

MEMORANDUM

DEPARTMENT OF PUBLIC WORKS  
County of Placer

TO: BOARD OF SUPERVISORS. DATE: November 15, 2011  
FROM: KEN GREHM / PETER KRAATZ  
SUBJECT: **SNOW CREEK RESTORATION PROJECT (STATE CLEARINGHOUSE NO. 201109235) -- MITIGATED NEGATIVE DECLARATION**

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**ACTION REQUESTED / RECOMMENDATION**

Adopt a Resolution approving a Mitigated Negative Declaration with the required findings for the Snow Creek Restoration Project.

**BACKGROUND / SUMMARY**

The Snow Creek Restoration Project is located in Tahoe Vista, at 500 North National Avenue on the north shore of Lake Tahoe in Placer County, California (see attached location map). The project site is the former TNT Materials cement batch plant.

A watershed evaluation by the Tahoe Engineering Division identified the project site as a source of environmental contamination in 2007. The property was purchased by Placer County in 2008 through an acquisition grant by the Sierra Nevada Conservancy. The project site is contaminated with the residual impacts resulting from the historical site use as a cement batch plant. The contamination involves metals and elevated pH levels in soil and groundwater from the lime/soda ash compounds used as additives in cement. Storm water runoff from upgradient county right-of-way transports sediment and nutrient pollutants to the adjacent wetlands of Snow Creek.

During operations for over 40 years, the cement batch plant increasingly encroached with fill material into the adjacent wetlands altering the natural course of a tributary to Snow Creek. The project proposes to remove this fill material, restore the wetlands and riparian vegetation, install water quality treatment features, and include public components such as sidewalks, educational interpretive signs, and a Class-I trail connector to access nearby cross-country ski and mountain biking trails in the North Tahoe Regional Park.

The goal of the project is to reduce the discharge of sediment and pollutants to Lake Tahoe and provide recreational components on public land. The project will result in direct water quality improvements and aesthetic improvements to the National Avenue area, as well as benefits to the natural environment.

**ENVIRONMENTAL**

A Mitigated Negative Declaration and an Initial Study were prepared for this project pursuant to the California Environmental Quality Act (CEQA). The public review period closed October 16, 2011 at which time comments were received and appropriately addressed. Upon approval of the Mitigated Negative Declaration, the Notice of Determination will be processed.

**FISCAL IMPACT**

The total cost of the entire Snow Creek Restoration Project is approximately \$4,500,000. The project is funded through a multitude of grants including U.S. Brownfield, Tahoe Regional Planning Agency, and the California Natural Resources Agency. Funding for construction of the project will be included in the Fiscal Year 2012-13 Budget.

Attachments:  
Resolution  
Location Maps  
Mitigation Monitoring Plan

The Initial Study/Mitigated Neg. Declaration is on file with the Clerk of the Board

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**Before the Board of Supervisors  
County of Placer, State of California**

In the matter of: A RESOLUTION APPROVING  
AND ADOPTING THE MITIGATED NEGATIVE  
DECLARATION (STATE CLEARINGHOUSE NO.  
201109235) PREPARED FOR THE SNOW CREEK  
RESTORATION PROJECT

Resol. No:.....

Ord. No:.....

First Reading:.....

The following RESOLUTION was duly passed by the Board of Supervisors  
of the County of Placer at a regular meeting held \_\_\_\_\_,  
by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

ATTEST:  
Clerk of said Board

\_\_\_\_\_  
Chairman, Board of Supervisors

\_\_\_\_\_  
\_\_\_\_\_  
WHEREAS, a preliminary design for the Snow Creek Restoration Project (the "Project") has been prepared by Placer County, and

WHEREAS, the design of the project is consistent with the California Tahoe Conservancy guidelines and Placer County Standards; and

