

**EL DORADO COUNTY BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL
Meeting of October 24, 2006**

AGENDA TITLE: Christmas Valley 1 Erosion Control and Stream Environment Zone Restoration Project (JN 95151) – California Environmental Quality Act Initial Study and Mitigated Negative Declaration Certification

DEPARTMENT: Transportation

DEPT SIGNOFF: 

CAO USE ONLY:  ^{10/12/06}

CONTACT: Alfred Knotts

DATE: 9/7/06

PHONE: 7921

DEPARTMENT SUMMARY AND REQUESTED BOARD ACTION:

The El Dorado County Department of Transportation recommends your Board of Supervisors: 1) authorize the Department to carry out the Christmas Valley 1 Erosion Control and Stream Environment Zone Restoration Project; 2) certify that the Mitigated Negative Declaration is adequate for the Project; and, 3) authorize the Director of Transportation or his designee to sign the Notice of Determination. All documents related to this Agenda Item are available at the El Dorado County Department of Transportation-Tahoe Engineering Division Offices, El Dorado County Library in South Lake Tahoe, the California State Clearinghouse and the Public Viewing File.

CAO RECOMMENDATIONS: *Recommend approval. Laura A. Hill 10/16/06*

Financial impact? () Yes (X) No

Funding Source: () Gen Fund () Other

BUDGET SUMMARY:

Total Est. Cost \$0.00

Funding

Budgeted \$0.00

New Funding \$0.00

Savings \$0.00

Other \$0.00

Total Funding \$0.00

Change in Net County Cost \$0.00

Other:

CAO Office Use Only:

4/5's Vote Required () Yes () No

Change in Policy () Yes () No

New Personnel () Yes () No

CONCURRENCES:

Risk Management _____

County Counsel _____

Other _____

***Explain**

BOARD ACTIONS:

Vote: Unanimous _____ Or

Ayes:

Noes:

Abstentions:

Absent:

Rev. 04/05

I hereby certify that this is a true and correct copy of an action taken and entered into the minutes of the Board of Supervisors

Date: _____

Attest: Cindy Keck, Board of Supervisors Clerk

By: _____





MAINTENANCE DIVISION:
2441 Headington Road
Placerville CA 95667
Phone: (530) 642-4909
Fax: (530) 642-9238

RICHARD W. SHEPARD, P.E.
Director of Transportation

Internet Web Site:
<http://co.el-dorado.ca.us/dot>

MAIN OFFICE:
2850 Fairlane Court
Placerville CA 95667
Phone: (530) 621-5900
Fax: (530) 626-0387



September 7, 2006

Board of Supervisors
330 Fair Lane
Placerville, California 95667

Title: Christmas Valley 1 Erosion Control and Stream Environment Zone Restoration Project (JN 95151) - California Environmental Quality Act Initial Study and Mitigated Negative Declaration Certification

Meeting Date: October 24, 2006

District/Supervisor: District V/Supervisor Norma Santiago

Dear Members of the Board:

Recommendations:

The El Dorado County (County) Department of Transportation (Department) recommends your Board of Supervisors (Board): 1) authorize the Department to carry out the Christmas Valley 1 Erosion Control and Stream Environment Zone (SEZ) Restoration Project (Project); 2) certify that the Mitigated Negative Declaration is adequate for the Project; and, 3) authorize the Director of Transportation or his designee to sign the Notice of Determination.

Reasons for Recommendations:

In accordance with the requirements of the California Environmental Quality Act (CEQA), the Department has prepared an Initial Study (IS) and a Mitigated Negative Declaration (MND) for the Project area (see Figure A). As the lead agency for the Project, the County must make a determination as to the significance of the impacts on the environment posed by the Project. While minimal impacts to certain resource areas were identified in the IS, the County has identified and listed appropriate mitigation measures for the respective resource areas and has prepared a MND consistent with the CEQA Guidelines.

