



# County of El Dorado

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## Legislation Text

**File #:** 11-0685, **Version:** 3

Department of Transportation recommending the Board consider the following for the Lake Tahoe Boulevard Bike Path/Stream Environment Zone Enhancement/Erosion Control Project, Capital Improvement Program numbers 95186/95175/95163:

- 1) Approve the Category 6 Major Cost Recovery Agreement (CR Agreement 11MJ-11051900861) (AGMT 11-53198), between El Dorado County and the United States Department of Agriculture Forest Service Lake Tahoe Basin Management Unit in an amount not to exceed \$27,194.83;
- 2) Authorize the Director of Transportation to sign AGMT 11-53198; and,
- 3) Authorize the Director of Transportation to sign the Special Use Permit upon issuance to the Department of Transportation by the United States Department of Agriculture Forest Service Lake Tahoe Basin Management Unit.

### **FUNDING:** Regional Surface Transportation Program Exchange Funds.

<b>BUDGET SUMMARY:</b>		
Total Estimated Cost		\$27,194.83
Funding		
Budgeted	\$27,194.83	
New Funding	\$	
Savings	\$	
Other	\$	
Total Funding Available	\$27,194.83	
Change To Net County Cost		\$ 0

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

The Cost Recovery Agreement will be funded using secured Regional Surface Transportation Program (RSTP) Exchange funds already programmed for the Lake Tahoe Boulevard Bike Path Project, Capital Improvement Program (CIP) #95186.

### Background:

The Lake Tahoe Boulevard Bike Path/Stream Environment Zone Enhancement/Erosion Control Project (Project) was initiated in 2005, as part of the Tahoe Regional Planning Agency's Environmental Improvement Program (EIP) under EIP #10036. The main goals of the Project are to: 1) Provide an opportunity for improvement by providing a critical link in the County's bicycle trail network; 2) Enhance the function of several stream environment zones; and 3) Minimize erosion and water quality impacts.

### Reason for Recommendation:

AGMT #11-53198 will allow the Department to obtain the Federal National Environmental Policy Act

(NEPA) special studies and documents with subsequent Special Use Permit from the USDA Forest Service Lake Tahoe Basin Management Unit for the entire Project area. The Project boundary is entirely within the United States Forest Service (USFS) parcels identified as APN's 033-010-03, 032-080-01, and 032-070-01, which requires the USFS to take the lead on the NEPA document. Once AGMT #11-53198 is executed, the USFS will invoice the Department for the entire amount of \$27,194.83, which is due prior to the USFS initiating the work. This is standard federal language within the USFS form FS-2700-26, which is non-negotiable, yet similar to other permitting agencies that require permit fees up front for administrative processing expenses. Furthermore, in order for the Department to construct the proposed Project improvements on USFS lands, the USFS will need to issue a Special Use Permit to the Department of Transportation.

Action to be taken by Department following Board approval:

1) The Department to process the agreement through the USDA Forest Service Lake Tahoe Basin Management Unit for signatures, then forward a fully executed original of AGMT #11-53198 to the Board Clerk for their records.

Contact:

James W. Ware, P.E.  
Director of Transportation

Concurrences: County Counsel and Risk Management