

California Tahoe Conservancy
Agenda Item 10a
June 20, 2013

**SOUTH TAHOE GREENWAY SHARED USE TRAIL PROJECT,
PHASE 1a CONSTRUCTION, AND ACQUISITION OF EASEMENTS IN
SUPPORT OF PHASE 1c**

Summary: Staff recommends authorizing: 1) Expenditure of up to \$893,100 to implement Phase 1a of the South Tahoe Greenway Shared Use Trail Project; and 2) Expenditure of up to \$6,900 for the acquisition of easements over two private parcels for future trail construction within the Phase 1c area; and to take all other steps necessary to implement the project.

Location: Between Glenwood Way and Herbert Avenue in the City of South Lake Tahoe (Attachment 1), generally on Conservancy-owned lands, formerly the Caltrans U.S. Highway 50 right-of-way, and also including two U.S. Forest Service parcels (El Dorado County Assessor Parcel Numbers 025-203-01 and 025-204-01); and private property easement purchases across APNs 025-021-77 and 025-282-18 (Attachment 2)

Fiscal Summary: Up to \$900,000 in Conservancy funding from Proposition 40

Recommended Action: Adopt Resolution 13-06-08 (Attachment 3)

Background

In September 1999, the Board authorized the California Tahoe Conservancy (Conservancy) to enter into a memorandum of understanding to accept jurisdiction and control from California Department of Transportation (Caltrans) of up to 300 parcels, comprised of surplus Caltrans U.S. Highway 50 (Freeway) right of way totaling approximately 248 acres, in exchange for the provision to Caltrans of land coverage, sensitive land restoration credits, or other acceptable consideration.

Following the completion of the transfer, the Conservancy began planning the South Tahoe Greenway Shared Use Trail (Greenway) in 2002, a 9.6 mile continuous bicycle path connection between Meyers and Stateline. In recognition of design and funding

uncertainties associated with the Greenway, in 2010 the Conservancy focused its initial trail environmental analysis on the 3.86 miles that make critical connections within the City of South Lake Tahoe.

In September 2011, the Board adopted the Mitigated Negative Declaration and approved \$50,000 needed to move the Greenway forward. That action cleared the way for Tahoe Regional Planning Agency (TRPA) approval in October 2011 and City of South Lake Tahoe design review approval in November 2011.

The Greenway will be constructed in phases (Attachment 4) as funding becomes available. Phase 1 extends between Al Tahoe Boulevard and Ski Run Boulevard. Phase 1a, the proposed project, will directly link the Bijou residential neighborhood with the public open space at the edge of Bijou Meadow. Phase 1b will extend the trail through Bijou Meadow to make direct connections to Bijou Park, the South Lake Tahoe Community Playfields, and Lake Tahoe Community College. Phase 1c will complete the link to Ski Run Boulevard. Future phases (Phases 2 and 3) will extend the project to Van Sickle Bi-State Park to the north and to Sierra Tract to the south.

Finally, the TRPA Board adopted several amendments as part of the Regional Plan Update (RPU) in December 2012 that may significantly affect the cost of land coverage associated with the Greenway and other non-motorized public trails. Subsection 30.4.6 of the updated Code of Ordinances exempts certain trails from the calculation of land coverage, subject to site and design requirements. All of the parallel regulatory plan amendments regarding land coverage are expected to be complete this summer. By that time, TRPA also expects to know if an injunction of the RPU, or of particular elements of the RPU, has been ordered by the court.

If all such amendments are completed, staff will work with TRPA to modify the Greenway permit, which was obtained under the old Code of Ordinance provisions related to land coverage requirements, to be consistent with the new regulations. These permit changes are not expected to trigger any additional Board actions.

Project Description

1. Greenway Phase 1a

As authorized in September 2011, the Preliminary Plan package was completed to the level expected by the Public Works Board (PWB). This standard includes defining the construction limits of this initial phase, preparing a preliminary plan set and specifications reflecting those limits, pursuing a special use permit with the U.S. Forest

Service Lake Tahoe Basin Management Unit (LTBMU) for access, and preparing a preliminary cost estimate. This recommendation, based on that cost estimate, requests authorization to expend up to \$893,100 for Final Design/Working Drawings and construction of this initial segment.

