



Legislation Text

File #: 20-0155, **Version:** 1

Department of Transportation recommending the Board take the following actions related to the San Bernardino Class 1 Bike Trail Project, Capital Improvement Program Project 95117:

- 1) Adopt the California Environmental Quality Act Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan; and
- 2) Approve the San Bernardino Class 1 Bike Trail Project as described in the Initial Study and Mitigated Negative Declaration.

FUNDING: Tahoe Regional Planning Agency Air Quality Mitigation Funds (6%), Congestion Mitigation and Air Quality Program (25%), Surface Transportation Block Grant (69%).

DISCUSSION / BACKGROUND

The El Dorado County (County) Department of Transportation (Transportation) proposes to construct a Class 1 shared use pathway, install erosion control and water quality improvements to reduce the discharge of sediment and pollutants to the Upper Truckee River from County administered rights-of-way and publicly owned properties. Additional improvements include, but are not limited to: pathway and drainage improvements including Class 3 bike route signage, boardwalk, and bridge crossing over the Upper Truckee River within the San Bernardino Class 1 Bike Trail Project (Project) in the Meyers area of El Dorado County, California.

Transportation is the California Environmental Quality Act (CEQA) lead agency for the County and prepared the Mitigated Negative Declarations (MND) to consider the significance of potential (Project) impacts in accordance with CEQA Guidelines (14 CA Administrative Code, §14000 et seq.). Certification of this MND by the Board would complete the CEQA portion of the environmental phase toward ultimate delivery of this Project. Because the Project involves use of a parcel owned by the United States Forest Service (USFS), the USFS will be the lead agency to administer the National Environmental Policy Act (NEPA) Categorical Exclusion, utilizing the required studies completed by Transportation for CEQA as lead agency for the County. At this time, NEPA has not yet been approved.

Project Need: The Project is identified in the Tahoe Regional Planning Agency's (TRPA) Environmental Improvement Program (EIP) for the Lake Tahoe Region (EIP 03.01.02.0040), and is considered an overall benefit to the Lake Tahoe environment by assisting in attaining environmental thresholds for water quality, recreation, and soil conservation. The Project further assists Transportation in complying with the National Pollutant Discharge Elimination System Municipal Permit and the adopted 2013 Storm Water Management Plan. The Project is included in the 2019 CIP adopted by the Board on December 17, 2019 (Item 54).

Agency and Public Notification: In 2018, Transportation held a public meeting, a series of Technical Advisory Committee meetings, and launched a Project website to inform the public about the need for the Project, the Project alternatives, and the Project impacts. The public is in general support of the Project.

A Notice of Intent to Adopt a MND was advertised in the Tahoe Tribune and the entire document was posted on Transportation's website at <http://www.edcgov.us/government/dot/pages/CEQA.aspx>. Hard copies were available at the Transportation office located at 924 B Emerald Bay Road, South Lake Tahoe. The public comment period included the submittal of the Initial Study (IS) and MND to the State Clearinghouse and to other appropriate resource agencies for review. The public review period began on March 20, 2020, and ended on April 20, 2020.

Project Description: The Project site is between existing residential developments located in eastern El Dorado County, within the Lake Tahoe Basin, south of the City of South Lake Tahoe and within the community of Meyers. The Project is bounded by U.S. Highway 50 to the south, North Upper Truckee Road to the west, Apache Avenue to the east, and a bridge crossing over the Upper Truckee River (Attachment C). The purpose of the Project is: to provide a pathway link supporting TRPA's *Linking Tahoe: Active Transportation Plan*; to provide access to local businesses, schools, and employment for bicyclists and pedestrians to reduce vehicle miles traveled (VMT); and, to enhance recreational opportunities.

A revised detailed Project description can be found in the MND (Attachment B) or on Transportation's website at <http://www.edcgov.us/government/dot/pages/CEQA.aspx>.

Right-of-Way: A special use permit from the USFS and an easement on the Tahoe Paradise Recreation and Park District within the Project area are needed.

Construction: Construction would be scheduled once a funding commitment has been made, all approvals and permits have been obtained and improvement plans completed. The construction phase of the Project will be publicly bid and Transportation will 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. Transportation anticipates securing the additional funding in 2020 with Project construction occurring in the summer of 2021.

Mitigation Measures: Mitigation measures are added to the Project to reduce potential impacts to a level of insignificance. Avoidance, minimization, and/or mitigation measures are established in the Mitigation Monitoring and Reporting Plan (Table A-1 of the IS/MND).

Comments: During the 30-day public comment period, five (5) comments were received: from a resident, the U.S. Army Corps of Engineers; the South Tahoe Public Utility District (STPUD); the California Water Quality Control Board, Lahontan Region; and the California Office of Planning and Research State Clearinghouse. Transportation responded to the each comment; see Section 4 of Attachment B. Changes have been incorporated in the IS/MND. None of these changes substantially modify the analysis or conclusions of the document, but instead simply clarify aspects of the previously circulated document.

ALTERNATIVES

- 1) The Board could choose not to adopt the IS/MND and approve the Project. Transportation would make adjustments as directed by the Board and bring this item back to the Board at a later date. This would increase Project cost and delay delivery.
- 2) The Board could cancel the Project. Transportation would be required to return all federal funds spent thus far. \$198,574 in Federal Funds has been spent through May 2020.

PRIOR BOARD ACTION

See Discussion / Background Section above.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel reviewed and approved the IS/MND.

CAO RECOMMENDATION / COMMENTS

Approve as recommended.

FINANCIAL IMPACT

This Project is included in the 2019 CIP adopted by the Board on December 17, 2019 (Item 54), with funding provided by the TRPA Water Quality Mitigation, Congestion Mitigation and Air Quality Program, and Surface Transportation Block Grant funds. Maintenance costs for the trail are estimated at \$2,000 to \$5,000 each year, depending on snow removal costs, and will be funded by South Lake Tahoe Recreation Facilities Joint Powers Authority special tax funds (Measure R). There is no use of General Funds or other discretionary funding source and no change to Net County Cost as a result of this item.

CLERK OF THE BOARD FOLLOW UP ACTIONS

N/A

STRATEGIC PLAN COMPONENT

Infrastructure

CONTACT

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