

## **AQUATIC INVASIVE SPECIES PROJECT IMPLEMENTATION**

**Summary:** Staff recommends authorization to expend up to \$200,000 for implementation of Aquatic Invasive Species Projects.

**Location:** Near shore areas at Ski Run Marina/Channel, Lakeside Marina/Beach, Emerald Bay, and the Truckee River Dam (Attachment 1)

**Fiscal Summary:** \$200,000 from the Lake Tahoe Science and Lake Improvement Account

**Recommended Action:** Adopt Resolution 15-06-06 (Attachment 2).

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### **Background**

In fall 2013, the legislature and Governor approved Senate Bill 630 (SB630) establishing the Lake Tahoe Science and Lake Improvement Account (SB 630 Account) and defining the purpose of the expenditure of these funds. The funds deposited into the Account come from rental income collected by the State Lands Commission for surface uses on Lake Tahoe. These funds are to be expended for establishing a bi-state science-based advisory council, for near-shore aquatic invasive species (AIS) projects or public access projects, and for near-shore water quality monitoring. The legislation requires matching funds for the projects and monitoring components. It also requires the Conservancy to coordinate the selection of projects to be funded through a collaborative process that involves agencies, nonprofit organizations, and private landowners who pay the rental income.

In September 2014, the Board authorized the expenditure of \$300,000 for AIS efforts through a contract with the Tahoe Resource Conservation District (Tahoe RCD). The AIS efforts funded included a plant control project, a warm water fish data collection project, and the development of an AIS Implementation Plan. This implementation plan is complete, and identifies the projects recommended for funding as high priorities.

## Project Description

Conservancy staff recommends authorization to expend \$200,000 to provide funding for the Tahoe RCD to implement plant removal projects and effectiveness monitoring at Ski Run Marina/Channel, Lakeside Marina/Beach, Emerald Bay, and the Truckee River Dam. The work would commence after July 1, 2015, commensurate with the start of the 2015/16 fiscal year appropriation of the funding.

The plant removal projects are the continuation of a multi-year lake-wide strategy to remove invasive plants from the near-shore. These projects will locally eradicate invasive plant populations by using proven methods, such as bottom barriers and diver assisted hand and suction removal in a phased approach. The four proposed projects are the second phase for these areas, with three of the areas requiring minimal work. The activities at Ski Run will complete the Phase 2 work that began last fall at this location. In addition to the plant removal work, effectiveness monitoring will be conducted at the four locations.

These four locations received funds for their first phase from California State Parks, Bureau of Reclamation, California State Lands Commission, California State Water Resources Control Board, the Tahoe Fund, the Truckee River Fund, and the Lakeside Park Homeowners Association. In addition, the Ski Run Marina owner removed a large number of AIS plants in the channel during their recent dredging project, and this summer's project would build upon that work.

## Project Budget

The budget for the contract amendment is as follows:

Project Management, Reporting, and Administration	\$20,000
Plant Removal	152,900
Effectiveness Monitoring	<u>27,100</u>
<b>Total</b>	<b>\$200,000</b>

Please note that costs for individual budget items may vary from those shown above, but total expenditures will not exceed \$200,000.

As noted above, the Account funding must be matched with funds from other public sources. Staff anticipates receiving multiple applications for AIS efforts as part of the Proposition 1 grant program, and expects that these projects will compete well. If the

required match is not met through Proposition 1 grants, then other funds available to the Conservancy will be used to fund projects to meet the match required by SB630. Conservancy staff will seek Board approval of these expenditures at a future meeting.

### **Project Implementation**

Funding for this project is contained in an appropriation from the SB 630 Account in the Conservancy's budget for fiscal year 2015/16. Because of the limited window of opportunity to implement the project (summer field season) and the desire to coordinate this project with other active AIS activity occurring this summer, staff is seeking authorization to expend the funds through an amendment to an existing contract with Tahoe RCD for AIS project work, contingent upon the passage of the 2015/16 budget, which is likely to occur sometime in mid-June 2015. Therefore, as reflected in the resolution the authorization is subject to and conditioned upon the passage of the budget.

### **Project Evaluation**

The activities are consistent with the SB630 focus area of near-shore aquatic invasive species projects. As required by SB630, Conservancy staff convened a group of public agencies, private landowners and nonprofit organizations on June 5, 2015 to garner their support for these projects. In addition, the AIS Implementation Plan and Lake Tahoe AIS Coordinating Committee (LTAISCC) have identified these sites as high priorities.

Given Tahoe RCD's leadership role on the LTAISCC and their historical involvement with AIS projects and efforts, staff believes they are best suited to implement the projects in a timely fashion.