Project features include:

- Construction of over 2,500 linear feet (0.47 miles) of paved bike trail, 10 feet wide with less than a 5% grade throughout, meeting full accessibility standards, including 2,005 linear feet of asphalt on grade construction on high capability soil with limited tree removal and 543 linear feet of raised asphalt on permeable fill for construction through SEZ
- Installation of all-way stop control and a crosswalk at the intersection of Glenwood Way/Becka Drive/Rancho Drive for improved safety
- Restoration of existing foot trails

We expect to begin construction during the 2014 grading season (May 15-October 15), before the permits expire at the end of 2014.

2. LTBMU Special Use Permit

The California Public Works Board (PWB) requires state agencies to secure access rights (site control) for all affected properties before obligating construction funds. Because this segment crosses National Forest System (NFS) land, staff also seeks authorization to accept a special use permit (SUP) from the LTBMU. Conservancy staff submitted an SUP application to secure access rights on APNs 025-203-01 and 025-204-01, with a \$1,200 fee, as authorized in September 2011. The LTBMU SUP governs construction and operation of the project across NFS lands.

Throughout the planning and environmental process, LTBMU staff coordinated design, evaluation, and approvals with the design team. LTBMU acted as the lead agency to comply with the requirements of the National Environmental Policy Act (NEPA), and worked with Conservancy staff to prepare a joint environmental document.

The SUP requires the Conservancy to follow LTBMU construction guidelines, and to assume responsibility for maintaining the portions of the trail crossing National Forest Lands. Conservancy staff is also meeting with the City of South Lake Tahoe to discuss the potential for an interagency maintenance agreement with funding from Measure R, the local property tax levy approved by voters in 2011 to fund bike trail maintenance. State agencies are not eligible to directly receive funds from this source.

Phase 1c Easement Procurement

As authorized by the Board in September 2011, Conservancy staff is negotiating easements with private property owners to complete the trail link to Ski Run Boulevard. Staff is seeking Board authorization of \$6,900 for two construction and permanent easements, as described below, and is continuing to negotiate with two other property owners.

| <i>APN</i> | Permanent Easement | | Temporary Easement* | | <i>Total</i> |
|-------------------------------|---------------------------|-------------|----------------------------|-------------------------|--------------|
| | <i>Area</i> | <i>Cost</i> | <i>Area</i> | <i>Cost</i> | |
| 025-282-18 | 341 sq. ft. | \$1,655.00 | 1,282 sq. ft. | \$65/month \$390.00 | \$2,055.00 |
| 025-021-77 | 675 sq. ft. | \$3,685.00 | 2,427 sq. ft. | \$115/month \$690.00 | \$4,375.00 |
| Escrow Fees (both parcels) | | | | | \$470.00 |

*Appraisal estimates a six-month construction season.

Project Budget

To date, the Conservancy Board has authorized \$1,462,0000 for planning and preliminary design of the overall Greenway project. The total estimated budget by the Conservancy and Department of General Services (DGS) for final design and implementation of the Phase 1a segment, as well as Phase 1c easement acquisitions, is \$900,000, as described below

Budget Item

Phase 1a

| | |
|--|-----------|
| Final Design | \$90,000 |
| Construction (including contingency) | \$574,400 |
| Other Costs (Construction management, inspection, mitigation, etc.) | \$228,700 |

Phase 1c Easement Acquisition

| | |
|--|---------|
| Permanent and Construction easements (two parcels) | \$6,900 |
|--|---------|

| | |
|--------------|------------------|
| Total | \$900,000 |
|--------------|------------------|

The budget for individual items may vary from those shown above, but total expenditures will not exceed \$900,000.

Project Implementation

Staff will work with DGS and the Department of Finance (DOF) to secure PWB approval to proceed with the project. The Conservancy and DGS will then prepare an amendment to the Engineering Services Retainer to prepare final design and bid documents. All final plans shall be completed, final construction permits secured and construction bid awarded to begin construction as soon as 2014. The project should be completed during a single construction season. DGS will administer the contracts and perform construction oversight.

