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County of El Dorado

Legislation Details (With Text)

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Title: Transportation Department recommending the Board take the following actions pertaining to the Sawmill 2 Bike Path & Erosion Control Project (JN 95165):
1) Adopt the Mitigated Negative Declaration (MND) for the project;
2) Adopt the Mitigation Monitoring and Reporting Program (Appendix A of the Initial Study/Mitigated Negative Declaration Document);
3) Approve the Sawmill 2 Bike Path & Erosion Control Project as described in the California Environmental Quality Act (CEQA/ MND) Document;
4) Authorize Department staff to proceed with the ordering and payment of title reports and certified appraisals for the following APNs which are within the Project area; 033-180-06 (Skamarocius), 033-180-04 (Yant), 033-180-36 (Yant), 033-180-33 (Stephens), 033-180-35 (Guarnero), 033-090-16 (Amacker), 033-090-12 (Amacker), 033-090-13 (Silberstein), 033-090-07 (Henry), 033-020-12 (Lampson), 033-160-03 (Kerver), 033-160-04 (Epson), 033-160-05 (Child), 033-160-06 (Richardson), 033-160-07 (Arron), 033-160-08 (Barker), 033-160-09 (Tarpey), 033-160-10 (Loeffler), 033-090-17 (Chapman), 033-180-34 (Buckingham); and
5) Authorize the Director of Transportation or his designee to sign the Notice of Determination.

FUNDING: Tahoe Regional Planning Agency, California Tahoe Conservancy and United States Forest Service Lake Tahoe Basin Management Unit grant funds.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Approved CRS, 2. B - Sawmill 2 Final CEQA Document, 3. C - Vicinity Map

Date	Ver.	Action By	Action	Result
12/10/2009	1	Board Of Supervisors	Approved	Pass

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Fiscal Impact/Change to Net County Cost:
The Department has secured $896,000 in Planning, Design and Right-of-Way funding from the Tahoe Regional Planning Agency (TRPA) Water Quality (WQ) and Air Quality (AQ) Mitigation Funds, the California Tahoe Conservancy (CTC) (CTA 04026) funds, and the United States Forest Service (USFS) Lake Tahoe Basin Management Unit - Erosion Control Grant Program (08-DG-11051900-030). The Project construction cost is estimated at $3,128,000 with proposed funding coming from the TRPA WQ and AQ Mitigation Funds, CTC Recreation & Access and Erosion Control Programs and USFS Erosion Control Grant Program. The Department will apply for the site improvement funds during the next two grant cycles (FY 09/10 and FY 10/11) in order to secure the funding needed to construct the Project pursuant to the 5-Year Environmental Improvement Program (EIP) budget and schedule adopted at the May 5, 2009 Board of Supervisors meeting.

Approval of this Mitigated Negative Declaration will not result in any fiscal impact to the General Fund. The Project is included in the 5-Year EIP. There is no net cost to the County General Fund associated with this agenda item.

Recommended Findings:
The Department is requesting that the CEQA document be adopted based upon the following findings:

A. The CEQA document was prepared in accordance with CEQA, Public sources Code Sections 21000 et seq., and the CEQA Guidelines.
B. There is no substantial evidence that raises a fair argument that the project, as mitigated, will have a significant effect on the environment.
C. The Mitigated Negative Declaration for the Sawmill 2 Bike Path & Erosion Control Project reflects the lead agency's independent judgment and analysis.

Reason for Recommendation:
Project Location: The Project area is located in eastern El Dorado County, California within the Lake Tahoe Basin. The site is located in South Lake Tahoe just west of Highway 50, along Sawmill Road. The Project area encompasses the entire Sawmill Road corridor from Highway 50 to Lake Tahoe Blvd. (See Figure A within the CEQA/MND document (Figure A) for further detail)

Purpose of Project: The Sawmill 2 Bike Path & Erosion Control Project is identified in the Tahoe Regional Planning Agency's "Environmental Improvement Program for the Lake Tahoe Region" (EIP #706 & 10034) and is considered an overall benefit to the Lake Tahoe environment by assisting in attaining environmental thresholds for recreation, water quality and soil conservation. Also, the Proposed Project further assists the Department in compliance with the Lake Tahoe Basin Pedestrian and Bicycle Master Plan and the National Pollution Discharge Elimination System (NPDES) General Permit and adopted 2007 Storm Water Management Plan, Section 9 requirements.

Project Description: The Project site is an existing County-maintained road bordered by public land and a few residential properties (Figure A). The overall goal of the Proposed Project is to design and implement a Class 1 bicycle path along the south side of Sawmill Road from Highway 50 to Lake Tahoe Blvd. The Proposed Project will also construct erosion control and water quality improvement measures that will reduce the discharge of sediment and pollutants to Lake Tahoe from County administered rights of way and easement areas. The Proposed Project will not change the use of the

site or surrounding area. The Project will provide benefits to the community and natural environment through the improvements proposed as part of the Project. For further information regarding the proposed improvements see the Proposed Project section within the IS/MND document.

Project Construction: The Department shall retain a construction contractor who will be responsible for compliance with all applicable rules, regulations, and ordinances associated with construction activities and for implementation of the adopted construction-related mitigation measures. Construction is proposed to commence in May of 2010 (depending upon funding availability as proposed within the 5-Year EIP) and would require approximately two construction seasons to complete. A traffic management plan will be required that will include construction staging and traffic control measures to maintain and minimize impacts to traffic during construction. All mitigation measures as stated within the Initial Study/Mitigated Negative Declaration IS/MND will be included within the Construction Contract Documents.

Mitigation Measures: Mitigation measures are added to the Project to reduce potential impacts to a level of insignificance. The Mitigation Monitoring and Reporting Plan, which lists each mitigation measure as well as who is responsible for implementation, can be found in Appendix B of IS/MND document.

Agency and Public Notification: The IS/MND was circulated on October 5, 2009 for a thirty (30) day public comment period. The Notice of Intent to Adopt a Mitigated Negative Declaration was advertised in the Tahoe Daily Tribune and hard copies were available at the Department offices and the Library. The public comment period included the submittal of the IS and MND to the State Clearinghouse and to other appropriate resource agencies for review. County Counsel also reviewed the document and their comments have been incorporated.

Comments Received: During the 30 day public comment period, no comments were received.

Action to be taken by the Department following Board approval:
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 Recorder/Clerk and the State Clearinghouse and pay the appropriate California Department of Fish and Game fees;
3) The Department will submit a certified copy of the filed Notice of Determination to the California Tahoe Conservancy, the Lahontan Regional Water Quality Control Board, and the Tahoe Regional Planning Agency; and
4) The Department will begin the right-of-way acquisition process by ordering title reports and certified appraisals for the following Assessors Parcel Numbers which are within the Project area; 033-180-06 (Skamarocius), 033-180-04 (Yant), 033-180-36 (Yant), 033-180-33 (Stephens), 033-180-35 (Guarnero), 033-090-16 (Amacker), 033-090-12 (Amacker), 033-090-13 (Silberstein), 033-090-07 (Henry), 033-020-12 (Lampson), 033-160-03 (Kerver), 033-160-04 (Epson), 033-160-05 (Child), 033-160-06 (Richardson), 033-160-07 (Arron), 033-160-08 (Barker), 033-160-09 (Tarpey), 033-160-10 (Loeffler), 033-090-17 (Chapman), 033-180-34 (Buckingham).

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

Concurrences: County Counsel

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