The Department has completed the public comment period for the Project. The IS/MND was circulated on August 28, 2006 for a 30 day public comment period. The public comment period included submittal of the IS and MND to the State Clearinghouse and to other appropriate resource agencies for review. While a lead agency has no affirmative duty to formally respond to comments under the CEQA Guidelines as part of the preparation of a MND, Department staff has prepared responses to all comments

received during the review period. Attached for your reference are the comments received and the responses to the comments during the public comment period (see Attachment A to this letter), which are also included in the CEQA IS/MND documents. A bound copy of the IS, the MND, Mitigation Measures, Mitigation Monitoring Plan, and responses to comments are on file with the Board Clerk.

This Project is identified in the Tahoe Regional Planning Agency's "Environmental Improvement Program for the Lake Tahoe Region" and is considered an overall benefit to the environment by assisting in attaining environmental thresholds for water quality and soil conservation.

Fiscal Impact:

There is no fiscal impact associated with this Board item.

Net County Cost:

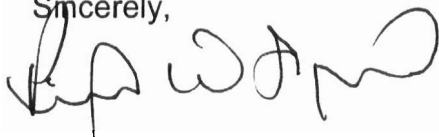
There is no cost to the County General Fund.

Action to be Taken Following Approval:

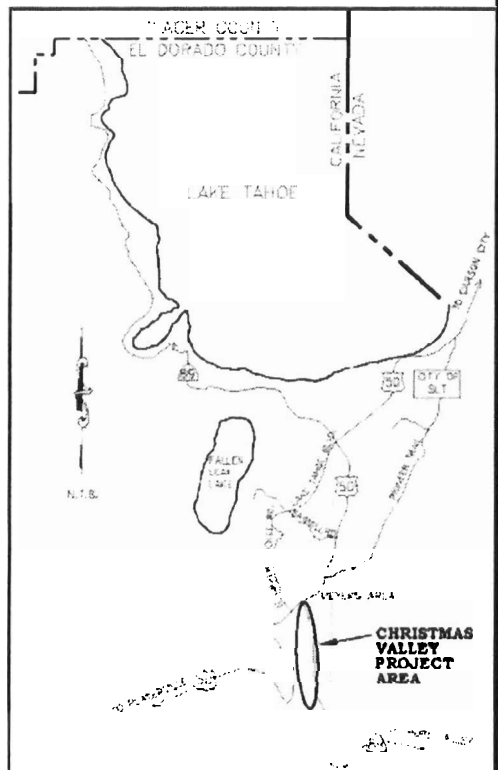
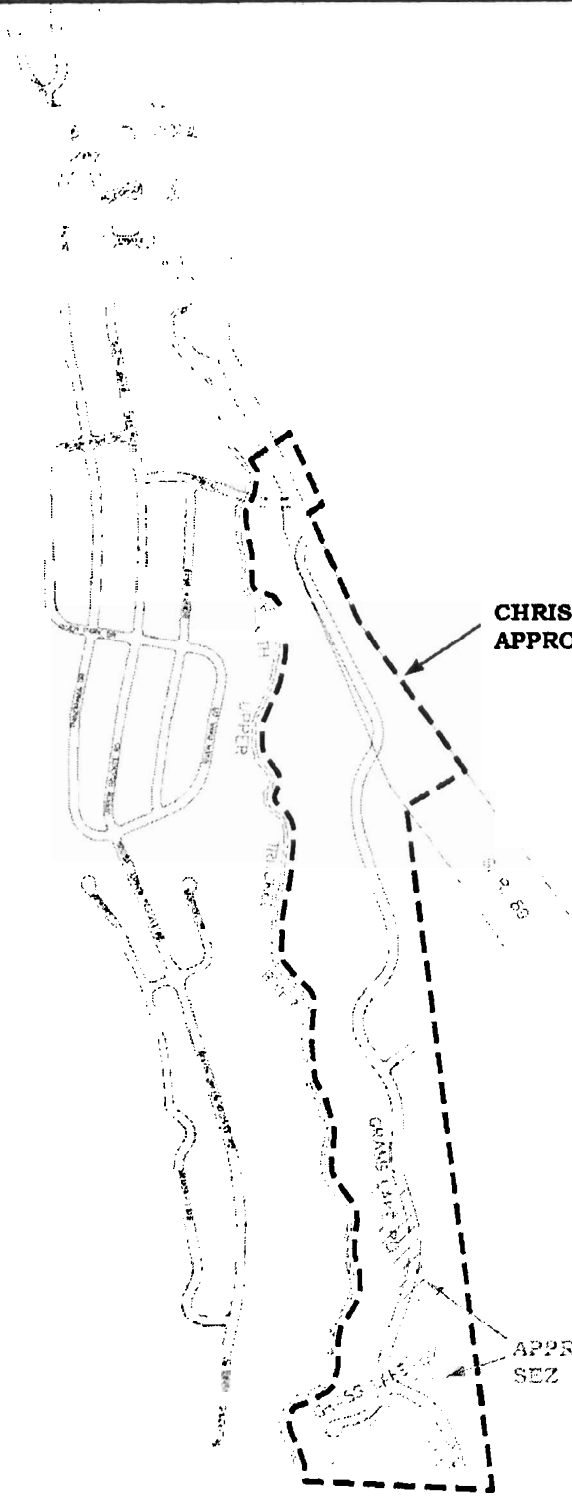
Upon approval by your Board,