### **Consistency with the Conservancy's Enabling Legislation**

The recommended funding is consistent with the Conservancy's enabling legislation. Under Government Code section 66907.9, the Conservancy is authorized to initiate, negotiate, and participate in agreements for the management of land under its ownership and control with local public agencies, State agencies, federal agencies, nonprofit organizations, individuals, corporate entities, or partnerships. Under Government Code section 66906.8 the Conservancy may select and hire private consultants or contractors to provide services necessary to achieve the purposes of Title 7.42 (Government Code Section 66905 et. seq.). Under Government Code Section 66907.10 the Conservancy may improve land for the purposes of protecting the natural environment or otherwise meeting the objectives of Title 7.42.

## **Compliance with the California Environmental Quality Act (CEQA)**

Tahoe RCD, acting as the lead agency, prepared an Initial Study (IS) and Mitigated Negative Declaration (MND) for the Lake-Wide Aquatic Invasive Plant Control Project (Project) to comply with CEQA. Tahoe RCD adopted the MND on July 23, 2014, and a Notice of Determination (NOD) was filed on July 24, 2014.

A copy of the IS and MND have been provided to the Board on an attached CD and are available for public review at the Conservancy office, 1061 Third Street, South Lake Tahoe, CA 96150 (Attachment 3).

As a responsible agency, the Conservancy must consider the MND prepared by Tahoe RCD and reach its own conclusions on whether and how to approve the Project. Staff has reviewed the MND and believes that the Project has been adequately analyzed in this document. Staff has determined that the Project, as mitigated, would not cause a significant effect on the environment. The mitigation measures for the Project can be found on pages 10 and 14-20 of the MND.

Staff recommends the Board review and consider the MND prepared and adopted by Tahoe RCD as lead agency, together with any comments received during the public review process; certify that it has independently considered and reached its own conclusions regarding the potential environmental effects of the Project; make the findings as set forth in the attached resolution; and authorize the funding. If the Board considers and concurs with the MND and authorizes the funding, staff will file a NOD with the State Clearinghouse pursuant to CEQA Guidelines, section 15096. Attachment 4 contains the Conservancy's proposed NOD.

### **List of Attachments:**

Attachment 1 – Location Map

Attachment 2 – Resolution 15-06-06

Attachment 3 – Initial Study, Mitigated Negative Declaration (on attached CD)

