



## Legislation Text

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**File #:** 23-1310, **Version:** 1

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Department of Transportation recommending the Board authorize the Chair to sign the Landscape Maintenance Agreement 03 - ED 50, PM 1.50 - PM 2.50 with the State of California Department of Transportation for maintenance of landscaping to be performed as mitigation for the U.S. Highway 50/ Silva Valley Parkway Interchange - Phase 1 Landscape Project, CIP 36104003. (District 1)

**FUNDING:** Traffic Impact Fee - Silva Valley Interchange Set Aside Zone 8. (No Federal Funds)

### **DISCUSSION / BACKGROUND**

In 2011, the El Dorado County Board of Supervisors adopted the Mitigation Monitoring and Reporting Program for the Silva Valley Parkway Interchange Project (Project) (Legistar# 11-0709). The document identified the improvements, impacts, and mitigation measures for the Project. Among these mitigation measures is the requirement to provide modest native landscaping and restore areas of oak woodland and stream side riparian habitat. Subsequent to the approval of the Environmental Impact Report (EIR), multiple phases of the Project have been constructed to meet the transportation needs of the community, with the landscape and habitat restoration still to be completed.

This Landscape Management Agreement (LMA) defines the roles and responsibilities of both the County and Caltrans for the establishment and maintenance of the landscape and habitat restoration. Caltrans policy requires the execution of an LMA before Caltrans will issue the County an encroachment permit that will allow the County to put the Project out to bid. The specific details and obligations are contained in the LMA; however, the general terms of the LMA are for the County to install small areas of landscaping, perform habitat restoration, and maintain it fully in perpetuity. The landscaping and restoration is intended to revert to a natural landscape environment with minimal maintenance effort after the establishment period.

### **ALTERNATIVES**

County staff has negotiated at length with Caltrans and believes the terms of the LMA are consistent with the intent of the Project and conform to the Caltrans policy for the maintenance of the facilities. As the landscape and habitat restoration is a mitigation measure for the Project, there are limited options available to the County to do less; however, there are options to do more should there be a desire and funding identified.

- 1) Should the County choose not to enter into an LMA, the requisite mitigation could not be completed. Under such a circumstance, alternative measures such as off-site mitigation or other options would require amendments to the existing environmental document and resource agency permits and would likely prove to be more costly.
- 2) The County could choose to perform additional enhanced landscaping to improve the aesthetics of the interchange, the maintenance cost of which would be increased beyond the current minimal amount required.

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

Caltrans

**CAO RECOMMENDATION**

Approve as recommended.

**FINANCIAL IMPACT**

Funding for the initial installation of landscaping and habitat restoration, along with the subsequent 5-year establishment period, is estimated to be approximately \$1.5 million, to be funded by Traffic Impact Fees - Silva Valley Interchange Set Aside Zone 8. The U.S. Highway 50/ Silva Valley Parkway Interchange - Phase 1 Landscape Project is included in the 2023 Capital Improvement Program Book, approved by the Board on June 6, 2023 (Legistar# 23-0851, Item 56).

The landscaping and habitat restoration will be constructed and maintained for a 5-year establishment period utilizing Traffic Impact Fees. Upon the completion of the 5-year establishment period, the ongoing maintenance will be funded by the Road Fund. The LMA's ongoing obligation following the 5-year establishment period is estimated to be \$5,000-\$10,000 per year, to be funded in the annual Road Fund maintenance budget.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) The Clerk of the Board will have the Chair sign four (4) originals of the Agreement.
- 2) The Clerk of the Board will forward the four (4) originals of the partially executed Agreement to Transportation, Attn: Matt Gourley, to send to Caltrans for signature.
- 3) Upon receipt of the fully executed original Agreement from Caltrans, Transportation will forward one (1) original to the Clerk of the Board for filing.

**STRATEGIC PLAN COMPONENT**

This LMA is consistent with the Infrastructure component of the Strategic Plan.

**CONTACT**

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Department of Transportation