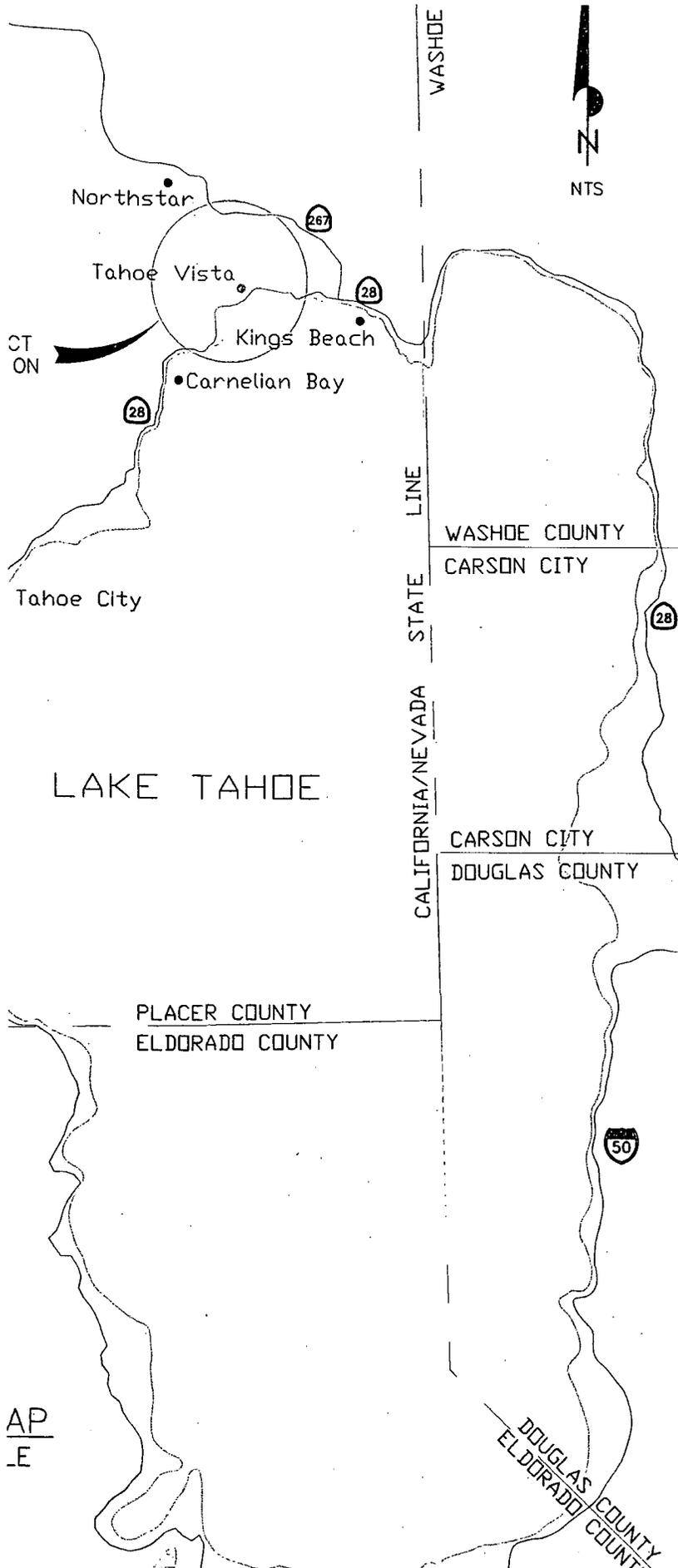
WHEREAS, the County of Placer has prepared a Mitigated Negative Declaration for the Project, and circulated it as required by law and included all necessary measures to mitigate any significant impacts of the project.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Placer, State of California, that this Board hereby approves and adopts the Mitigated Negative Declaration (State Clearinghouse No. 201109235) for the Snow Creek Restoration Project and make the following findings:

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Board of Supervisors, County of Placer  
November 8, 2011  
Resolution to Adopt Mitigated Negative Declaration  
Snow Creek Restoration Project

1. The Mitigated Negative Declaration has been prepared as required by law.
2. There is no substantial evidence in the record as a whole that the Project as revised and mitigated may have a significant effect on the environment.
3. The Mitigated Negative Declaration adopted for the Project reflects the independent judgment and analysis of Placer County, which has exercised overall control and direction of its preparation.
4. The mitigation plan / mitigation monitoring program prepared for the project is approved and adopted.
5. The custodian of records for the Project is the Placer County Department of Public Works Director, 3091 County Center Drive, Suite 220, Auburn, CA 95603.