- 1) The Director of Transportation or his designee will sign the Notice of Determination;
- 2) The Department will record the Notice of Determination with the County Clerk/Recorder; and,
- 3) The Department will submit a certified copy of the filed Notice of Determination with the California Tahoe Conservancy, the Lahontan Regional Water Quality Control Board, and the Tahoe Regional Planning Agency.

Sincerely,



Richard W. Shepard, P. E.
Director of Transportation



EL DORADO COUNTY
SOUTH LAKE TAHOE OFFICE



2005 CTC GRANT PRE-APPLICATION
CHRISTMAS VALLEY 1
EROSION CONTROL PROJECT
Location Map

FIGURE

A

DATE:
9/05

PROJECT NO.:
95151

BY:
RAW

Attachment A

RESPONSES TO COMMENTS ON DRAFT INITIAL STUDY/PROPOSED MITIGATED NEGATIVE DECLARATION FOR CHRISTMAS VALLEY 1 EROSION CONTROL AND STREAM ENVIRONMENT ZONE RESTORATION PROJECT STATE CLEARINGHOUSE # 2006082144

El Dorado County Department of Transportation received two letters during the public comment period from the same citizen who owns a residence in the project area on the Draft Initial Study prepared to support the Mitigated Negative Declaration for the Christmas Valley 1 Erosion Control/Stream Environment Zone Restoration Project and are included herein as Figure B. This memo includes all of the written comments received on the Draft Initial Study during the public review period. Each comment received is followed by a response that is intended to supplement, clarify, or amend information provided in the Draft Initial Study, or refer the commenter to the appropriate place in the Draft Initial Study where the requested information can be found. Those comments that are not directly related to environmental issues are noted for the record.

Commenter(s): Larry and Lance Batch, Property Owners

Response A: The Batch's (commenters) are concerned regarding historical flow of the stream on their property located at 3801 Grass Lake Road (APN 036-370-26-1) and would like this to be maintained at its' historic levels. EDOT has determined that this drainage is within the jurisdiction of the United States Department of Agriculture-United States Forest Service and has been removed from the scope of the project will not be addressed as part of the Christmas Valley 1 Erosion Control/Stream Environment Zone Restoration Project. No further response required.

Response B: In a separate letter to EDOT staff, the commenters also state that "a curb running the downhill length of this driveway may be a better option" rather than the rock lined channel currently proposed as part of the project. Due to financial constraints, EDOT still proposes to construct a rock lined channel along this portion of the County Right-of-Way; however, further consideration to this improvement may be given by the designer as the project proceeds to final design. In regards to the environmental documentation prepared by EDOT, the short term environmental impacts with each improvement will be similar in nature and are adequately addressed by appropriate mitigation measures currently in the document and will not require the inclusion of additional mitigation measures to reduce the impact to a "Less than Significant" level.

