

**BROCKWAY EROSION CONTROL PROJECT,
SITE IMPROVEMENT GRANT AUGMENTATION**

Summary: Staff recommends authorization to augment Placer County's Brockway Erosion Control Project site improvement grant by up to \$31,782 to complete implementation.

Location: The Project is located in the Brockway Subdivision, on the north shore of Lake Tahoe in Placer County (Attachment 1).

Fiscal Summary: Proposition 50 funds, up to \$31,782

Recommended Action: Adopt Resolution 13-06-01 (Attachment 2)

Background

The Brockway Erosion Control Project (Project) is one of Placer County's (County) highest priority stormwater treatments projects. The Project improves the quality of co-mingled stormwater runoff from Nevada and California by stabilizing roads and stormwater conveyances, enhancing treatment capacity in stream environment zones, and installing infiltration facilities on County and Conservancy-owned lands.

To date, the County has secured over \$4 million for planning, acquisitions and site improvements, as described below:

Funding Source	Amount
Conservancy	
Planning	\$670,000
Acquisitions	\$ 683,940
Site Improvements	\$ 620,715
U.S. Forest Service, Lake Tahoe Basin Management Unit (LTBMU)	\$ 1,478,000
State of Nevada, Lake Tahoe License Plate	\$ 79,800
Tahoe Regional Planning Agency (TRPA) Mitigation Funds	\$ 436,956
North Tahoe Public Utility District	\$ 43,007
Total Funding To Date	\$ 4,012,418

The County started construction in 2011, and completed the project in 2012, with the exception of revegetation and irrigation. Currently there is an \$111,782 funding shortfall to finish the remaining work. Details regarding this shortfall are outlined below in the project budget section. The County seeks to address this shortfall by requesting an additional \$80,000 in TRPA Mitigation Funds, and a Conservancy grant augmentation of \$31,782.

The County has applied for Conservancy funding remaining from earlier rounds of the Soil Erosion Control Grants Program. This funding is being evenly split between the three local jurisdictions: Placer County, El Dorado County, and the City of South Lake Tahoe. Each agency was allocated \$231,782 for their highest priority projects. On June 20, 2012 the Conservancy awarded \$200,000 of Placer County's allocation to the Homewood Water Quality Improvement Project, Phase 1A. The County is now requesting \$31,782, the balance of their share, to augment funding for this Project.

Project Description

This Project, when fully constructed, is expected to greatly reduce fine sediment particle loading to Lake Tahoe. Completed improvements include sediment source controls, stabilized roads and stormwater conveyances, enhanced treatment capacity in stream environment zones, and infiltration facilities installed on County and Conservancy-owned lands (Attachment 3).

A successful revegetation effort is essential to ensure that the sediment source control elements of the project are effective. Therefore, staff recommends that the Board authorize funding to augment the site improvement grant to fully complete the project.

Project Schedule

<u>Activity</u>	<u>Date</u>
Completion of Construction	October 2012
First year Post-construction Revegetation Establishment	November 2012
First year Post-construction Monitoring	October 2013
Second year Post-construction Revegetation Establishment	November 2013
Complete Post-construction Monitoring	October 2014

Project Budget

The budget for the Project, including construction, construction oversight, management, inspection, and post-construction monitoring, is approximately \$1.84 million, and is funded as described below. This amount does not include planning or acquisition costs.

Funding Source	Amount
Conservancy	\$ 620,715
U.S. Forest Service, LTBMU	\$ 810,979
State of Nevada, Lake Tahoe License Plate	\$ 79,800
TRPA Mitigation Funds	\$ 174,968
North Tahoe Public Utility District	\$ 43,007
Total Funding To Date	\$ 1,729,469
Total Project Cost	\$ 1,841,251
Funding Shortfall	\$ 111,782

The original construction estimate was exceeded for the following reasons:

- The low bid exceeded the engineer’s estimate by approximately \$55,000;
- Unanticipated utility conflicts were encountered during construction;
- Increased construction management and inspection costs were incurred due to new requirements in the State Water Board’s General Construction Permit and construction change orders

The County used contingency funds in the Conservancy’s original site improvement grant to cover a portion of the increased costs since all other funding sources in the project had been expended. The modified budget below shows how the contingency was distributed to cover a portion of the project’s cost overruns. The County proposes to address the funding shortfall, shown above, by requesting \$80,000 in TRPA Mitigation Funds and \$31,782 in Conservancy grant funds.

