetating cut slopes and armoring toes of bare slopes with compost/seed and a rock breast wall. Curb and gutter will be installed for toe protection and to convey runoff and road sand into sediment traps before the runoff is discharged into proposed sediment basins. Sediment basins will be constructed in existing drainage areas surrounded by development for treatment of runoff. Flow spreading devices will be installed in drainage areas where the surrounding SEZ is undeveloped. One partially paved area will be removed and restored with revegetation. Unstable sack-crete embankments will be replaced with rock buttress. Right-of-way acquisition for two easements will be obtained.

Findings of Exemption:

The County of El Dorado has prepared a Negative Declaration. The County has determined that the project will have no significant environmental impact and has filed a CEQA Initial Study, and a Notice of Determination with the State Clearinghouse. The California Tahoe Conservancy has considered the environmental impacts of the proposed Apalachee Erosion Control Project as described in the attached Negative Declaration and Initial Study adopted by the County of El Dorado, together with comments on the project and other information provided to the Conservancy, and finds that, with the proposed mitigation measures that have been incorporated into the project by the County, there is no substantial evidence that this project will have a significant effect on the environment. Potential effects on fish and wildlife resources are De Minimis.

Certification:

I hereby certify that the California Tahoe Conservancy has made the above finding and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

RECEIVE

MAY 30 2

CA TAHOE CONS

/s/ Dennis T. Machida

Dennis T. Machida
Executive Officer
California Tahoe Conservancy

May 19, 2000

Date

- Exhibit B

Project Name: Apalachee Phase III

ESTIMATED PROJECT SCHEDULE

Apalachee Phase III

Activity	Date of Submittal to Conservancy
Preliminary Design	June 2005
Begin Construction	July 2006
Complete Construction	October 2007
Irrigation	May 2007 to October 2008
Monitoring	2007-2008
Initial Monitoring Report	December 2007
Final Monitoring Report	December 2008
Submit Final Report	December 2006
Final date for submittal of construction invoices	May 1, 2007
Final date for submittal of monitoring invoices	May 1, 2007

Exhibit C

List of Assurances
(For Site Improvements)

By entering into the foregoing Agreement the applicant assures and certifies that it will comply with Conservancy regulations, policies, guidelines, conditions, and requirements, in existence on the effective date of this Agreement, as they relate to the acceptance and use of Conservancy funds for the Project(s). Also, the applicant gives assurance and certifies with respect to the grant that:

1. It possesses legal authority to apply for and receive the grant funds, and to finance and construct the proposed facilities; that where appropriate, a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

2. It will ensure that all project improvements are designed to last for at least twenty (20) years.

3. It has sufficient funds or commitments for sufficient funds to complete the Project(s), over and above the portion to be borne by Conservancy and, when the Project(s) is completed, to assure the effective operation and maintenance of the facility for the purposes of the Conservancy grant.

4. It holds or will obtain sufficient title or interest in the property to enable it to undertake lawful development and construction of the Project(s). In the case where the Grantee is acquiring an interest in the property as a part of the project development, such title documentation shall be subject to the review of the Executive Officer of the Conservancy.

5. It will not dispose of or encumber its title or other interests in the site and facilities except as approved in writing by the Executive Officer of the Conservancy for consistency with the purposes of this grant.

6. It will permit the Conservancy's Project Coordinator and any other designated representatives to enter onto the Project site(s) for the purpose of conducting studies, evaluating the progress of the Project(s) or inspecting the Project site(s) at reasonable times before, during and after the construction phase of the Project(s).

7. Except as otherwise provided by law, it will give the Conservancy, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.

8. It will ensure that any publications, studies, reports, or brochures which are made possible by or derived in whole or in part from this project shall acknowledge the assistance of the Conservancy as follows: "Funding for this project has been provided in part by the California Tahoe Conservancy".

9. It will cause work on the Project(s) to be commenced within a reasonable time after receipt of notification from the Conservancy that funds have been approved, and will carry the improvements to completion with reasonable diligence.

10. It will, where appropriate, comply with the requirements of the State's Braithwaite Act (Chapter 1574, Statutes of 1971 and related statutes), which provides for fair and equitable treatment of displaced persons.

11. It will comply with the applicable requirements of the California Environmental Quality Act.

EXHIBIT D

REQUEST FOR DISBURSEMENT

Invoice No:_____*
(State Controller: Please enter this number on the remittance advice.)

