

**UPPER TRUCKEE MARSH WATER QUALITY ASSESSMENT
319(h) GRANT AGREEMENT AUTHORIZATION**

Summary: Staff recommends authorization to accept a grant of up to \$154,935 from the California State Water Resources Control Board to reimburse costs associated with a water quality assessment of the Upper Truckee Marsh.

Location: South shore of Lake Tahoe bounded by U.S. Highway 50, Highland Woods, Al Tahoe, Tahoe Island/Sky Meadows, and Tahoe Keys neighborhoods (Attachment 1).

Fiscal Summary: Reimbursements from the California State Water Resources Control Board for up to \$154,935 for previously authorized activity.

Recommended Action: Adopt Resolution 15-02-02 (Attachment 2).

Background

Congress appropriates funding to the Environmental Protection Agency (EPA) under Section 319(h) of the Clean Water Act, and this funding is allocated statewide through the California State Water Resources Control Board (SWRCB). The 319(h) grant program funds projects that are identified as high priorities in Lake Tahoe Total Maximum Daily Load (TMDL) watersheds, because these priority projects restore waters impaired by nonpoint source pollution.

SWRCB recently awarded the Conservancy a Nonpoint Source 319(h) grant to conduct detailed water assessments of the Upper Truckee Marsh (UTM) and also to provide a monitoring plan for future assessment of Project benefits after implementation.

In September 2010 (Resolution 10-09-06) the Board authorized staff to spend up to \$562,000 for planning at the UTM. The UTM's flat expanse serves as a last defense and natural filter, cleansing water before it enters Lake Tahoe. In the last 150 years development has eliminated more than half of the original 1300 acre marsh. The

Conservancy has acquired approximately 525 acres to restore disturbed wetlands; restore the natural function of the river; improve water quality; preserve and enhance wildlife habitat; preserve and enhance habitat for sensitive or endangered species; and provide public access, recreation, and environmental education opportunities.

UTM restoration efforts assist in meeting Environmental Improvement Program (EIP) thresholds of soil conservation, water quality, fisheries, and wildlife habitat within the Upper Truckee River Watershed. The Conservancy constructed the initial restoration phase, the Lower West Side Wetlands Restoration Project, in 2001 and 2002 on the west side of the UTM. The second restoration phase, known as the Upper Truckee River and Marsh Restoration Project (Project), is currently under development.

Researchers, consultants, and agency staff have conducted numerous technical and environmental studies on the UTM over the past two decades. These studies provide a solid foundation and understanding for the conceptual planning and analysis of the Project, however a detailed water quality analysis of the UTM has not yet been undertaken. Prior to recent scientific developments, experts considered accurate measurement of water quality in the UTM to be cost-prohibitive, largely due to sampling costs and the complex site characteristics presented by Lake level fluctuations and the confluence of Trout Creek. Recent research presents new methods to cost-effectively collect water quality data even in challenging sites such as the UTM.

Additional monitoring of the UTM through the Nonpoint Source 319(h) grant will help to establish more accurate baseline conditions, inform Project design, and document Project benefits to water quality, hydrology, and habitats.

Project Description

The recommended action authorizes the Conservancy to enter into a grant agreement with the SWRCB to receive funding to reimburse the Conservancy for costs associated with the UTM assessment and monitoring plan development (Assessment).

The Assessment collects two years of water level and water quality data using stage recorders and turbidity sensors. These tools will improve the Conservancy's understanding of flows and fine sediment loads entering and exiting the Project area. Arrays of passive samplers collect samples of flood flows to provide information on floodplain water quality. Attachment 1 is a conceptual map showing the approximate instrumentation and sampling locations within the Project area. The data, analysis and reports from the Assessment will inform the ongoing restoration design and provide a baseline condition to be used for future documentation of Project benefits.

The Assessment primarily focuses on water quality, but the data collected will also be used to further evaluate existing conditions and Project benefits related to floodplain inundation, flow, and habitats.

The Assessment will also expand and improve a recently developed model, the Stream Load Reduction Tool (SLRT), which estimates the water quality benefits achieved through restored floodplains. Data collected through this Assessment will adapt the SLRT model to the specific conditions of the UTM, while also improving the model's validation for application on other projects. The enhanced SLRT model will optimize the water quality function of restored floodplains, such as the UTM, by identifying beneficial channel and floodplain characteristics and by comparing alternative design approaches.

The Assessment also develops a long-term UTM monitoring plan to track water conditions within the Project area and document changes over time. This monitoring plan will aid the Conservancy in cost-effectively tracking and quantifying the effectiveness of the future UTM restoration actions, and it will also benefit watershed-scale and regional monitoring efforts. Similar to the data collected as part of the Assessment, this monitoring plan will focus on water quality while also providing data which will support evaluation of inundation, flow, and habitat conditions and benefits.

Project Budget

The recommended grant provides up to \$154,935 in funds to reimburse capital outlay expenditures as well as support costs related to the Assessment. The Conservancy provides additional matching funds not less than 25% of the total project costs, or \$53,600, per the grant requirements. Entering into the grant agreement with SWRCB will require Conservancy staff to undertake standard grant administration tasks, including invoicing, preparation of financial and progress reports, and compliance with standard state and federal terms and conditions.