The recommended augmentation would increase the Conservancy’s contribution to the Project’s construction budget by \$31,782, as shown below:

<u>Activity</u>	<u>Original Grant Budget</u>	<u>Modified Grant Budget</u>	<u>Proposed Grant Budget</u>
Construction Contract	\$340,715	\$433,700	\$465,482
Construction Management, Testing, and Administration	135,000	177,015	177,015
Contingency	135,000	0	0
Post-construction photo monitoring	10,000	10,000	10,000
	\$620,715	\$620,715	\$652,497

Project Implementation

The Conservancy’s site improvement grant agreement with the County will be increased by \$31,782. The Project budget and schedule is subject to change, but costs will not exceed the total amount awarded.

Project Evaluation

This site improvement grant augmentation is consistent with the Conservancy’s Soil Erosion Control Program Guidelines, and the Project is consistent with the Preferred Design Approach. The Project is a high priority because stormwater from this large neighborhood discharges directly into Lake Tahoe, and the revegetation element is essential to ensure that sediment source controls will be effective.

Consistency with the Conservancy’s Enabling Legislation

The grant augmentation is consistent with the Conservancy’s enabling legislation. Specifically, Government Code section 66907.7 authorizes the Conservancy to award

grants to local public agencies, state agencies, federal agencies, federally recognized Indian tribes, the Tahoe Transportation District, and nonprofit organizations for purposes consistent with its mission which includes soil erosion control projects.

Compliance with the California Environmental Quality Act (CEQA)

Placer County, acting as the lead agency, prepared an Initial Study (IS) and Mitigated Negative Declaration (MND) for this project to comply with CEQA. Placer County adopted the MND on October 4, 2007, and a Notice of Determination (NOD) was filed on October 9, 2007 (State Clearinghouse Number 2007082049). The Conservancy previously considered this MND on two occasions: December 7, 2007 (NOD filed with the State Clearinghouse on December 13, 2007) and May 19, 2011 (NOD filed with the State Clearinghouse on May 23, 2011). The second NOD also considered an April 1, 2011 Addendum to the MND that more clearly identified Conservancy-owned parcels that the County utilized for the Project.

Copies of the IS, MND, and Addendum have been provided to the Board on the attached CD and are available for public review at the Conservancy office, 1061 Third Street, South Lake Tahoe, California 96150 (Attachment 4).

Staff has reviewed the MND and Addendum and believes the proposed activities have been adequately analyzed in this document. Staff has determined that the Project, as proposed, would not cause a significant effect on the environment. Since completion of the IS, MND, and Addendum, there is no new information, substantial changes to the proposed Project, or changes to project implementation, which would involve any new significant effects which were not analyzed in the MND. As a result, no new mitigation measures are needed to find that the Project, as mitigated, would have no significant environmental impacts. The mitigation measures for the Project can be found on pages 2-6 of the MND.

Staff recommends that the Board review the MND and the Addendum and make the findings as set forth in the attached resolution. If the Board considers and concurs with the MND and the Addendum and authorizes the grant funding, staff will file an NOD with the State Clearinghouse pursuant to California CEQA Guidelines (California Code of Regulations, Title 14, § 15000 et seq.), Section 15096. Attachment 5 contains the Conservancy's proposed NOD.

List of Attachments:

Attachment 1 – Project Location Map

Attachment 2 – Resolution 13-06-01

Attachment 3 – Project Improvements Map

Attachment 4 – Project Initial Study, Mitigated Negative Declaration and Addendum
(on attached CD)

Attachment 5 – Notice of Determination

Conservancy Staff Contact:

