

MEMORANDUM

DEPARTMENT OF PUBLIC WORKS

County of Placer

TO: BOARD OF SUPERVISORS

DATE: August 18, 2009

FROM:  KEN GREHM / PETER KRAATZ

SUBJECT: CLEAN WATER STATE REVOLVING FUND NON POINT SOURCE FINANCIAL ASSISTANCE APPLICATION FOR THE KINGS BEACH WATERSHED IMPROVEMENT PROJECT

ACTION REQUESTED / RECOMMENDATION

Adopt a revised Resolution authorizing the filing of a Clean Water State Revolving Fund Non Point source financial assistance application (American Recovery and Reinvestment Act [ARRA] Funds) for the Kings Beach Water Quality Improvement project in the amount of up to \$3,000,000 and authorize the Director of Public Works to execute all documents related to any awarded funds through this program.

BACKGROUND / SUMMARY

The California State Water Resources Control Board which administers the California Clean Water State Revolving Fund was granted \$280 million dollars in ARRA funds. The Department of Public Works will complete a financial assistance application from this state-managed program for the above-named project. This project was selected from eligible water quality projects because it currently has a complete design and will be ready for construction within 12 months.

Public Works previously submitted this funding resolution request to your Board on March 24, 2009, but we were then informed by the funding administrator, California State Water Resources Board, to correct and update some language in the resolution including replacing the words "grant" with "financial assistance". We, therefore, submitted an updated resolution on July 21, 2009 for your Board's adoption. Since your Board's adoption on July 21, 2009, the California State Resources Board made additional changes to their resolution template, and Public Works has made the required changes to an updated resolution we are presenting today.

The proposed Fox Clean Water Pipe is a crucial first-phase component of Placer County's overall watershed drainage improvement master plan for the Kings Beach area, a disadvantaged community. The Fox Clean Water Pipe is a key component to the watershed system as it will provide separation of runoff from the upper watershed (runoff generated on U.S. Forest Service land outside of the urban area) and urbanized runoff. This improvement will pipe runoff via County and State rights-of-way to Lake Tahoe without introducing the water to pollutants within the commercialized area such as sediment, road sand, and nutrients. The commercial core improvements will be constructed in a subsequent, alternatively funded phase and include water quality treatment media filters. The Fox Clean Water Pipe will bypass the media filters of the commercial area. By routing the upland storm water through the commercial core in a clean water pipe, the volume-dependent media filters of the commercial core will be bypassed. This will minimize the filter size needed and minimize future maintenance requirements resulting in cost savings from this project.

ENVIRONMENTAL

The action of filing a financial assistance application is not a project as defined by the California Environmental Quality Act (CEQA). The project is individually regulated pursuant to the requirements of CEQA and the Placer County Environmental Review Ordinance. The project has a Notice of Determination (NOD) filed with the California State Clearinghouse and approved by the Board of Supervisors.

FISCAL IMPACT

The Kings Beach Watershed Improvement Project (WIP) is estimated to cost over \$25,000,000 and be designed and constructed in phases over the next ten years as funding permits. The Fox Clean Water Pipe project is the first phase of the WIP and is estimated to cost \$2,300,000 to construct. Additional costs for the Phase 1 WIP project include design, permitting, administration, and construction management totaling \$700,000. The County will apply for up to \$3,000,000 from the Clean Water State Revolving Fund Program for Fiscal Year 2009-10 for this first phase construction of the WIP. The ARRA funding is anticipated to fund the entire Fox Project and if not, funds will come from existing and future unspent funds including U.S. Forest Service, California Tahoe Conservancy, and Tahoe Regional Planning Agency water quality mitigation fees. Additional grant funds and matching contributions for future phases of the WIP will continue to be pursued from the following sources: California Tahoe Conservancy; Tahoe Regional Planning Agency; and U.S. Forest Service.

Attachments:
Resolution

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

In the matter of:

Reso. No: _____

A RESOLUTION AUTHORIZING ENTERING INTO A FINANCIAL ASSISTANCE AGREEMENT WITH THE STATE WATER RESOURCES CONTROL BOARD FOR THE KINGS BEACH WATERSHED AND DESIGNATING A COUNTY REPRESENTATIVE TO SIGN THE FINANCIAL ASSISTANCE AGREEMENT AND ANY AMENDMENTS THERETO

The following Resolution was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held August ____, 2009, by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

F.C. Rockholm, Chairman
Board of Supervisors

Attest:
Clerk of said Board

Ann Holman

WHEREAS, the County of Placer is authorized to enter into a financial assistance agreement with the State of California and the State Water Resources Control Board for the Kings Beach Watershed Improvement Program; and

WHEREAS, on July 21, 2009, the Board of Supervisors adopted Resolution 2009-203 relating to this same subject matter, and intends that this resolution replace and supersede Resolution 2009-203 in the event of any conflict,

NOW, THEREFORE, BE IT RESOLVED by the Placer County Board of Supervisors, that the Director of Public Works is hereby authorized and directed to sign and file, for and on behalf of Placer County, a Financial Assistance Application for a financing agreement from the State Water Resources Control Board for the planning, design, and construction of all or any portion of the Kings Beach Watershed Improvement Program, and

BE IT FURTHER RESOLVED, that Placer County hereby agrees and further does authorize the aforementioned representative or his designee to certify that the County has and will comply with all applicable state and federal statutory and regulatory requirements related to any financing or financial assistance received from the State Water Resources Control Board, and

BE IT FURTHER RESOLVED, that the Director of Public Works or his designee is hereby authorized to negotiate and execute a financial assistance agreement from the State Water Resources Control Board and any amendments or change orders thereto and certify financing agreement disbursements on behalf of Placer County, and

BE IT FURTHER RESOLVED, that this Resolution replaces and supersedes Resolution 2009-203, adopted on July 21, 2009, in the event of any conflict.