TO: California Tahoe Conservancy
2161 Lake Tahoe Boulevard
P.O. Box 7758
South Lake Tahoe, CA 96158

FROM: Grantee _____
Address _____
_____

DATE: _____ CONTRACT NO: _____

Project Title _____
Period Covered _____

COST SUMMARY

Task No.	Product	Approved Budget Amount	Total Previous Charges	Balance at end of Last Period	Changes this period
Totals					

*Use the four digits of the Conservancy contract number followed by a hyphen and the number of this invoice (e.g., 9070-1)

EXHIBIT D

Invoice No. _____

REQUEST FOR DISBURSEMENT FORM

Cost Breakdown for Charges This Period

Task No.	Description	Labor Class	$/hr	Hrs	Amt	Materials or Products* Unit Cost	Quantity	Amt Total **

Total _____

The above tasks have been completed in accordance with the terms of the contract.

Signed _____ Title _____

* If task is performed by a subcontractor and is invoiced for the job as a whole (e.g., per linear foot of AC ditch installed), then labor columns may be omitted.

** Should agree with amounts in right-hand column on Page 1.

EXHIBIT E

1. Insurance

(name of Contractor shall maintain, at _____'s own expense during the term hereof, insurance with respect to _____'s (business, the premises and all activities, on or about or in connection with the premises) (performance of this agreement) of the types and in the minimum amounts described generally as follows:

A. Full Workmen's Compensation and Employers' Liability Insurance covering all employees of _____ as required by law in the State of California.

B. Comprehensive Public Liability Insurance or Comprehensive Liability Insurance (Bodily Injury and Property Damage) of not less than One Million Dollars ($1,000,000) combined single limit per occurrence (claim made), including but not limited to endorsements for the following coverages: Explosion hazard; personal injury; premises-operations; products and completed operations; blanket contractual; and independent contractors) liability;

C. Comprehensive Automobile Liability Insurance (Bodily Injury and Property Damages) on owned, hired, leased and nonowned vehicles used in connection with _____'s business of not less than one million dollars ($1,000,000) combined single limit per occurrence (claim made).

(For Construction contracts add the following paragraph)

D. In the event any explosives will be used by Contractor, then Contractor shall provide either separate insurance or an endorsement to insurance provided under Subparagraph B specifically covering any operations using explosives in an amount of not less than $_____ per occurrence (claim made).

or

(For Professional Services Contracts add the following paragraph)

D. Throughout the duration of the project, _____ shall carry professional liability insurance in a standard form with a company admitted to do insurance

business in the State of California. Such insurance shall be on a project basis such that the insurance company is aware of and covers the specific project (claims made basis). Said insurance shall be written with limits of $_____.

Additional Insureds: The insurance required under B, C and D (where applicable) above shall include its officers and employees and each of them, as additional insureds except with regard to occurrences that are the result of their sole negligence.

Primary Coverage: The insurance required under B, C and D (where applicable) above shall provide that it primary coverage with respect to _____, the Conservancy and all other additional insureds.

Cancellation Notice: the insurance required above shall provide that no cancellation or material change in any policy shall become effective except upon thirty (30) days' prior written notice to _____
_____
_____.

Premium Payments: The insurance companies shall have no recourse against the _____, its officers and employees or any of them for payment of any premiums or assessments under any policy issued by a mutual insurance company.

Proof of Insurance Requirements: _____ shall furnish proof of coverage satisfactory to the _____ and the Conservancy, as evidence that the insurance required above is being maintained.

Policy Deductibles: _____ shall be responsible for all deductibles in all of _____'s insurance policies. The amount of deductibles for an insurance coverage required herein shall be reasonable and subject to County's approval.

Contractor Obligations: _____'s indemnity and other obligations shall not be limited by the foregoing insurance requirements and shall survive the expiration of this agreement.

Material Breach: Failure of _____ to maintain the insurance required by this paragraph, or to comply with any of the requirements of this paragraph, shall constitute a material breach of the entire agreement.

Commencement of Performance: _____ shall not commence performance of this contract unless and until compliance with each and every requirement of this paragraph is achieved.

Claims Made Insurance: In the event _____ cannot provide an occurrence policy, _____ shall provide insurance covering claims made as a result of performance of this contract for not less than _____ years following completion of performance of this agreement.

2. Indemnity

_____ shall indemnify and defend the _____ against and hold it harmless from any and all loss, damage and liability for damages, including attorneys' fees and other costs of defense incurred by _____ whether for damage to or loss of property, or injury to or death of person, including properties of _____ and injury to or death of _____'s officers, agents and employees, which shall in any way arise out of or be connected with _____'s operations hereunder, unless such damage, loss, injury or death shall be caused solely by the negligence of _____.

EXHIBIT F

E OF CALIFORNIA
IUG-FREE WORKPLACE CERTIFICATION
21 (NEW 11-90)

IPANY/ORGANIZATION NAME

The contractor or grant recipient named above hereby certifies compliance with Government Code Section 8355 in matters relating to providing a drug-free workplace. The above named contractor or grant recipient will:

1. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations, as required by Government Code Section 8355(a).

