

## Attachment A – Background and Project Information

The United States Congress passed Public Law 96-586, defined as the Santini-Burton Act (Act), on December 23, 1980. In passing the Act, Congress declared that the environmental quality of the Lake Tahoe Basin was jeopardized by over-development of sensitive lands and that the unique character of the Lake Tahoe Basin is of national significance deserving further protection. The passage marked a major commitment and emphasis by the Lake Tahoe Basin Management Unit in land acquisition and watershed restoration focused on protecting and restoring the environmental quality of Lake Tahoe. Specific provisions in the Act directed the United States Forest Service (USFS) to:

1. Acquire environmentally sensitive lands;
2. Restore watersheds on acquired National Forest System lands; and
3. Administer erosion control grants to units of local government.

The Act authorized the USFS to acquire, by purchase and donation, sensitive lands in the Lake Tahoe Basin. Receipts from the sale of surplus federal land in the Las Vegas area, to be advanced through the Land and Water Conservation Fund, were earmarked for the purchases.

Properties eligible for purchase under the Act were wetlands, stream environment zones (SEZ), or steep and fragile lands. It took about 1-½ years to complete the required planning phases, with the first acquisition recorded in October 1982. Over 3,500 parcels totaling 13,000 acres valued at \$105 million were acquired under the authority of the Act. A 0.2 mile section of Boulder Mountain Drive was part of the land acquisition under the Act. This 0.2 mile section lies between two County subdivision areas - Mountain View Estates Unit No. 7 from the south and Unit No. 10 from the north.

Boulder Mountain Drive is located in the Tahoe Basin, west of U.S. Highway 50, and stretches from Lake Tahoe Boulevard within the subdivision area of Mountain View Estates Unit No. 7 and continues north and intersects with Forest Mountain Drive in the subdivision area of Mountain View Estates Unit No. 10. More recently in 2006, as part of the Best Management Practices (BMP) Water Quality Upgrades and Road Decommissioning - Angora/Twin Peaks Area Project (EIP #967.08) the USFS proposed to decommission the 0.2 mile length of Boulder Mountain Drive. By decommissioning the road, the USFS project proposes to mitigate road impacts on surface drainage by restoring natural drainage patterns and restoring the disturbed areas where the road poses a threat to soil stability and water quality near steep slopes, streams, SEZs, and waterways.

After review of the USFS project's environmental document in 2006, the Department of Transportation (Department), the Sheriff's Department and the Lake Valley Fire Protection District expressed concerns related to the proposed action of decommissioning this 0.2 mile section of Boulder Mountain Drive, which are described below.

### 1. Road and Public Safety Concern

County public safety departments recommended that this road remain open for through-traffic year-round due to response time constraints as well as providing an alternative route to the upper Angora Highlands Subdivision residents as a detour during evacuation. This area is extremely vulnerable to fire hazards. For instance, if there was a fire necessitating complete evacuation of the upper Angora Highlands Subdivision down Tahoe Mountain Road and at the intersection of Forest Mountain Drive, and if the Tahoe Mountain Road section became impassable, the only means of evacuation would be through Forest Mountain Drive to Boulder Mountain Drive to Lake Tahoe Boulevard.

### 2. Snow Removal Operation Concern

The Department recommended completing road improvements for the 0.2 miles in accordance with County Road Standards for the purpose of snow removal ingress/egress operations into the upper subdivision of Mountain View Estates Unit No. 10. The existing roadway was and is currently paved, but needs to be further improved. This will allow the snow removal operations to remove snow from the upper improved Boulder Mountain Drive area downgrade on the proposed improved road section to a snow removal location. Also, during the winter months, if there is an emergency at this upper subdivision necessitating an emergency response by local fire departments and the Sheriff's Department, the road will be accessible which could reduce the response time for this route versus utilizing the Tahoe Mountain Road route.

After the initial comments were received by the USFS on its Environmental Assessment for its project, the Department and the USFS discussed the subject 0.2 mile section of Boulder Mountain Drive and the extent of the right-of-way width that the Department would manage, if the County accepts this section into the County Maintained Mileage System. As a culmination of these preliminary discussions, the USFS agreed to a 50-foot (25 feet each side of centerline) road right-of-way for the entire 0.2 mile section of Boulder Mountain Drive (see Exhibit C). The 50-foot right-of-way width ties directly into the 50-foot right-of-way at the Mountain View Estates Unit No. 7 to the south and Unit No. 10 to the north.

The Department developed a preliminary alternative for the Boulder Mountain Erosion Control Project (Project) area, which includes an access road along the 0.2 mile section of Boulder Mountain Drive with two hammer-head cul-de-sacs at each end for snow removal access, as well as water quality/erosion control BMPs. If this 0.2 mile section of Boulder Mountain Drive is incorporated into the County Maintained Mileage System, the Department will continue with its Project planning process with this section of Boulder Mountain Drive incorporated into the environmental documents. The Project is funded by Southern Nevada Public Lands Management Act Round 8 and 10 Erosion Control grant funds from the USFS.