



We will reflect the National Treasure in which we live"

NOTICE OF AVAILABILITY OF ENVIRONMENTAL COMPLIANCE DOCUMENT AND NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE BIJOU PARK CREEK WATERSHED RESTORATION PROJECT

DATE: September 30, 2020

The City of South Lake Tahoe (City) has prepared an Environmental Compliance Document and Mitigated Negative Declaration (MND; collectively ECD/MND) pursuant to the California Environmental Quality Act (CEQA) for the Bijou Park Creek Watershed Restoration Project (Project). Considering the location of the Project, the ECD has also been prepared pursuant to the National Environmental Policy Act (NEPA) and Tahoe Regional Planning Agency's environmental review requirements. The City is requesting comments on the ECD/MND.

PUBLIC COMMENT PERIOD: September 30 to October 30, 2020

PLANNING COMMISSION: The City will conduct an online Planning Commission session where stakeholders can submit oral comments, including interested parties, responsible agencies, agencies with jurisdiction by law, trustee agencies, and involved federal agencies. The meeting will include a presentation of the proposed Project, key environmental findings, and a comment collection period. The meeting will occur:

Date: October 8, 2020

Time: 3:00 p.m.

Address: <https://www.cityofslt.us/84/Watch-City-CouncilPlanning-Commission-Me>

BACKGROUND

The Project has been proposed by the City to address frequent flooding and stormwater management challenges in the Bijou Park Creek watershed. Past development in the watershed has significantly altered drainage patterns. Bijou Park Creek receives more water and at higher flow rates than the creek can adequately convey, resulting in flooding of adjacent roads and residential properties. In addition to the peak high flow volumes, the waters entering Bijou Park Creek tend to be sediment-laden and can contribute to the decline in the clarity of Lake Tahoe. The proposed Project will address declining water quality, nuisance flooding, and degradation of the Bijou Park Creek Stream Environment Zone (SEZ) that has occurred due to the past development impacts on the watershed. These goals would be achieved by improving stormwater drainage and treatment infrastructure and restoring and enhancing the function of the SEZ in the eastern portion of the City of South Lake Tahoe.

ABOUT THE PROPOSED PROJECT

As observed in the attached Figure 1, the Project is located in the eastern portion of the City of South Lake Tahoe, near the California-Nevada border. The proposed facilities would be developed on lands owned by the California Tahoe Conservancy, City of South Lake Tahoe, and U.S. Forest Service.

The Project includes a series of stormwater and SEZ restoration improvements that would be constructed throughout the eastern portion of the City of South Lake Tahoe. As provided in Figure 2, the City is considering restoration activities in two sections of Bijou Park Creek as well as nine additional stormwater conveyance and treatment upgrades to achieve the Project objectives of improving water quality, reducing nuisance flooding, and restoring function of the Bijou Park Creek SEZ. The potential facilities include:

- Aloha Basin
- Bijou Park Creek SEZ Enhancement
- Pioneer Crossing Culvert Replacement
- Ski Run Diversion
- Bijou School Frontage Drainage Improvements
- Needle Peak Localized Treatment
- Osgood Expansion
- Keller Canyon Bypass
- Rockwood to Blackwood Drainage Improvements
- Upper Bijou Park Creek
- Shirley to Whole Foods

Some of the proposed improvements are standalone actions that address a specific problem in a specific area, while other sub-projects are interrelated and dependent upon one another to achieve a Project objective. Ultimately, all improvements may not be carried forward for development, as the City assesses the feasibility of each proposed stormwater management upgrade, integrates public input, and analyzes environmental/social impacts. The IS/ERD takes a conservative approach to this issue by analyzing all facilities, accounting for all potential environmental and social impacts from the full suite of potential developments. Collectively, the proposed improvements will achieve the Project objectives by improving water quality, reducing nuisance flooding, and restoring function of the Bijou Park Creek SEZ.

ISSUES ADDRESSED IN THE ENVIRONMENTAL COMPLIANCE DOCUMENT AND MITIGATED NEGATIVE DECLARATION

Based on the comments received during the scoping process (June 6 to July 3, 2020) and the ECD considered impacts to the following resource areas:

- Aesthetics (CEQA) and Scenic Resources/Community Design (TRPA)
- Mineral Resources (CEQA) and Natural Resources (TRPA)
- Agriculture and Forestry Resources (CEQA)
- Noise (NEPA/CEQA/TRPA)
- Air Quality (NEPA/CEQA/TRPA)
- Population and Housing (CEQA/TRPA)
- Biological Resources (NEPA/CEQA) and Vegetation/Wildlife (TRPA)
- Public Services (CEQA)
- Cultural Resources, Tribal Cultural Resources (NEPA/CEQA) & Arch./Historical Resources (TRPA)
- Recreation (CEQA/TRPA)
- Energy (CEQA/TRPA)
- Socioeconomics/Environmental Justice (NEPA)
- Geology and Soils (NEPA/CEQA) and Land Resources (TRPA)