Scott K. Cecchi

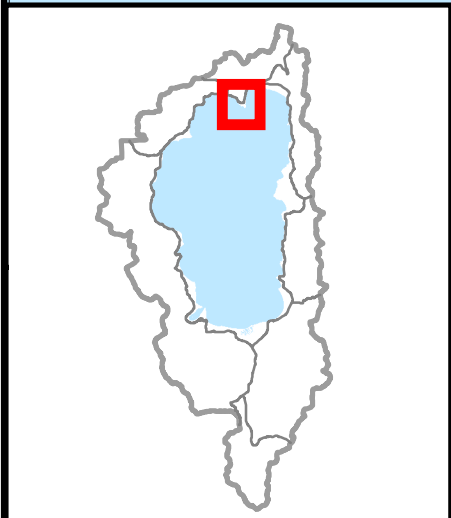
(530) 543-6015

scott.cecchi@tahoe.ca.gov

ATTACHMENT 1
Brockway Erosion Control Project



Scale 1:4,800
1 inch equals 400 feet



 Project Area

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



ATTACHMENT 2

California Tahoe Conservancy

Resolution

13-06-01

Adopted: June 20, 2013

BROCKWAY EROSION CONTROL PROJECT SITE IMPROVEMENT GRANT AUGMENTATION

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

"The California Tahoe Conservancy, in its role as a responsible agency under the California Environmental Quality Act, has reviewed and considered the Initial Study and Mitigated Negative Declaration prepared by Placer County for the Brockway Erosion Control Project. The Mitigated Negative Declaration was filed with the State Clearinghouse on October 4, 2007 and a Notice of Determination was filed on October 9, 2007 (State Clearinghouse Number 2007082049). On April 1, 2011 the Conservancy prepared an Addendum.

The Conservancy has determined that the Project as proposed will not cause a significant effect on the environment. There is no new information, substantial changes to the proposed Project, or changes to project implementation, which would involve any new significant effects which were not analyzed in the Mitigated Negative Declaration and Addendum. Furthermore, since the County's certification of the Mitigated Negative Declaration, there are no changes regarding the Project that would require new or different mitigation measures. The potential significant adverse effects will be mitigated by the mitigation measures, and the Conservancy adopts these mitigation measures as a condition of the Project. Accordingly, the Conservancy finds that the Mitigated Negative Declaration and the Addendum are adequate for compliance with CEQA for authorizing the grant funding and directs staff to file a Notice of Determination for this Project with the State Clearinghouse."

Staff further recommends that the Conservancy adopt the following resolution pursuant to Government Code sections 66905.2 and 66907.7:

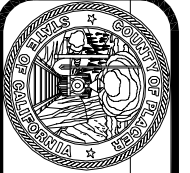
"The California Tahoe Conservancy hereby authorizes the augmentation of an existing site improvement grant in the amount up to \$31,782 for the Brockway Erosion Control Project and authorizes staff to enter into standard agreements and take all other necessary steps consistent with the accompanying staff 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 3 Brockway Erosion Control Project, Water Quality Improvements