The Project will be constructed according to the following schedule:

| | |
|--|----------------|
| DOF and PWB approval to proceed for Phase 1a | July, 2013 |
| Completion of final design for Phase 1a | December, 2013 |
| PWB approval to bid Project | January, 2014 |
| Construction award | March, 2014 |
| Start construction for Phase 1a | July, 2014 |
| Complete Phase 1a construction | October, 2014 |

Project Evaluation

The Project meets the four primary objectives of the Conservancy's Public Recreation and Access Program:

- 1) To "increase and enhance significant regional public access and public recreational opportunities" by establishing a shared use trail in the core portion of the South Lake Tahoe bikeway network;
- 2) To "provide a range of public access opportunities to locations with regionally significant lakefront, riverfront, cultural/historical and natural characteristics," by directly linking neighborhoods and tourist accommodations to services, local and bi-state parks, and, through network connections to beach facilities;
- 3) To "increase regional ... non-motorized transportation and recreation opportunities" consistent with TRPA's Bicycle and Pedestrian Master Plan and the Environmental Improvement Program (EIP);
- 4) To "support environmental education, interpretation ... that promotes stewardship through interpretive signage along the route."

When complete, the Greenway will encourage non-auto transportation throughout South Lake Tahoe and help implement the City's vision of a walkable, bikeable community for residents and recreation-destination visitors. The Greenway is a high priority Environmental Improvement Project (EIP Project #752) designed to improve the functionality of the South Lake Tahoe transportation system, reduce traffic congestion and vehicle miles traveled (VMT) with related reductions in air pollutants including greenhouse gas emissions. The Greenway is expected to contribute to attainment of environmental thresholds related to transportation and mobility, air quality, and recreation.

Consistency with the Conservancy's Enabling Legislation

This project is consistent with the Conservancy's enabling legislation. Specifically, Government Code section 66907 authorizes the Conservancy to acquire real property or interests therein for the purposes of providing public access or public recreational facilities. Under Government Code section 66906.8, the Conservancy is authorized to select and hire private consultants or contractors to achieve these purposes. In addition, Government Code section 66907.10 authorizes the Conservancy to improve and develop acquired lands for a variety of purposes.

Compliance with the California Environmental Quality Act (CEQA)

The Conservancy, acting as the lead agency, prepared an Initial Study and Mitigated Negative Declaration (IS/MND) for the South Tahoe Greenway Shared Use Trail Project to comply with CEQA. The Board adopted the MND on September 15, 2011, and a Notice of Determination (NOD) was filed with the State Clearinghouse pursuant to CEQA Guidelines (Cal. Code Regs., title 14, § 15000 et seq.), section 15075 on September 16, 2011 (Attachment 5). Copies of the IS/MND are retained, with the record of proceedings upon which the Board's decision on this matter was based, at the Conservancy office, 1061 Third Street, South Lake Tahoe, CA 96150.

Staff has reviewed the IS/MND and believes the analysis of the Project in the document is adequate. Staff has determined that the project, as proposed, would not cause a significant effect on the environment. Since completion of the IS/MND, there is no new information, substantial changes to the proposed project, or changes to the project implementation that would involve any new significant effects not analyzed in the IS/MND. As a result, no new mitigation measures are necessary to find that the project,

as mitigated, would have no significant environmental impacts. The mitigation measures are located in pages 1-4 of the findings section of the IS/MND.

Staff recommends the Board review and consider the IS/MND, together with any comments received during the public review process, and make the findings as set forth in the Resolution (Attachment 3), and authorize the expenditures and accept the special use permit outlined above. If the Board adopts the IS/MND and authorizes the actions described above, staff will file an NOD (Attachment 6) with the State Clearinghouse pursuant to CEQA Guidelines, section 15075.

List of Attachments:

Attachment 1 – Project Location Map

Attachment 2 – Phase 1 Property Access Needs

Attachment 3 – Resolution 13-06-08

Attachment 4 – Project Phases Map

Attachment 5 – Initial Study, Mitigated Negative Declaration, and original Notice of Determination (on attached CD)

Attachment 6 – Notice of Determination

Conservancy Staff Contact:

