



Legislation Text

File #: 15-0375, **Version:** 1

Community Development Agency, Transportation Division, recommending the Board consider the following actions pertaining to the CSA 5 Erosion Control Project, CIP 95157:

- 1) Adopt the California Environmental Quality Act Mitigated Negative Declaration;
- 2) Adopt the Mitigation Monitoring and Reporting Program (Appendix A of the Initial Study/Mitigation Negative Declaration); and
- 3) Approve the CSA 5 Erosion Control Project as described in the California Environmental Quality Act document.

FUNDING: United States Forest Service (USFS) funds (97%) and Tahoe Regional Planning Agency Water Quality Mitigation funds (3%).

DEPARTMENT RECOMMENDATION:

Community Development Agency, Transportation Division (Transportation), recommends the Board consider the following actions pertaining to the CSA 5 Erosion Control Project (Project), CIP No. 95157;

- 1) Adopt the California Environmental Quality Act (CEQA) Mitigated Negative Declaration (MND);
- 2) Adopt the Mitigation Monitoring and Reporting Program (Appendix A of the Initial Study/Mitigation Negative Declaration); and
- 3) Approve the CSA 5 Erosion Control Project as described in the CEQA MND.

The recommended Board actions are based on the following findings:

- A) The CEQA document on file with the Clerk of the Board and on the Community Development Agency, Transportation Division website, <http://edcgov.us/DOT/CEQA.aspx>, was prepared pursuant to Public Resources Code §21000 et seq., and the State CEQA Guidelines.
- B) There is no substantial evidence that the Project, as mitigated, will have a significant effect on the environment.
- C) The MND for the Project reflects the lead agency's (County's) independent judgment and analysis.

DISCUSSION / BACKGROUND:

Transportation proposes to construct water quality improvements in the Tahoma area as part of the Project. The Project proposes to replace and upgrade drainage structures within the existing stormwater conveyance system in order to increase the quality of stormwater runoff.

Transportation is the CEQA lead agency and prepared the MND to consider the significance of potential Project impacts in accordance with the State CEQA Guidelines (14 CA Administrative Code, §14000 et seq.). Certification of this MND by the Board would complete the CEQA portion of the environmental phase toward ultimate delivery of this project. Because this is a USFS funded project, the USFS will be the lead agency to administer the National Environmental Quality Act (NEPA)

Categorical Exclusion, utilizing the required studies completed by the County for CEQA. At this time, NEPA has not yet been approved.

Project Need: The Project is identified in TRPA's Environmental Improvement Program (EIP) for the Lake Tahoe Region (EIP #01.01.01.0067) and is considered an overall benefit to the Lake Tahoe environment by assisting in attaining environmental thresholds for water quality and soil conservation. The Project further assists Transportation in complying with the National Pollutant Discharge Elimination System Municipal Permit and the adopted 2013 Storm Water Management Plan. The Project is also included in the approved 2015 El Dorado County CIP.

Agency and Public Notification: Transportation held a public meeting, a Technical Advisory Committee meeting, and launched a project website in 2015 to inform the public about the need for the Project, different alternatives, and project impacts. The public expressed concern about potential traffic impacts and identified additional water quality problem areas within the Project not previously identified. The public comments resulted in modifications to Project alternatives to address these problems.

A Notice of Intent to Adopt a MND was advertised in the Tahoe Tribune and Tahoe World and the entire document was posted on the County website at <http://www.edcgov.us/Government/DOT/CEQA.aspx>. Hard copies were also available at the Transportation office at 924B Emerald Bay Road, South Lake Tahoe and at the South Lake Tahoe Library. The public comment period included the submittal of the Initial Study (IS) and MND to the State Clearinghouse and to other appropriate resource agencies for review. The public review period began on February 25, 2016 and ended on March 25, 2016.

Project Description: The project site is within an existing residential development located on the west shore of Lake Tahoe, bounded by Lake Tahoe and First Avenue to the east, the El Dorado/Placer County line to the north, Chinkapin Road and Placer Street to the west and Cedar Street to the south (Attachment C). The proposed Project includes the construction of improvements to address erosion and water quality issues within the Project site. The work will include the addition of rock slope protection and modifications of the existing storm drain system which includes construction of infiltrating inlet structures, pipes, channels, and maintenance of existing stormwater retention basins. These improvements will reduce the discharge of sediment and pollutants to Lake Tahoe from County administered rights-of-way in the CSA 5 Project area. The Project will not change the use of the site or surrounding area. The Project will benefit the natural environment with the implementation of the proposed improvements. After Project completion, less sediment will enter Lake Tahoe from the Project area, thereby improving water quality in Lake Tahoe.

For a more detailed Project description, please refer to the MND available on the County website at <http://www.edcgov.us/Government/DOT/CEQA.aspx>, or Attachment B of this Legistar item.

Right of Way: A license agreement from the California Tahoe Conservancy will be needed for three parcels within the Project area. Portions of these three parcels will be used to convey and/or treat stormwater runoff.

Construction: The construction phase of the Project will be publicly bid and Transportation will retain a construction contractor who will be responsible for complying with all applicable rules, regulations, and ordinances associated with construction activities and for implementing the adopted construction

-related mitigation measures. It is anticipated that the Project construction will occur in the summer of 2016 and will be completed in a single season (approximately 6 weeks).

Mitigation Measures: Mitigation measures are added to the Project to reduce potential impacts to a level of insignificance. The Mitigation Monitoring and Reporting Plan (Appendix B of the IS/MND (Attachment B)) outlines each mitigation measure and implementation in detail. A more general listing of mitigation measures that will be implemented on the Project is as follows:

- Prevent the spread of invasive species;
- Avoid and protect riparian habitat and Waters of the U.S., and native trees during construction activities and comply with permit conditions;
- Avoid hazards and hazardous materials; and
- Ensure long-term soil stabilization and protect water quality during construction.

Comments: During the thirty (30) day public comment period, no comments were received.

ALTERNATIVES:

The Board could choose to not to adopt the MND, which would stop the Project. All funds expended to date would have to be returned to the funding agencies.

OTHER DEPARTMENT / AGENCY INVOLVEMENT:

County Counsel reviewed and approved the MND.

CAO RECOMMENDATION:

Chief Administrative Office concurs with staff's recommendations.

FINANCIAL IMPACT:

This Project is budgeted in the adopted 2015 CIP and funded using USFS funds and Tahoe Regional Planning Authority (TRPA) Water Quality Mitigation funds as described above. Sufficient appropriations are included in the current year budget; therefore a budget transfer is not required.

CLERK OF THE BOARD FOLLOW UP ACTIONS

N/A

STRATEGIC PLAN COMPONENT:

Infrastructure

CONTACT

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