Estimated costs are shown below. Costs per category may change, but the total reimbursed amount for all categories will not exceed \$154,935.

<u>Activity</u>	<u>Reimbursed Amount</u>	<u>Match Amount</u>
1. Conservancy Staff Time	\$30,295	\$0
2. Data Collection and Analysis	58,702	53,600
3. Reporting	<u>65,938</u>	<u>0</u>
TOTAL	\$154,935	\$53,600

In September 2010 the Board authorized the expenditure of \$562,000 for the Project's planning activities, which covers the project cost and match.

Project Implementation

Conservancy staff will enter into a standard grant agreement with SWRCB and accept funds for reimbursement of eligible expenses.

Conservancy staff will implement the Assessment primarily with assistance and analysis provided through a highly qualified consultant under contract with the California Department of General Services (DGS). The Tahoe Resource Conservation District and the U.S. Geological Survey will assist with the Assessment by collecting critical data and field measurements. Conservancy staff will consult with the Upper Truckee River Watershed Advisory Group at several points throughout the effort to solicit feedback to ensure technical adequacy and also to ensure that the Assessment will benefit all watershed and regional monitoring and project efforts.

Consistency with the Conservancy's Enabling Legislation

Implementation of this Assessment is consistent with the Conservancy's enabling legislation. Specifically, Government Code section 66908 authorizes the Conservancy to receive reimbursements and other funds from public agencies. In addition, Government Code section 66906.8 authorizes the Conservancy to select and hire consultants or contractors to provide services necessary to achieve the purposes of the Conservancy, including protection of the natural environment at Lake Tahoe.

Compliance with the California Environmental Quality Act (CEQA)

Pursuant to State CEQA Guidelines (Cal. Code Regs., Title 14, § 15000 et seq.), certain classes of activities are exempt from CEQA because they have been determined by the Secretary for Natural Resources to have no significant effect on the environment. Pursuant to Public Resources Code section 21082, the Conservancy has also adopted regulations to implement, interpret, and make specific, the provisions of CEQA (Cal. Code Regs., Title 14, § 12100 et seq.). Staff has evaluated this Assessment, and has found it to be exempt under CEQA. This Project qualifies for a categorical exemption under State CEQA Guidelines, Section 15306 (information collection), and the Conservancy's CEQA regulations, section 12102.6. A Notice of Exemption has been drafted for the Assessment (Attachment 3). If the Board approves the grant acceptance, staff will file the Notice of Exemption with the State Clearinghouse pursuant to State CEQA Guidelines, Section 15062.

List of Attachments:

Attachment 1 – Assessment Map

Attachment 2 – Resolution 15-02-02

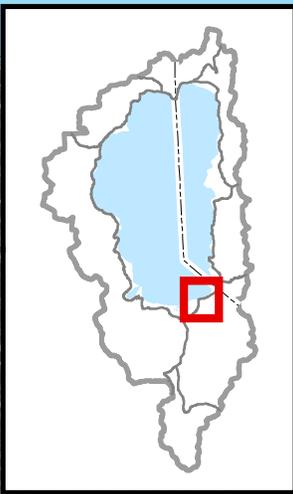
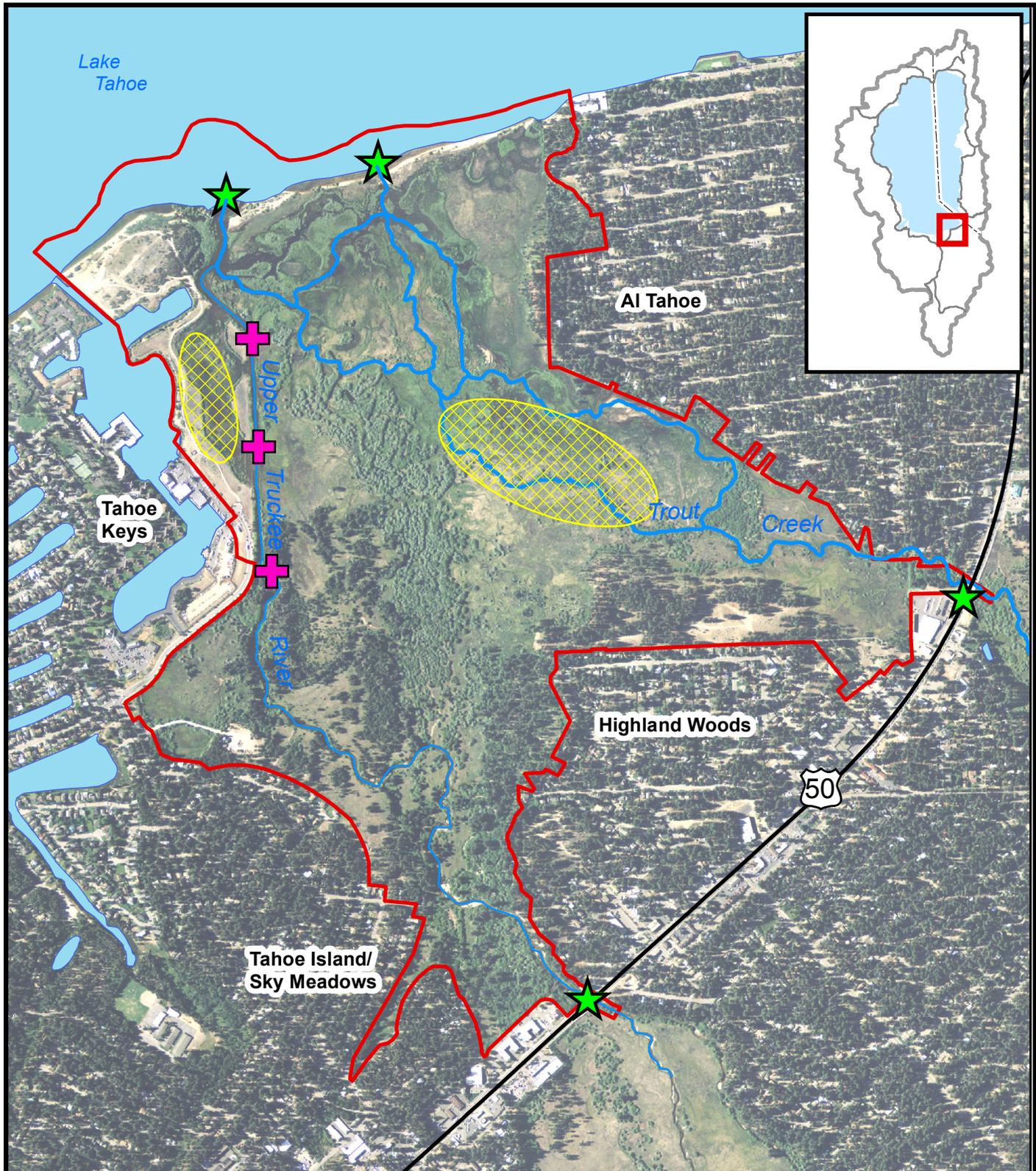
Attachment 3 – Notice of Exemption