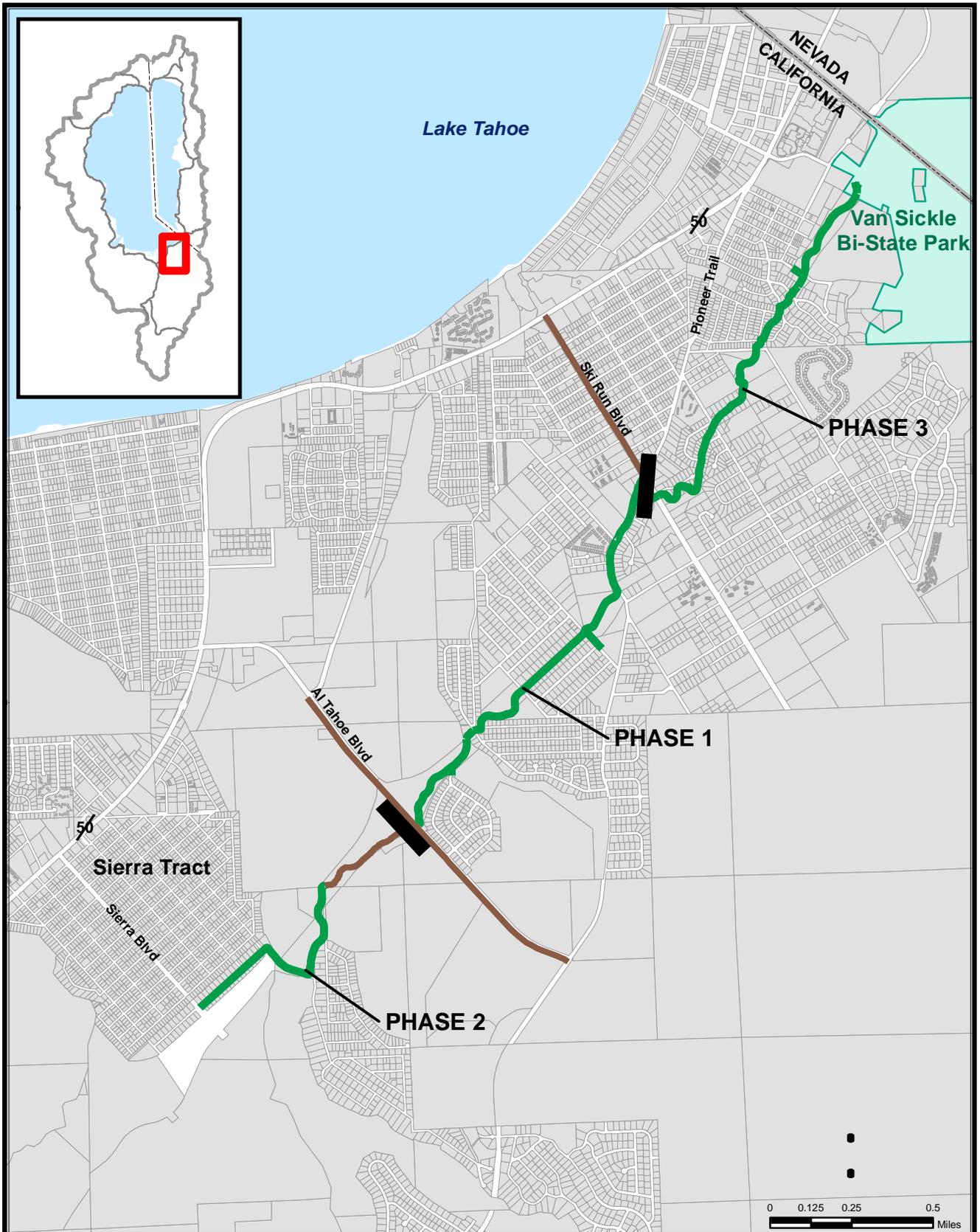
Sue Rae Irelan

Phone: (530) 525-9137

SueRae.Irelan@tahoe.ca.gov

ATTACHMENT 1

South Tahoe Greenway Shared Use Trail Location



-  Proposed Greenway Shared Use Trail
-  Existing Class I Bike Trails

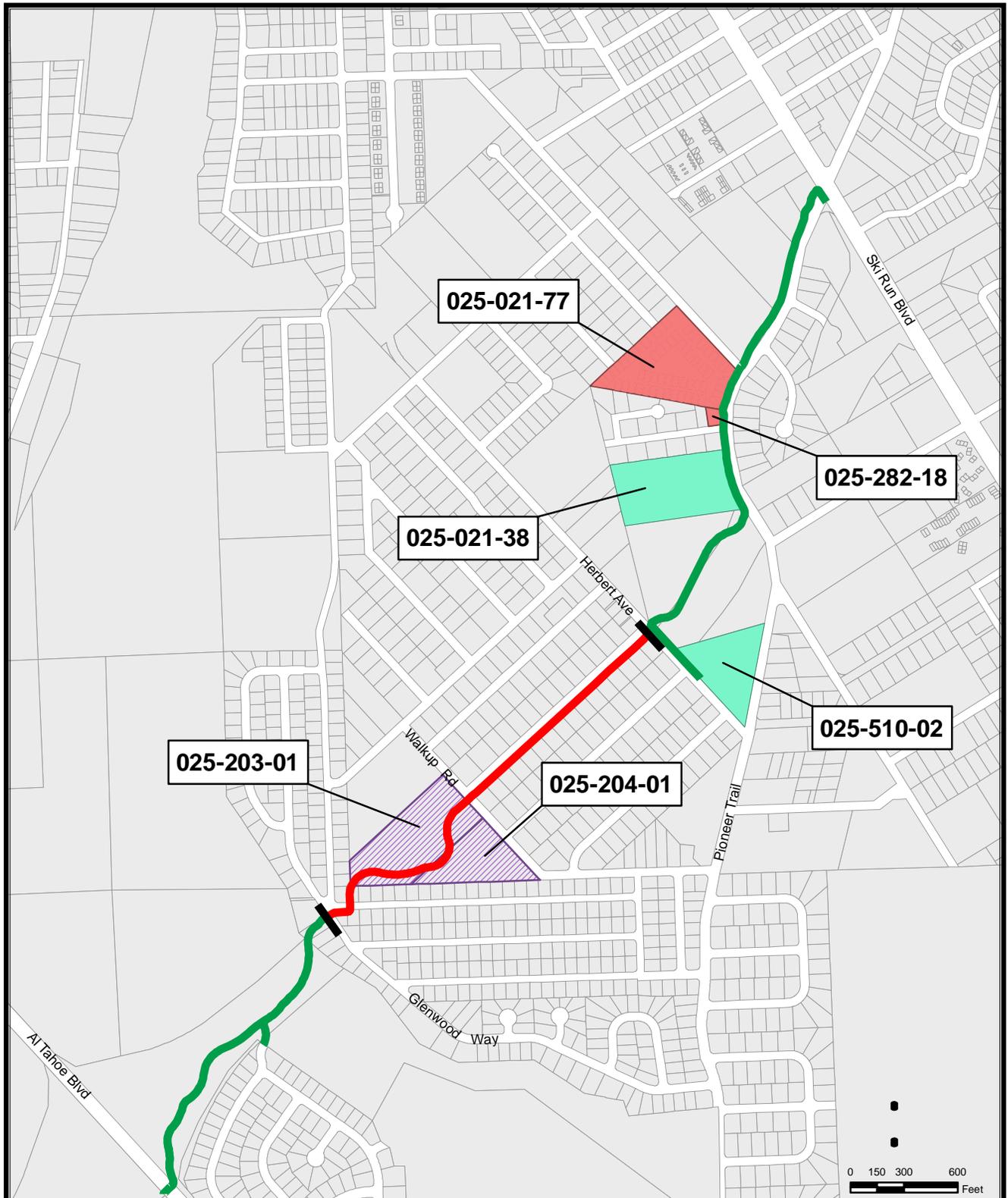
California Tahoe Conservancy
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Map for reference purposes only.
Sources: TRPA; USGS



ATTACHMENT 2

South Tahoe Greenway Shared Use Trail Property Access Needs



-  Private Easements: Acquisition Proposed
-  Private Easements: Negotiations Continue
-  Public Rights of Access: Special Use Permit
-  Greenway Shared Use Trail, Phase 1a
-  Greenway Shared Use Trail, Phases 1b & 1c

California Tahoe Conservancy
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Map for reference purposes only.

Sources: TRPA; El Dorado County



ATTACHMENT 3

California Tahoe Conservancy

Resolution

13-06-08

Adopted: June 20, 2013

SOUTH TAHOE GREENWAY SHARED USE TRAIL PROJECT, PHASE 1a CONSTRUCTION, AND ACQUISITION OF EASEMENTS IN SUPPORT OF PHASE 1c

Staff recommends the California Tahoe Conservancy make the following finding based on the accompanying staff report pursuant to Public Resources Code section 21000 et seq.:

“The California Tahoe Conservancy (Conservancy), in its capacity as the lead agency, independently prepared the Initial Study and Final Mitigated Negative Declaration, Response to Comments, and the Mitigation Monitoring Report (IS/MND) for the South Tahoe Greenway Shared Use Trail Project (Project). The Conservancy first considered and adopted the IS/MND on September 15, 2011. The Conservancy has reviewed the IS/MND and finds that improvements proposed have been adequately analyzed. The Conservancy finds that since the Board first considered and adopted the IS/MND, no substantial changes are proposed in the Project, and no substantial changes have occurred with respect to the circumstances under which the Project is undertaken that would involve any new significant environmental effects or significantly increase the severity of any previously identified impacts. Furthermore, since the Conservancy’s preparation of the IS/MND, there are no changes regarding the Project that would require new or different mitigation measures. Accordingly, the Conservancy hereby adopts the Mitigated Negative Declaration and directs staff to file a Notice of Determination for the Project with the State Clearinghouse.”