August 4, 2006/ Page 2-2

Subject: Christmas Valley I Erosion Control Project (JS 95151)

To: Daniel Kikkert, Assistant in Civil Engineering/Fax: (530) 541-7049

Dear Daniel,

The purpose of this document is to address our concerns regarding flow of the stream on our property at 3801 Grass Lake Road (APN 036-370-26-1) with respect to the proposed erosion control project (ECP). Specifically, we are concerned that the ECP will reduce stream flow on our property at other than flood stages. Currently, we have trout and a diverse range of riparian plants and organisms that depend upon the stream's continued historical flow. We are concerned about maintaining the historical flow of our stream to support a viable and historical stream ecology.

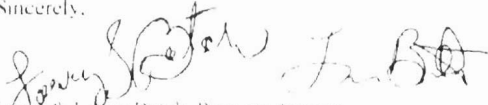
After dropping by your office today to discuss this ECP, we were told that you are involved with several of the elements of this project that most concern us. Unfortunately, we will not be available to personally discuss the stream flow issue with you next week. However, we will call you next week to answer any of your questions related to this letter or further discuss our concerns.

Can you ensure that the continued flow and viability of our stream are included during the environmental impact study (EIS) and design phases of this project?

For your information, Steve Kooyman, Supervising Civil Engineer, is aware of our concerns because we discussed them with him several months ago. He advised us to monitor this project and provide our concerns as the project evolves. We've received wonderful cooperation from everyone at your office concerning this project, and want to be sure we don't omit anyone who may need to know the contents of this letter.

Thanks for your time and assistance.

Sincerely,



Larry & Lance Hatch, Property Owners
909-793-1431 or 619-507-6906

cc: Steve Kooyman, P.E., Supervising Civil Engineer
Alfred L. Knotts, Principal Planner
Donald Palaroan, P.E., Senior Civil Engineer

September 18, 2006 Page 1

Subject: Initial Study/Proposed Mitigated Negative Declaration for Christmas Valley 1 Erosion Control and SEZ Restoration Project

→ To: Mr. Alfred I. Knoits, Principal Planner
El Dorado County Department of Transportation
924 B Emerald Bay Road
South Lake Tahoe, CA 96150

Dear Alfred:

The primary purpose of this document is to reinforce our previous recommendations related to the Christmas Valley 1 Erosion Control Project (JN 95151). Please see page 2-2, the attached copy of our previous letter dated August 4, 2006.

In addition, the secondary purpose of this letter is to comment on the proposed changes to the end of Grass Lake Road near our property (APN 036-37-026). Specifically, we want to address the issue of the proposed rock-lined channel running along our neighbor's driveway (APN 036-37-027) required due to overflow of our stream around our neighbor's bridge and water sheeting during catastrophic flood events. While we believe this rock culvert is the best option, we understand that it may not be a practical solution. As discussed on September 7, 2006 with Dan Kikaci and Steve Kooyran, a curb around the downhill length of this driveway may be a better option. If chosen, we believe that this option requires a structurally stable reinforced concrete curb rather than an asphalt curb. Snow removal, careless vehicle traffic and other predictable contingencies require a load bearing material and design for this curb installation. Also, to reiterate, from our previous meeting the neighbor's driveway is an easement on our property and we give full permission to modify the perimeter of this roadbed as needed.

Lastly, we want to recommend that the culvert at the driveway entrance to our garage be enlarged to a minimum 18" as part of the proposed remade channel along Grass Lake Road in accordance with Section 2.3 of the proposed Declaration. This modification will prevent future overflows around the existing driveway culvert during catastrophic flooding event, which occurred in the past.

Thank in advance for your time and consideration with this matter.

Sincerely,



Larry & Lancy Burch, Property Owner
909 293 1131 or 619 507 0906

CC: Steve Kooyran, PE, Supervisor Civil Engineer
Dan Kikaci, Assistant Civil Engineer
Doreen Pilato, PE, Senior Civil Engineer