Conservancy Staff Contact:

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ATTACHMENT 1 Assessment Map



-  Project Area Boundary
-  Stage Recorders
-  Monitoring Stations
-  Passive Samplers



California Tahoe Conservancy
February 2015

Map for reference purposes only.
Sources: TRPA; NAIP 2012



ATTACHMENT 2

California Tahoe Conservancy

Resolution 15-02-02

Adopted: February 5, 2015

UPPER TRUCKEE MARSH WATER QUALITY ASSESSMENT 319(h) GRANT AGREEMENT AUTHORIZATION

Staff recommends that the Conservancy adopt the following resolution pursuant to Government Code sections 66905 et seq., 66906.8 and 66908:

“The California Tahoe Conservancy hereby authorizes staff to accept a grant of up to \$154,935 for the Upper Truckee Marsh Water Quality Assessment Project from the California State Water Resources Control Board to conduct monitoring in the Upper Truckee Marsh, enter into a State Water Resources Control Board grant agreement, and to take all other necessary steps in substantial conformity with the accompanying staff report necessary to implement the project.”

I hereby certify that the foregoing is a true and correct copy of the resolution duly and regularly adopted by the California Tahoe Conservancy at a meeting thereof held on the 5th day of February, 2015.

In WITNESS THEREOF, I have hereunto set my hand this 5th day of February, 2015.

Patrick Wright
Executive Director

ATTACHMENT 3

NOTICE OF EXEMPTION

TO: Office of Planning and Research
1400 10th Street, Room 121
Sacramento, CA. 95814

FROM: California Tahoe Conservancy
1061 Third Street
South Lake Tahoe, CA. 96150

Project Title:

Upper Truckee Marsh Water Quality Assessment

Project Location – Specific:

Upper Truckee Marsh located in El Dorado County and the City of South Lake Tahoe (APNs - 026-010-02, 022-210-48, 022-210-50, 022-210-31, 022-210-36, 022-210-37, 026-200-11, 031-011-43)

Project Location – City:

City of South Lake Tahoe

Project Location – County:

El Dorado County

Description of Nature, Purpose, and Beneficiaries of Project:

The project involves conducting a water quality assessment of the Upper Truckee Marsh. The project also includes reimbursement by the State Water Resources Control Board for funds expended by the Conservancy in conducting the assessment.

Name of Public Agency Approving Project:

California Tahoe Conservancy (Conservancy Board meeting of 02/05/2015)

Name of Person or Agency Carrying Out Project:

California Tahoe Conservancy

Exempt Status:

- Ministerial (§ 21080 (b)(1); § 15268)
- Declared Emergency (§ 21080 (b)(3); § 15269 (a))
- Emergency Project (§ 21080 (b)(4); § 15269 (b)(c))
- X Categorical Exemption Class 6, § 15306, "Information Collection" (See also Cal. Code Regs., Title 14, §12102.6)

Reasons Why Project is Exempt:

This Project consists of basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource.

Contact Person:

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Telephone Number:

(530) 543-6031

Date Received for Filing:

Patrick Wright
Executive Director