Staff further recommends the California Tahoe Conservancy adopt the following resolution pursuant to Government Code sections 66906.8, 66907.9, and 66907.10.

"The California Tahoe Conservancy hereby authorizes expenditure of up to \$893,100 for final plans and construction of the South Tahoe Greenway, Phase 1a Project, , expenditure of up to \$6,900 to acquire permanent and temporary access easements for bike trail access across two private parcels (APNs 025-282-18 and 025-021-77) for future segments of Phase 1, and take all other necessary steps consistent with the accompanying staff recommendation."

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 20th day of June 2013.

In WITNESS THEREOF, I have hereunto set my hand this 20th day of June 2013.

Patrick Wright
Executive Director

ATTACHMENT 4

South Tahoe Greenway Shared Use Trail Project Phases



-  Greenway Shared Use Trail, Phase 1a
-  Greenway Shared Use Trail, Phases 1b & 1c
-  Greenway Shared Use Trail, Future Phases
-  Existing Class I Bike Trails

California Tahoe Conservancy
June 2013
Map for reference purposes only.
Sources: TRPA; USGS



ATTACHMENT 5

**SOUTH TAHOE GREENWAY SHARED USE TRAIL PROJECT,
PHASE 1a CONSTRUCTION, AND ACQUISITION OF EASEMENTS IN
SUPPORT OF PHASE 1c**

Initial Study
Mitigated Negative Declaration
Original Notice of Determination

On attached CD

ATTACHMENT 6
NOTICE OF DETERMINATION

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

Subject:

Construction of 2,500 linear feet of bike trail, acceptance of a Special Use Permit from the Forest Service to support placement of the trail, as well as acquisition of permanent and temporary easements across two parcels for future phases of the trail

Project Title:

South Tahoe Greenway Shared Use Trail Phased Implementation

State Clearinghouse Number:

2006112070

Contact Person:

Sue Rae Irelan

Telephone Number:

(530) 525-9137

Project Location:

Trail construction on Conservancy land within the City of South Lake Tahoe, California, between Glenwood Way and Herbert Avenue that also encompasses two U.S. Forest Service parcels (El Dorado County Assessor Parcel Numbers (APNs) 025-203-01 and 025-204-01
Trail easement acquisition across APNs 025-021-77 and 025-282-18

Project Description:

Construction of 2,500 linear feet of bike trail to AASHTO shared-use trail standards
This action includes: intersection safety improvement at Glenwood Way/Becka Drive/Rancho Drive to install all-way stop control and a crosswalk, limited tree removal (24 inches depth by height and less), restoration of existing, redundant foot trails, and acceptance of a Special Use Permit from the U.S. Forest Service for trail construction across two National Forest parcels, easement acquisition across two private parcels, APNs 025-021-77 and 025-282-18, to support construction of future phases of the trail.

This is to advise that the Conservancy, acting as the lead agency, has approved the above described project on June 20, 2013 and has made the following determinations regarding the above described project:

1. The project will not have a significant effect on the environment.
 2. An Initial Study and Mitigated Negative Declaration for the project was prepared for the Conservancy. The Initial Study and Mitigated Negative Declaration may be examined at 1061 Third Street, South Lake Tahoe, CA 96150.
 3. Mitigation Measures were made a condition of the original project approval by the Conservancy.
 4. The Conservancy finds that no substantial changes are proposed in the project, and no substantial changes have occurred with respect to the circumstances under which the project is being implemented that would result in any potentially significant environmental effects. Furthermore, there are no changes regarding the project that would require new or different mitigation measures.
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Fish and Wildlife Fees: A California Department of Fish and Wildlife Environmental Filing Fee was paid for this project. A copy of the receipt will be filed with this notice.

Date Received for Filing:

Patrick Wright
Executive Director