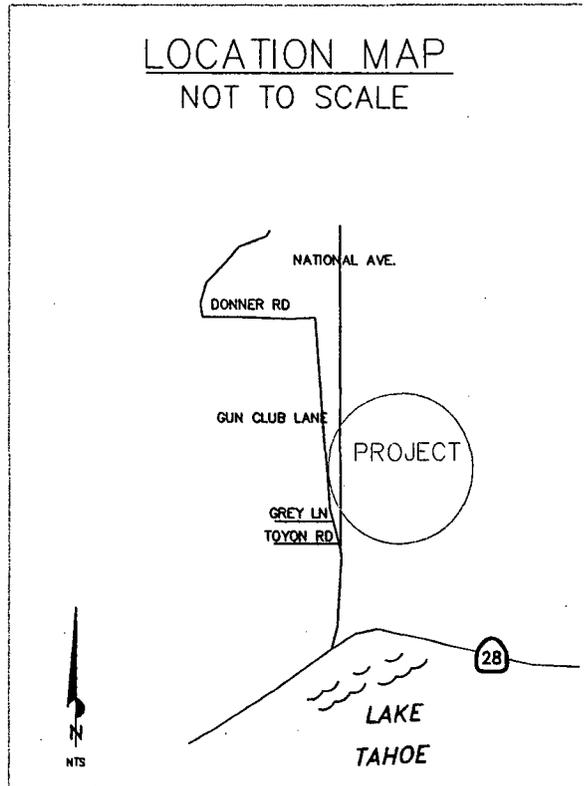


PLACER COUNTY  
DEPARTMENT OF  
PUBLIC WORKS

SNOW CREEK RESTORATION  
WATER QUALITY  
IMPROVEMENT PROJECT

VICINITY AND LOCATION MAP

LOCATION MAP  
NOT TO SCALE



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Section 5  
Mitigation Measures and Mitigation Monitoring Reporting Requirements

| <b>Table 5-1<br/>Mitigation Measures and Mitigation Monitoring Reporting Program for the Project</b>   |   |  |                                       |                             |
|--|---|--|---------------------------------------|-----------------------------|
| <b>Potential Significant Impact</b>  | <b>Mitigation Required</b>  | <b>Implementing Responsibility</b>     | <b>Monitoring Responsibilities</b>    | <b>Timing and Frequency</b> |
| <b>Aesthetics</b>  |   |  |                                       |                             |
| No potentially significant impacts   | None  |  | None                                  |                             |
| <b>Air Quality</b>   |   |  |                                       |                             |
| No potentially significant impacts   | None  |  | None                                  |                             |
| <b>Biological Resources</b>  |   |  |                                       |                             |
| <b>Impact BIO-1</b> During construction of the Project, special-status species with potential habitat within the Project area for foraging, reproducing and/or migrating could be temporarily impacted by grading within riparian and upland habitat, noise, and the presence of construction workers and equipment. | <b>Mitigation BIO-1</b> Prior to construction, protocol-level willow flycatcher surveys will be performed in the late spring and/or early summer. If willow flycatchers are detected nesting in the Project area, an agency mandated protected activity center will be delineated and a Limited Operating Period (LOP) between June 1 and August 31 will be applied in consultation with a TRPA biologist and CDFG.   | Placer County's biological consultant. | Placer County's biological consultant | Prior to construction       |
|  | <b>Mitigation BIO-2</b> Any construction activities that require removal of trees and shrubs will be conducted outside the avian nesting season (April 1 through August 15) unless a qualified biologist determines that no nesting is occurring. The chronology of each year's nesting could vary due to snow loads. If vegetation removal and/or ground disturbance occurs during the avian nesting season, a qualified biologist will conduct nesting bird surveys of the areas of vegetation and tree removal out to 150 feet to ensure that breeding birds are not adversely affected. To comply with the MBTA, any location containing an active nest will not be disturbed until the young have fledged or it is determined that the nest is inactive. | Placer County's biological consultant. | Placer County's biological consultant | Prior to construction       |

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| <b>Table 5-1<br/>Mitigation Measures and Mitigation Monitoring Reporting Program for the Project</b>  |  |                                    |                                    |                             |
|---|--|------------------------------------|------------------------------------|-----------------------------|
| <b>Potential Significant Impact</b>   | <b>Mitigation Required</b>   | <b>Implementing Responsibility</b> | <b>Monitoring Responsibilities</b> | <b>Timing and Frequency</b> |
|   | The first survey will be conducted 15 days prior to construction activity. A second survey will be conducted 72 hours prior to construction.   |                                    |                                    |                             |
| <b>Impact BIO-2</b> During construction, grading activities and vegetation removal could cause the spread of noxious weeds within the sensitive areas due the presence of noxious weeds within the Project area or importation of noxious weeds or seeds. | <p><b>Mitigation BIO-3</b> Noxious and invasive weed control shall be implemented according to the instructions included in the plans and specifications. These measures will include the following:</p> <ul style="list-style-type: none"> <li>▪ All off-road equipment and vehicles used for Project implementation are required to be weed-free. All equipment vehicles will be cleaned of all visible mud, dirt and plant parts. This will be done at a vehicle washing station before the equipment and vehicles enter the Project area and before vehicles enter the Basin (if they originate from outside the Basin).</li> <li>▪ All gravel, fill or other materials imported to the site are required to be weed-free. Obtain weed-free material from gravel pits and fill sources that have been surveyed and approved by the California Department of Food and Agricultural, Nevada Department of Agriculture, or by a botanist or ecologist at TRPA.</li> <li>▪ Mulches and seed sources used for revegetation are required to be weed-free. Seed mixes must be approved by TRPA.</li> <li>▪ Weed infestations identified before Project implementation that are within the Project area</li> </ul> | Placer County or its contractor    | Placer County or its contractor.   | During construction         |

