



Legislation Text

File #: 07-1210, **Version:** 10

Chief Administrative Office recommending the following regarding the Angora Fire in the Lake Tahoe Basin:

- (1) Terminate the state of emergency in the Lake Tahoe Basin as a result of the Angora Fire; and
- (2) Terminate the action taken in which your Board, pursuant to County Ordinance Code 3.14.060, dispensed with competitive bidding requirements due to the emergency situation.

RECOMMENDED ACTION: Approve.

BUDGET SUMMARY:

Total Estimated Cost \$1,479,000.00

Budgeted \$1,479,000.00

New Funding \$

Savings \$

Other \$

Total Funding Available \$1,479,000

Change To Net County Cost \$0

Fiscal ImpactChange to Net County Cost:

Staff from affected departments is seeking reimbursement from the State and Federal governments for all or a portion of the costs related to the Angora fire.

The Department of Transportation (DOT) has been working with several of its funding agencies and has secured funding in the amount of \$1,479,000 for the initial stages of restoration work in the Angora Fire burn area by redirecting other project funding within the burn area and securing new monies. The funding will come from the California Tahoe Conservancy (CTC), the United States Bureau of Reclamation (BOR) and the Tahoe Regional Planning Agency (TRPA). The Department is also in the process of seeking funding through the Office of Emergency Services (OES) but has not yet secured any OES funding.

Background:

The Angora Fire began on Sunday, June 24 east of Fallen Leaf Lake. The County proclaimed a local emergency on Sunday June 24, which was ratified by the Board of Supervisors on Tuesday, June 26.

Reason for Recommendation:

As a result of the Angora fire, serious health and safety hazards currently exist from fire debris, including unstable chimneys, walls of fire damaged structures, and harmful chemicals that are likely to remain on affected parcels. These hazards require immediate attention and constitute a local emergency.

Department of Transportation

The Transportation Department (Department), in conjunction with the California Tahoe Conservancy (CTC), the United States Forest Service (USFS), and the National Resource Conservation Service

(NRCS), has assessed the damage from the Angora Fire. DOT has determined that several facilities located in the County's road rights-of-way within the burn area have been impacted by the fire and require immediate attention through the installation of permanent restoration measures and modifications to the existing County stormwater conveyance system.

DOT has elected to utilize a similar approach to implementation of the emergency response as other agencies involved in the burn area rehabilitation. That approach is to divide the burn area into four (4) zones. Zone A is bounded by National Forest Service land to the west, south, and north and by Tahoe Mountain Road to the east. Zone B is bounded by National Forest Service land to the west and north, by Boulder Mountain Drive and Boulder Mountain Court to the east, and by Angora Creek to the south. Zone C includes the Angora 3B and a part of the Angora 3A Erosion Control Project areas where the majority of the permanent improvements will be installed. Zone C is bounded by Mt. Meadow Drive to the east, National Forest Service land to the west, North Upper Truckee to the south, and Lake Tahoe Boulevard to the north. Zone D consists of the culvert area where Angora Creek crosses Lake Tahoe Boulevard.

The focus of the proposed measures is to construct repairs and install mitigation measures to stormwater conveyance facilities that were damaged by the fire. These stormwater conveyance facilities are located predominantly within the County's road rights-of-way. A portion of the proposed repairs/measures include the installation of flood protection/stormwater quality measures immediately upstream of critical roadway drainage crossings. Some of these protection measures will be installed on United States Forest Service lands by special use permit.

The condition of the burned watershed located above the County roadways and stormwater conveyance infrastructure constitute a potential threat to the integrity of County road and drainage facilities. The primary areas of concern include the threat of damage caused by excess stormwater runoff originating within the tributary upstream burned watershed, the potential for severe erosion due to the potential increases in runoff originating from the tributary upstream burned watershed, the potential for additional accumulation and/or transport of sediment-laden runoff into the County's jurisdictional areas of responsibility under the existing Lahontan NPDES Board Order, the potential for additional accumulation and/or transport of sediment-laden runoff into waters tributary to Lake Tahoe, and the potential of flooding and damage to portions of the County's road system and other public and private property. Due to the above concerns and because of the limited time to install the proposed measures prior to the onset of winter, DOT is recommending that the Board approve the recommendations contained herein.

DOT's role in this effort to protect the County's stormwater conveyance infrastructure consists of designing and installing temporary flood protection measures including sand bag dams, hydromulch, and installing permanent erosion/flood control improvements that include culverts, rock-lined channels, rock bowls, grass-lined swales, sediment basins, and revegetation. The repairs for Zone B will be performed by DOT's own forces and are not detailed here. However, the damage in the three other Zones has been determined to exceed the ability of DOT to immediately stabilize and/or repair the sites with its own forces and will require the use of contractors to immediately respond to the emergency. Since the fire, DOT has been in the process of continued damage assessment and developing the engineered plans and specifications for the four zones.

Public Contract Code Sections 20395, 22035, and 22050 authorize the County in such an emergency to immediately repair or replace a public facility, take any directly related and immediate action

required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts upon a 4/5 vote of its governing body. The Department recommends the Board dispense with competitive bidding requirements and authorize the Director of Transportation to sign contracts to allow for the immediate performance of emergency repairs and restoration due to the limited time to install the measures and the onset of winter. Staff from the California Regional Water Quality Control Board, Lahontan Region (Lahontan) and the Tahoe Regional Planning Agency (TRPA) have indicated that they will authorize the County to perform work on the emergency repairs beyond the standard October 15th grading deadline, the duration dependent upon weather. Due to the emergency nature of the proposed repair measures, work contemplated, temporary or permanent, will take place prior to winter and will cease when the Lahontan/TRPA authorization is rescinded.

While the state of emergency continues, staff will be providing the Board with bi-weekly updates of the status of the emergency and the stabilization and repair work being performed.

The Department recommends the Board make the following findings:

- 1) Find that severe damage has occurred to the Tahoe Basin from the recent Angora Fire that resulted in a State of Emergency to be declared by the Governor of the State of California, and for a local emergency to be declared by the Board of Supervisors.
- 2) Find that, based upon the substantial evidence in the record regarding the conditions of the County's stormwater conveyance infrastructure at the Angora Fire Emergency Rehabilitation Projects, that the emergency will not permit a delay resulting from competitive solicitation for bids, and that immediate action is necessary to stabilize and repair the County's stormwater conveyance infrastructure to prevent further damage to, or failure of, the facilities.

Action to be taken following Board approval:

Departments and Purchasing Agent to procure necessary services.

Contact: Laura S. Gill - ext. 5530

Concurrences: County Counsel