2. Establish a Drug-Free Awareness Program as required by Government Code Section 8355(b), to inform employees about all of the following:

   (a) The dangers of drug abuse in the workplace,

   (b) The person's or organization's policy of maintaining a drug-free workplace,

   (c) Any available counseling, rehabilitation and employee assistance programs, and

   (d) Penalties that may be imposed upon employees for drug abuse violations.

3. Provide as required by Government Code Section 8355(c), that every employee who works on the proposed contract or grant:

   (a) Will receive a copy of the company's drug-free policy statement, and

   (b) Will agree to abide by the terms of the company's statement as a condition of employment on the contract or grant.

CERTIFICATION

I, the official named below, hereby swear that I am duly authorized legally to bind the contractor or grant recipient to the above described certification. I am fully aware that this certification, executed on the date and in the county below, is made under penalty of perjury under the laws of the State of California.

OFFICIAL'S NAME

DATE EXECUTED

EXECUTED IN THE COUNTY OF

CTOR or GRANT RECIPIENT SIGNATURE

TITLE

FEDERAL I.D. NUMBER

Exhibit G
SIGN GUIDELINES

Authority:
All projects funded by the "The Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000" (2000 Parks Bond Act) must include a posted sign acknowledging the source of the funds following guidelines developed by the Resources Agency.
Reference Section PRC 5096.309

Purpose:
To inform the public that the 2000 Bond Acts that they voted for are providing public benefits throughout the State and that their Bond dollars are at work and helping make California a better place to live. This message will reinforce the need for additional funding for similar projects.

Universal Logo:
All signs will contain a universal logo that will be equated with the 2000 Bond Act statewide. The logo will be on a template, available through the internet (www.resources.ca.gov

Tier I and Tier II:
For the purpose of the sign guidelines only, all projects are divided into Tier I and Tier II projects:

Tier I: Projects using less than $750,000 of Parks or Water Bond Act Funds.

Tier II: Projects using more than $750,000 of Parks or Water Bond Act Funds and/or projects situated in areas of high public visibility. (such as near a freeway intersection).

(Archaeological sites are excluded)

Minimum Requirements: Tier I
The universal logo must be mounted in an area to maximize visibility and durability. The logo must be a minimum of 2'x2'. There is no maximum size. Exceptions are permitted in the case of trails, historical sites and other areas where these dimensions may not be appreciate. The logo must be posted no later than project completion.

A larger sign that includes the logo, other wording and acknowledgements may be posted. There is no maximum number of signs.

Minimum Requirements: Tier II
Two signs are required per project, one during construction and one upon completion.

Sign while under construction:

The sign will use a white background and will contain the logo and the Following language:

(Description of Project)

Another project to improve California parks (coastal, trails, Urban parks, watershed, etc.) funded by the 2000 Parks Bond –

Gray Davis, Governor

Recommended size of signs while under construction: minimum of 4.5'x 7.5'.

Project completion Sign

Upon completion of all Tier II projects, a sign will be posted that includes the Bond Logo. The logo on the sign must be a minimum of 2'x 2' and include The following wording:

(Description of Projects)

Another project to improve California parks (coastal, trails, Urban parks, watershed, etc.) funded by the 2000 Parks Bond – (in large font)

Optional Language: The Safe Neighborhood Parks, Clean Air and Coastal Protection Bond Act of 2000 (The Villaraigosa – Keeley Act)

Director of State Department

Mary Nichols, Secretary for Resources

Grey Davis, Governor

The name of the director of the logo agency or other governing body may also be added. The sign may also include the names (and/or logos) of other partners, organizations, individuals and elected representatives as deemed appropriate by those involved in the project.

Sign Construction:

All material used shall be durable and able to resist the elements and graffiti. State Parks and Cal Trans standards can be used as a guide for gauge of metal, quality of points used, mounting specifications, etc.

Sign Duration:

The goal is to have project signs in place for a lengthy period of time, preferably a minimum of 2 years for Tier I project signs and 4 years minimum for Tier II projects signs.

Sign Cost:

The cost of the sign(s) is an eligible project cost. Application should consider potential replacement cost as well. More durable signage encouraged; e.g. bronze memorials mounted in stone at trailheads, on refurbished historical monuments and buildings etc.

Appropriateness of Signs:

For projects where the required sign may be out of place (such as some refurbished cultural and historic monuments and buildings), the project officer/grants administrator in consultation with the application may authorize a sign that is tasteful and appropriate to the project in question. Alternate signage must be immediately recognized as a Parks/Water Bond 2000 sign.

Sign on State Highways:

Signs placed within the state highway right-of-way may require a Caltrans encroachment permit. Contact your local Caltrans District Office early in the planning phases for more information.