- Traffic/Transportation/Circulation (NEPA/TRPA/CEQA)
- Greenhouse Gas Emissions (CEQA)
- Utilities/Service Systems (CEQA/TRPA)
- Hazards/Hazardous Materials (CEQA), Risk of Upset (TRPA) & Human Health (TRPA)
- Wildfire (CEQA)
- Hydrology and Water Quality (NEPA/CEQA/TRPA)
- Cumulative Impacts

To minimize potentially significant impacts, the following mitigation measures were prescribed:

- **Biological Resources Mitigation Measure No. 1 (BIO-1):** If it is concluded that direct or indirect impacts are possible to sensitive or listed species and/or their habitat, the need for protocol-level surveys will be determined in consultation with state (CDFW) and federal (USFWS) agencies and other stakeholders. The type and intensity of surveys will depend on the listed species in question and the potential habitat present for that species. During the appropriate survey timeframe specific to the target species, qualified biologists would resurvey habitat areas utilizing state and federal protocol to detect presence and determine distribution of the species within the Project Area. Based on survey results, consultation will also be undertaken to determine whether further compensatory mitigation actions are required.
- **Biological Resources Mitigation Measure No. 2 (BIO-2):** Prior to completion of final design of the Project, a qualified biologist would perform a wetland delineation for the Project Area. The delineation would conform to the USACE Wetlands Delineation Manual and Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0). Following delineation of wetlands and waters that would be impacted by the Project the Project design will be modified to avoid impacts to the delineated wetland or the City will comply with the permitting regulations of Section 404 of the CWA to minimize and mitigate for the loss of jurisdictional wetlands and waters.
- **Traffic/Transportation/Circulation Mitigation Measures No. 1 (TR-1):** A Project-specific Traffic Control Plan shall include measures to ensure coordination with emergency services to address and mitigate project impacts to emergency services and evacuations. Such measures may include appropriate use of signage, flaggers, traffic calming, and alternative routes to accommodate local and through traffic. In addition, local residents shall be advised of schedules for construction traffic detours through signage, press releases, and distribution of flyers in area neighborhoods well in advance of construction initiation. Access will not be prohibited, at any time, for local residents, school busses or emergency vehicles, only delayed. In case of emergency, the contractor will be required to have traffic rated plates on site to allow access to be restored during trenching.

SUBMISSION OF COMMENTS: The City is soliciting comments on the ECD and MND from all responsible agencies, agencies with jurisdiction by law, trustee agencies, and involved agencies and interested parties requesting notice. Please send your written/typed comments to the City by one of the following delivery methods. In your comments, please include your name, email address, telephone number, address, and a **RE: BPCW Restoration** at the top of your comment.

Email: jburke@cityofslt.us

Post: Mr. Jason Burke
City of South Lake Tahoe
RE: BPCW Restoration
1740 D Street
South Lake Tahoe, CA 96150

This Notice initiates a 30-day comment period; the City requests that written comments be provided at the earliest possible date, **but no later than 5:00 p.m. on October 30, 2020.**

The City of South Lake Tahoe Planning Commission will hear a presentation on the proposed amendment at their regularly scheduled meeting on Thursday, October 8, 2020 at 3:00 p.m. and consider adoption at the November 19, 2020 regularly scheduled public meeting. The Planning Commission agenda packet for this item will be available three days prior to the hearing at www.cityofslt.us/114/Planning-Commission. The hearing will be held in the City Council Chambers at 1901 Lisa Maloff Way, South Lake Tahoe, CA.

The Bijou Park Creek Watershed ECD/NMD may be viewed and downloaded at the Project webpage: <https://cityofslt.us/901/Bijou-Park-Creek>. If you require additional information, please contact Jason Burke to schedule an appointment.

In accordance with the Governor's Executive Order N-29-20, remote public participation is allowed in the following ways: (1) Planning Commission meetings are live-streamed on Channel 21 and on the City's website at www.cityofslt.us. (2) Public comment may be submitted by TELEPHONE during the meeting, prior to the close of public comment on an item, by calling the City Clerk at (530) 318-1461, ONLY AT THE TIME INDICATED BY THE CHAIR. Please do not leave a message, you will not receive a return call. If the line is busy, please try your call again. (3) Public comment may be submitted by EMAIL with the subject line PUBLIC COMMENT ITEM # (insert item number) to PublicComment@cityofslt.us during the meeting, prior to the close of public comment on an item, and read into the record during public comment.