Attachment 4 – Notice of Determination – AIS Plant Removal Project

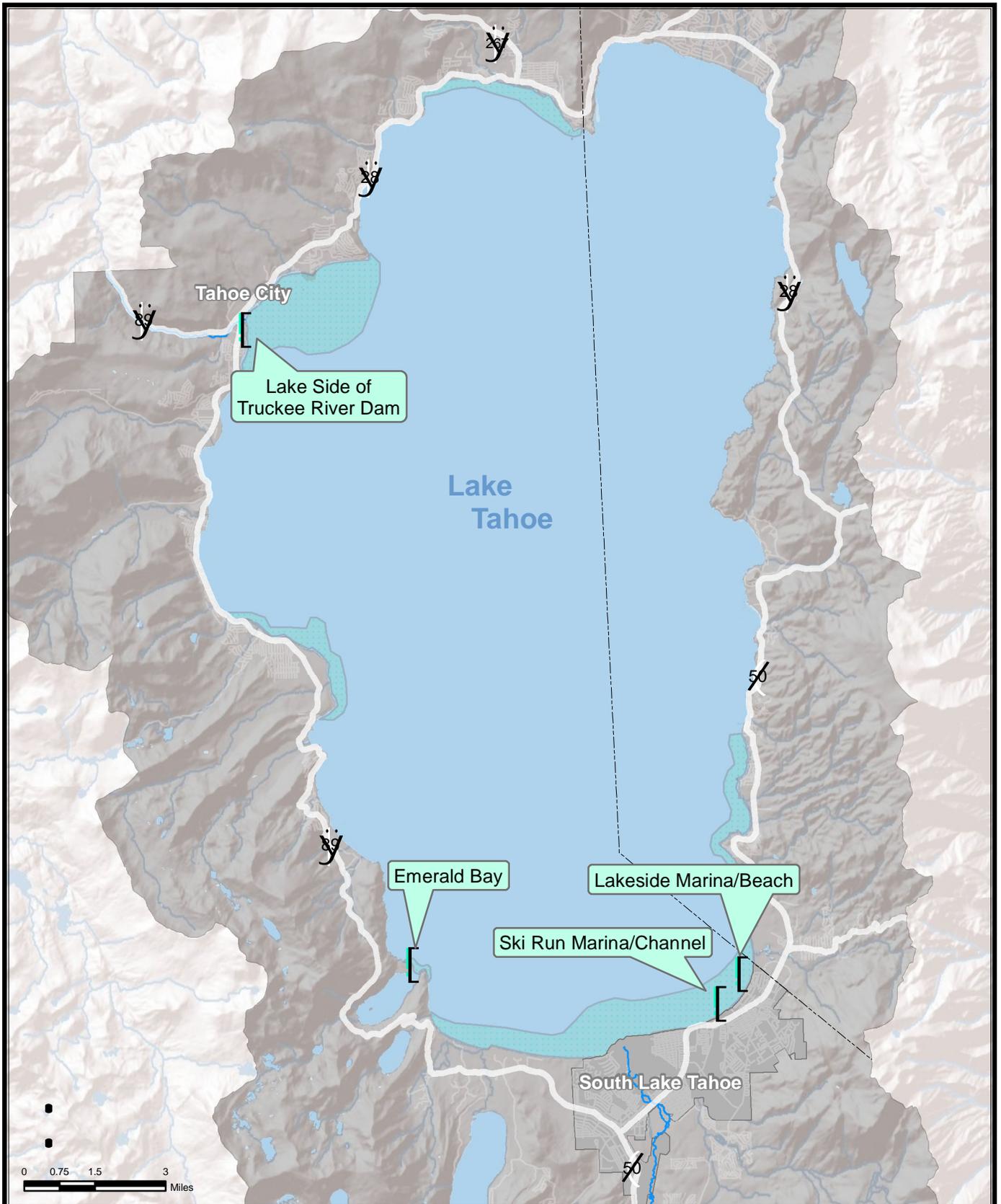
### **Conservancy Staff Contact:**

Penny Stewart

Phone: (530) 543-6013

Penny.Stewart@tahoe.ca.gov

**ATTACHMENT 1**  
**AIS Plant Removal Projects**



-  AIS Habitat
-  AIS plant removal projects

**California Tahoe Conservancy**  
**June 2015**

Map for reference purposes only.  
Sources: TRPA, CTC, ESRI



## **ATTACHMENT 2**

California Tahoe Conservancy

Resolution

15-06-06

Adopted: June 18, 2015

### **AQUATIC INVASIVE SPECIES PROJECT IMPLEMENTATION**

Staff recommends that the 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 Lake-Wide Aquatic Invasive Plant Control Project Initial Study and Mitigated Negative Declaration (IS/MND) certified by the Tahoe Resource Conservation District on July 23, 2014.

The Conservancy finds, on the basis of the whole record before it, that there is no substantial evidence that the Project, as mitigated, will have a significant effect on the environment. The Conservancy incorporates the mitigation measures described in the MND as a condition for approval of the Project, and hereby directs staff to file a Notice of Determination with the State Clearinghouse for this project.”

Staff further recommends that the Conservancy adopt the following resolution pursuant to Government Code sections 66907.9, 66906.8 and 66907.10:

“Conditioned upon and subject to the passage of the 2015/16 Budget Act, the California Tahoe Conservancy hereby authorizes staff to expend up to \$200,000 to implement Aquatic Invasive Species projects, and authorizes staff to 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 18<sup>th</sup> day of June 2015.

In WITNESS THEREOF, I have hereunto set my hand this 18<sup>th</sup> day of June 2015.

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Patrick Wright  
Executive Director

## **ATTACHMENT 3**

### **AQUATIC INVASIVE SPECIES PROJECT IMPLEMENTATION**

Tahoe Resource Conservation District's  
Lake-wide Aquatic Invasive Plant Control Project  
Mitigated Negative Declaration  
and Notice of Determination

(On attached CD)

## ATTACHMENT 4

### NOTICE OF DETERMINATION

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

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

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***Subject:***

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

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***Project Title:***

Lake-Wide Aquatic Invasive Species Plant Control Project

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***State Clearinghouse Number:***

2014042043

***Contact Person:***

Penny Stewart

***Telephone Number:***

(530) 543-6013

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***Project Location:***

Near shore at Ski Run Marina/Channel, Lakeside Marina/Beach, Emerald Bay, and Truckee River Dam

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***Project Description:***

Provide funding to the Tahoe Resource Conservation District and its partners to implement invasive plant removal measures in Lake Tahoe shore zone areas that are typically up to 11 meters in depth and perform effectiveness monitoring.

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This is to advise that the California Tahoe Conservancy (Conservancy), acting as a responsible agency, has approved the above described project on June 18, 2015 and has made the following determinations regarding the above described project:

1. The project will not have a significant effect on the environment.
  2. The Tahoe Resource Conservation District, acting as the lead agency, prepared an Initial Study and Mitigated Negative Declaration (MND) for the project to comply with CEQA. The Tahoe Resource Conservation District Board adopted the MND on July 23, 2014, and a Notice of Determination (NOD) was filed on July 24, 2014. The NOD, MND, and record of project approval may be examined at the District office, 870 Emerald Bay Road, Suite 108, South Lake Tahoe, CA 96150.
  3. Mitigation Measures were made a condition of the approval of the project by the Tahoe Resource Conservation District and the California Tahoe Conservancy.
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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:***

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Patrick Wright  
Executive Director