



## Legislation Text

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**File #:** 18-0732, **Version:** 1

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Community Development Services, Department of Transportation, recommending the Board approve and authorize the Chair to sign the Credit Transfer Agreement 2982 with The National Fish and Wildlife Foundation, as program sponsor of the Sacramento District California In-Lieu Fee Program, for the purchase of 0.09 in Aquatic Resource Credits and Vernal Pool Credits to the County of El Dorado in the amount of \$27,550, as necessary mitigation for the construction of the Diamond Springs Parkway - Phase 1A - SR-49 Realignment Project, CIP 72375.

**FUNDING:** Tribe Funds (67%), Utility Agencies (15%), Traffic Impact Mitigation Fees (5%), Master Circulation and Funding Plan (5%), State Highway Operation and Protection Program (7%), and Road Fund (<1%). (Local and State Funds)

### **DEPARTMENT RECOMMENDATION**

Community Development Services, Department of Transportation (Transportation), recommending the Board approve and authorize the Chair to sign the Credit Transfer Agreement 2982 (Agreement) with The National Fish and Wildlife Foundation (NFWF), as program sponsor of the Sacramento District California In-Lieu Fee Program (Program), for the purchase of 0.09 in Aquatic Resource Credits and Vernal Pool Credits to the County of El Dorado in the amount of \$27,550, as necessary mitigation for the construction of the Diamond Springs Parkway - Phase 1A - SR-49 Realignment Project (Project), Capital Improvement Program (CIP) 72375.

In accordance with Sections 401 and 404 of the Clean Water Act, Transportation has notified the Central Valley Regional Water Quality Control Board (CVRWQCB) and the United States Army Corps of Engineers (USACE) that the Project may impact seasonal wetlands. After review of the Project description, USACE has determined that the Project will impact 0.089 acres of wetlands. In accordance with the California Wetlands Conservation Policy, the CVRWQCB requires that 0.09 (rounded from 0.089) acres of wetlands be mitigated as part of this Project. To satisfy this requirement, Transportation will enter into an Agreement with NFWF as the Program sponsor for \$27,550 to purchase the required Aquatic Resource Credits.

### **DISCUSSION / BACKGROUND**

On May 24, 2011 (Item 39), the Board certified the Environmental Impact Report for this Project. Subsequently, the Project has acquired all necessary right-of-way and obtained resource agency permits necessary for construction.

The Project will impact portions of wetland resources under the jurisdiction of the USACE. This impact requires Transportation to mitigate for the loss of 0.09 acres of intermittent channels and seasonal wetlands. Transportation has identified the Program, as sponsored by NFWF, as an approved mitigation bank. USACE has confirmed that the purchase of 0.09 Aquatic Resource Credits from the Program will satisfy the compensatory mitigation required for loss of wetlands. The purchase amount is calculated by volume and sold in increments of one hundredth. The cost for 0.09 credits is \$27,550.

## **ALTERNATIVES**

The Board could choose to not approve the Agreement as written. Transportation will make any changes requested by the Board, work with NFWF as sponsor of the Program, and return at a later date.

## **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel has reviewed and approved the Agreement.

## **CAO RECOMMENDATION / COMMENTS**

It is recommended that the Board approve this item.

## **FINANCIAL IMPACT**

There is no Net County Cost associated with this item. Funding for the Project is included in Transportation's 2017 CIP, which was approved by the Board on June 27, 2017 (Item 25). Current approved funding includes the cost of the proposed wetland credits.

## **CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) The Clerk of the Board will obtain the Chair's signature on two (2) originals of the Agreement.
- 2) The Clerk of the Board will forward two (2) partially executed originals of the Agreement to Transportation, Fairlane Engineering, attention Matt Smeltzer, for further processing.

## **STRATEGIC PLAN COMPONENT**

Infrastructure

## **CONTACT**

Rafael Martinez, Director  
Community Development Services, Department of Transportation