EMAIL public comment received 72 hours prior to the meeting will be distributed to the Planning Commission. Any writings or documents provided to a majority of the Planning Commission regarding any open session item will be made available for public inspection within the Agenda posted on the City's Website.

Every reasonable effort will be made to accommodate any person needing special assistance to participate in this meeting. Contact the City Clerk at (530) 542-6005 in advance of the meeting for assistance [28 CFR 35.102.35.104 ADA Title II and Brown Act Government Code Sections 54953.2, 54954.1, 54954.2, and 54957.5].

Figure 1 – Project Location

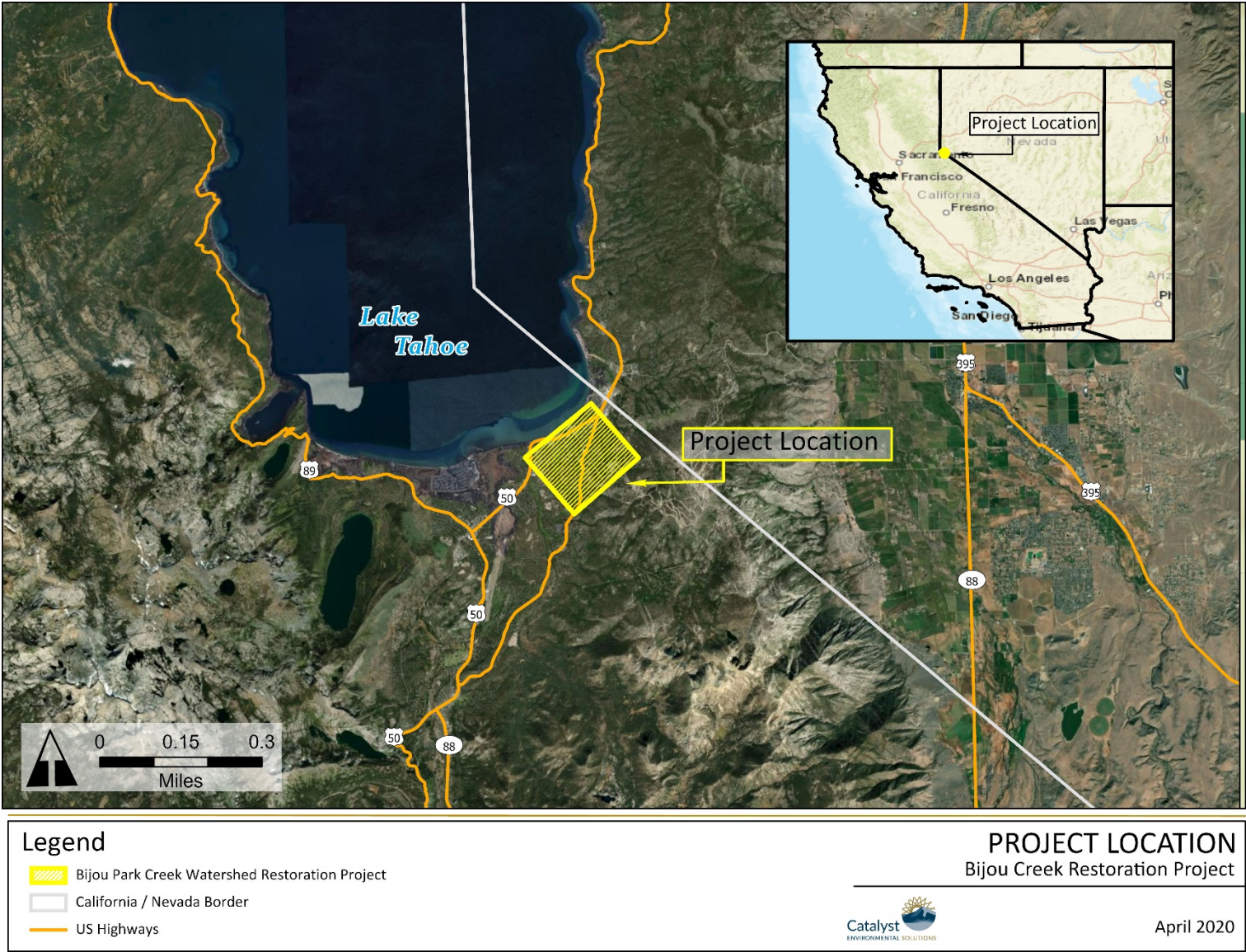


Figure 2 – Proposed Facilities