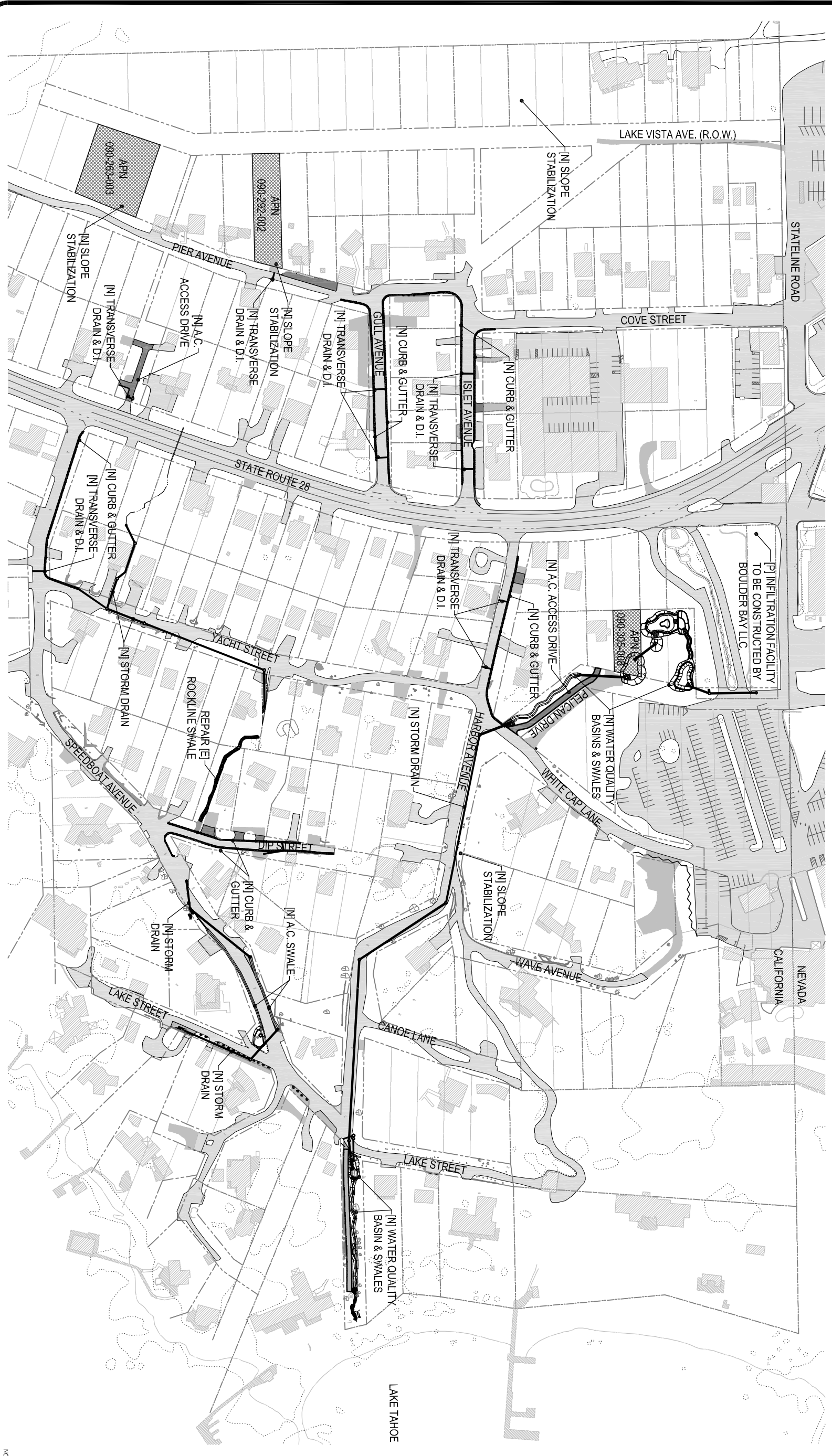


COUNTY OF PLACER
BROCKWAY EROSION CONTROL PROJECT
DEPARTMENT OF PUBLIC WORKS
WATER QUALITY IMPROVEMENTS

PRJ. ENG.: ATR
DRWN: MAB
DATE: 03/24/11
SCALE: N.T.S.

LEGEND

CALIFORNIA TAHOE
CONSERVANCY PARCEL



ATTACHMENT 4

BROCKWAY EROSION CONTROL PROJECT

Placer County Initial Study
Mitigated Negative Declaration
Conservancy Addendum

On attached CD

ATTACHMENT 5

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:

Filing of Notice of Determination in compliance with section 21108 of the Public Resource Code

Project Title:

Brockway Erosion Control Project

State Clearinghouse Number:
2007082049

Contact Person:
Scott K. Cecchi

Telephone Number:
(530) 543-6015

Project Location:

The Brockway Erosion Control Project is located on the north shore of Lake Tahoe near the California/Nevada state line, approximately 0.5 miles southeast of Kings Beach. The project area extends through the area of development approximately 0.5 miles north of State Route 28 and is bounded by Speedboat Avenue to the west, the state line to the east, and the shoreline to the south.

Project Description:

The Brockway Erosion Control Project addresses co-mingled stormwater runoff from Nevada and California in a shared, jointly-funded treatment system. Improvements completed include sediment source controls, paving unpaved roads, stabilizing stormwater conveyances, enhancing the treatment capacity of stream environment zones, and constructing infiltration facilities. Current efforts are focused on post-construction revegetation of impacted areas.

This is to advise that the Conservancy, acting as a responsible 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. A Mitigated Negative Declaration (MND) for the Project was prepared and approved by the Placer County Board of Supervisors on October 4, 2007, and a Notice of Determination (NOD) was filed on October 9, 2007 (State Clearinghouse Number 2007082049). On April 1, 2011, the Conservancy prepared an Addendum to the MND to more clearly identify Conservancy parcels that the County will utilize for the Project. The MND, NOD, and record of project approval may be examined at the Placer County Department of Public Works, 7717 North Lake Boulevard, Kings Beach, California 96143. The Conservancy previously reviewed and approved the MND that was prepared by the County and the Addendum that was prepared by the Conservancy prior to project approval.
3. Mitigation Measures were made a condition of the approval of the Project by the County and 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.

Fish and Wildlife Fees: Placer County paid fee October 4, 2007. A copy of the receipt will be filed with the NOD.

Date Received for Filing:

Patrick Wright
Executive Director