



## Legislation Text

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**File #:** 10-0414, **Version:** 1

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Department of Transportation recommending the Board authorize the Director of Transportation to sign a Stream Alteration Agreement, AGMT 10-52979, with the State of California Department of Fish and Game for a term through December 31, 2014 for the Angora Creek Fisheries and Stream Environment Zone Enhancement Project (PW 09-30486, CIP No. 95161).

**Fiscal Impact/Change to Net County Cost:**

There is no net cost to the County General Fund associated with this agenda item.

**Reason for Recommendation:**

The Project is defined in the Tahoe Regional Planning Agency's Environmental Improvement Program (EIP) as Project #406. The intent of Project #406 is to modify and improve Angora Creek in the vicinity of the culverts under Lake Tahoe Boulevard to improve fish passage. These improvements are intended to adjust channel morphology where the creek has become entrenched, stabilize banks with vegetation, and improve passage at two existing culverts by installing a 3-sided bridge structure. The Angora Creek Fisheries/Stream Environment Zone Project (Project) will also remove emergency improvements installed in response to the 2007 Angora Fire. The Department of Transportation (Department) completed both California Environmental Quality Act (CEQA) and National Environmental Protection Act (NEPA) documentation for this Project. The Board certified the CEQA document in March of 2006.

The requirement for mitigating riparian and wetland habitats was determined in the environmental document and will be accomplished through implementation of a Revegetation Planting and Erosion Control Specification Plan to be completed within the Project boundaries.

In addition to the riparian revegetation plan there are other Mitigation Monitoring Program (MMP) requirements in the Projects' Mitigated Negative Declaration. These requirements will be implemented either through specific requirements in the construction specifications or procedures to be taken as a part of the construction administration.

The Department of Fish and Game (DFG) Code Section 1602 requires the issuance of a lake or streambed alteration agreement to any entity whose activities could adversely affect fish and wildlife resources. DFG has determined this Project could affect the natural habitat and flow of Angora Creek and will only allow work within the stream zone of Angora Creek from July 15 to October 31; which is traditionally a period of low stream flow and dry weather. The Department is requesting approval of the attached Agreement to comply with the DFG Code Section 1602.

Action to be taken by the Department following Board approval:

1. The Director of Transportation will sign two originals of the Stream Alteration Agreement (AGMT #10-52979).
2. Department will forward both partially-executed original Agreements to the Tahoe Engineering Division for DFG review, approval and execution.

Contact:  
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Concurrences: County Counsel and Risk Management