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Section 5  
Mitigation Measures and Mitigation Monitoring Reporting Requirements

**Table 5-1**  
**Mitigation Measures and Mitigation Monitoring Reporting Program for the Project**

| <b>Potential Significant Impact</b>   | <b>Mitigation Required</b>   | <b>Implementing Responsibility</b>        | <b>Monitoring Responsibilities</b>         | <b>Timing and Frequency</b> |
|---|--|---|--|-----------------------------|
|   | will be hand treated or flagged and avoided according to the species present and Project constraints.  |   |  |                             |
| <b>Cultural Resources</b>   |  |   |  |                             |
| <b>Impact CR-1:</b> During grading activities the Project could impact unknown or buried paleontological resources on site or unique geologic features. | <b>Mitigation Measure CR-1</b> If additional heritage resources are discovered, Project activities should cease in the area of the find and the Project sponsor should consult a qualified archaeologist for recommended procedures. All such procedures should be conducted within the Section 106 of the NHPA and CEQA Section 15064.5 Guidelines.   | Placer County or its construction manager | Placer County and consulting archaeologist | During construction         |
| <b>Impact CR-1:</b> During grading activities the Project could disturb unknown human remains interred outside of formal cemeteries.                    | <b>Mitigation Measure CR-2:</b> If human remains are inadvertently discovered during Project activity, Project managers should consult an archaeologist for further direction in contacting the county coroner. If the remains are determined to be of Native American origin, both the Native American heritage commission and members of the Washoe Tribe (or other identified descendants) must be notified to insure that proper treatment is given to the burial site. All procedures should be conducted within the contact of CEQA, Section 15064.5 Guidelines and the California Public Resources Code 5097.95, 5097.98 and 5097.99. | Placer County or its construction manager | Placer County and consulting archaeologist | During construction         |
| <b>Geology and Soils</b>  |  |   |  |                             |
| No potentially significant impacts  | None   |   | None                                       |                             |

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| <b>Table 5-1<br/>Mitigation Measures and Mitigation Monitoring Reporting Program for the Project</b> |                            |                                    |                                    |                             |
|--|----------------------------|------------------------------------|------------------------------------|-----------------------------|
| <b>Potential Significant Impact</b>  | <b>Mitigation Required</b> | <b>Implementing Responsibility</b> | <b>Monitoring Responsibilities</b> | <b>Timing and Frequency</b> |
| <b>Greenhouse Gas Emissions</b>  |                            |                                    |                                    |                             |
| No potentially significant impacts   | None                       |                                    | None                               |                             |
| <b>Hazards and Hazardous Materials</b>   |                            |                                    |                                    |                             |
| No potentially significant impacts   | None                       |                                    | None                               |                             |
| <b>Hydrology and Water Quality</b>   |                            |                                    |                                    |                             |
| No potentially significant impacts   | None                       |                                    | None                               |                             |
| <b>Land Use and Planning</b>   |                            |                                    |                                    |                             |
| No potentially significant impacts   | None                       |                                    | None                               |                             |
| <b>Noise</b>   |                            |                                    |                                    |                             |
| No potentially significant impacts   | None                       |                                    | None                               |                             |
| <b>Recreation</b>  |                            |                                    |                                    |                             |
| No potentially significant impacts   | None                       |                                    | None                               |                             |
| <b>Transportation and Traffic</b>  |                            |                                    |                                    |                             |
| No potentially significant impacts   | None                       |                                    | None                               |                             |
| <b>Utility and Service Systems</b>   |                            |                                    |                                    |                             |
| No potentially significant impacts   | None                       |                                    | None                               |                             |

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