



Legislation Text

File #: 13-0233, **Version:** 2

Community Development Agency, Transportation Division, recommending the Board take the following actions pertaining to the Lake Tahoe Boulevard Enhancement Project (CIP No. 95186):

- 1) Adopt the Mitigated Negative Declaration for the Lake Tahoe Boulevard Enhancement Project;
- 2) Adopt the Mitigation Monitoring and Reporting Program (Appendix A of the Initial Study (IS)/MND);

and

- 3) Approve the Lake Tahoe Boulevard Enhancement Project as described in the California Environmental Quality Act Mitigated Negative Declaration. (Cont'd 6/4/13, Item 15)

FUNDING: United States Forest Service Lake Tahoe Basin Management Unit - Erosion Control, State of California - Congestion Mitigation for Air Quality Program, Regional Surface Transportation Program, and Tahoe Regional Planning Agency mitigation funds.

Fiscal Impact/Change to Net County Cost

Transportation secured funding in the amount of \$200,000 in planning money from Congestion Mitigation for Air Quality (CMAQ) funds, \$355,000 in planning money from the California Tahoe Conservancy (CTC), \$350,000 from Regional Surface Transportation Program funds (RSTP), \$250,000 in site improvement money from the United States Forest Service (USFS) Lake Tahoe Basin Management Unit - Erosion Control Grant Program and \$312,192 from the Tahoe Regional Planning Agency (TRPA) Water Quality, Air Quality and Stream Environment Zone (SEZ) Mitigation Funds. Approval of this Mitigated Negative Declaration (MND) will not result in any fiscal impact to the General Fund. The Project is included in the 5-Year Capital Improvement Program (CIP)/Environmental Improvement Program (EIP).

Background

Project Location: The Project area is located in eastern El Dorado County, in South Lake Tahoe, California within the Lake Tahoe Basin. The Project is located in the southern section of the Lake Tahoe Basin in Sections 17-20, Township 12 North, Range 18 East, in the Echo Lake and Emerald Bay United States Geological Survey 7.5 minute quadrangle maps. The Project is along Lake Tahoe Boulevard from Viking Road to Clear View Drive. (See Figure A within the California Environmental Quality Act (CEQA) MND for further detail).

Purpose of Project: The Lake Tahoe Boulevard Enhancement Project is identified in the TRPA's EIP for the Lake Tahoe Region as Project #s 991, 10036 and 10065. In 1997, the TRPA developed a Basin-wide EIP that defined various projects which, once implemented, would assist in attaining and maintaining TRPA Environmental Threshold Carrying Capacities (ETCC) as well as meet other federal and state environmental goals. The Project will address three specific ETCC's - recreation, water quality and stream environmental zone restoration.

Project Description: The Project will install a Class 1 and Class 2 bicycle facility along Lake Tahoe Boulevard between Clear View Drive and Viking Road and will implement erosion control and water quality improvement measures along Lake Tahoe Boulevard. The Project is also intended to reduce nutrient and sediment loading to nearby waterways and to treat storm run-off from the existing

roadway infrastructure by installing appropriate Best Management Practices (BMP). For further information regarding the proposed improvements see the Proposed Project section within the IS/MND document.

Project Construction: Transportation shall 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. Construction is proposed to commence in the fall of 2013 or the spring of 2014 and will require approximately three (3) months to complete. All mitigation measures as stated within the 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 the IS/MND.

Agency and Public Notification: The IS/MND was circulated on March 26, 2013 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 Transportation office and at the South Lake Tahoe 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 were included in the Draft Mitigated Negative Declaration that was circulated.

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

Reason for Recommendation

Transportation is the local lead agency and prepared the MND to consider the significance of potential impacts in accordance with the State CEQA Guidelines (14 CA Administrative Code, §14000 et seq.).

Certification of the MND completes the CEQA portion of the environmental phase for the Project. Because the Project has federal funding from the USFS and Caltrans via the Federal Highway Administration, clearance under the National Environmental Policy Act (NEPA) is also required. Transportation is currently working with the USFS and Caltrans on that approval. The environmental phase is a critical step in the ultimate delivery of the Project for the County to meet its CIP/EIP goals.

The recommended Board action is based on the following findings:

- A) The CEQA document on file with the Clerk of the Board 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 independent judgment and analysis.

Action(s) to be taken following Board approval:

- 1) Transportation 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; and
- 2) Transportation will submit a certified copy of the filed Notice of Determination to the Lahontan

Regional Water Quality Control Board and the Tahoe Regional Planning Agency.

Contact

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Concurrence

County Counsel