



## Legislation Text

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**File #:** 13-0529, **Version:** 1

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Community Development Agency, Transportation Division, recommending the Board:

- 1) Adopt Resolution **071-2013** authorizing the Transportation Division Director to submit applications, sign applications, and obtain and/or execute Use Permits, Encroachment Permits, Right of Entry Permits, and License Agreements to construct Capital Improvement Program Projects, Environmental Improvement Program Projects, and Maintenance Projects to allow the program implementation process to function more efficiently; and
- 2) Ratify the Interim Director of Transportation's approval and execution of the United States Forest Service Road Use Permit and Special Use Permit for the Rubicon Trail at Ellis Creek - Bridge Replacement Project.

### **Fiscal Impact/Change to Net County Cost**

There is no fiscal impact associated with this agenda item.

### **Reason for Recommendation**

The Community Development Agency, Transportation Division (Transportation) applies for and obtains and/or executes various types of use permits from several state and federal agencies in order to construct projects associated with advancing the County's Capital Improvement Program (CIP), Tahoe's Environmental Improvement Program (EIP), and to maintain public facilities.

Transportation intends to continue to pursue and obtain project opportunities that will require use permits with various state and federal agencies. These agencies include the United States Department of Agriculture Forest Service (USFS), State of California, Department of Transportation (Caltrans), the State of California Department of Parks and Recreation, California Tahoe Conservancy (CTC), the City of Placerville and the City of South Lake Tahoe.

Use of USFS roads and property is necessary for some CIP construction projects, EIP construction projects, and maintenance projects. The USFS issues a Road Use Permit to allow use of its roads and a Special Use Permit to allow use of its properties. Examples of these are:

- The USFS issued a Road Use Permit for the Rubicon Trail work performed by maintenance to allow maintenance access via the USFS roads to construct the trail improvements.
- The USFS issued a Road Use Permit for the Rubicon Trail at Ellis Creek - Bridge Replacement CIP project to allow Transportation and its Contractor use of the USFS road 14N05 to access the project site for construction and issued a Special Use Permit to allow Transportation and its Contractor use of USFS property for staging and storage of equipment.
- The USFS issued a Special Use Permit for the Christmas Valley 2C Erosion Control EIP project to allow Transportation to construct improvements on USFS-owned parcels in the project area in the Tahoe Basin.

When Transportation constructed the Sawmill 2 Bike Path and Erosion Control project some of the improvements were constructed on the State of California Department of Parks and Recreation property. The State of California Department of Parks and Recreation issued a Right of Entry Permit to allow construction to go forward while the agency prepared easement documents. Transportation

anticipates that future Right of Entry Permits may be necessary on CIP, EIP, or maintenance projects.

When Transportation constructs erosion control improvements on parcels owned by CTC, the CTC issues a License Agreement to allow this use.

When Transportation constructs a CIP or EIP project within the Caltrans right of way or if the project construction or maintenance work requires placement of portable changeable message signs in the Caltrans right of way, a Caltrans Encroachment Permit is required. Similarly, if Transportation's CIP, EIP, or maintenance project encroaches on the City of Placerville right of way or the City of South Lake Tahoe right of way, these cities issue an Encroachment Permit.

In order for the program implementation process to function more efficiently and effectively, Transportation hereby requests by Resolution that the Board delegate authority to the Transportation Division Director to execute use permit documents. Delegating this authority to the Transportation Division Director will eliminate approximately 60 days of project schedule delay in waiting for the processing of a Board agenda item.

**Action to be taken following Board approval**

1. The Clerk of the Board will obtain the Chair's signature on the Resolution.
2. The Clerk of the Board will return a fully executed copy of the Resolution to Transportation for further processing.

**Contact**

Bard R. Lower, Transportation Division Director

**Concurrences**

County Counsel