

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2012-0052**

TO ALLOCATE \$750,620 FROM THE CLEANUP AND ABATEMENT ACCOUNT (CAA) TO
THE PLACER COUNTY DEPARTMENT OF PUBLIC WORKS (PLACER COUNTY) FOR THE
SNOW CREEK RESTORATION PROJECT (PROJECT)

WHEREAS:

1. Placer County is requesting \$750,620 from the CAA to fund the Project;
2. In 2008, Placer County acquired a property on which an old cement batch plant was previously located, for restoration purposes, with a Sierra Nevada-Cascade Conservation grant;
3. The original cement plant, which began its operation on the site in 1948, provided materials for the asphalt paving of Highway 267. The remaining fill material on the site includes cement ash, stone, and concrete, heavy sediment, and nitrogen, that over the years has contaminated the on-site wetlands and sensitive riparian stream areas which flow into Snow Creek and then drain to Lake Tahoe;
4. The CAA funds will be used for planning, permitting, removing contaminated fill and utilities in the area, constructing a stormwater pretreatment system, and restoring the stream and wetland areas on the property;
5. The requested CAA funding is only a portion of the overall funding for this Project. The total Project cost is estimated at \$4,564,120, including a Sierra Nevada-Cascade Conservation grant, and funding from the California Resources Agency Rivers and Parkways, U.S. EPA Brownfields Program, U.S. Department of Interior Bureau of Land Management, and Tahoe Regional Planning Agency. All other funding sources have been secured;
6. The Project will provide the nearby small disadvantaged community of Kings Beach with a continuous open space for access to nature and recreation;
7. This type of restoration work supports the implementation of the Lahontan Regional Water Quality Control Board's 2010 adopted sediment/siltation TMDL for Lake Tahoe and is a very high-priority water quality issue in their Region;
8. The County was the lead agency under the California Environmental Quality Act (CEQA) and prepared an Initial Study which resulted in a Mitigated Negative Declaration that addressed associated environmental impacts. The State Water Board is providing funding for the Project and therefore is a responsible agency under CEQA; and
9. The requested allocation is consistent with the purposes of Water Code Section 13442. Section 13442 provides that the State Water Board may order monies to be paid from the CAA to a public agency and certain not-for-profit organizations and tribal governments that serve disadvantaged communities and have the authority to clean up or abate the effects of a waste in order "to assist it in cleaning up the waste or abating its effects on the waters of the state."

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Approves funding for \$750,620 from the CAA to the Project.
2. Makes funding available to Placer County for appropriate Project costs, including; planning, permitting, removing contaminated fill and utilities in the area, constructing a stormwater pretreatment system, and restoring stream and wetland areas. Placer County shall mitigate any harmful project effects. The State Water Board will not release funding for the construction of the Project until Placer County, as lead agency, submits its CEQA documentation to the State Water Board for review, and the State Water Board or its delegee reviews and considers the documentation and issues findings in compliance with its role as a responsible agency under CEQA.
3. Approves the funding with the expectation that if the agreement has not been executed by December 15, 2012, the Executive Director will bring this item back to the State Water Board in January 2013 for possible rescission of funding.
4. Makes the funds available until June 30, 2015, and reverts any unexpended funds to the CAA as of September 30, 2015, unless the Deputy Director or Assistant Deputy Director of the Division of Financial Assistance authorizes an extension.

CERTIFICATION


The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Board held on October 16, 2012.

AYE: Chairman Charles R. Hoppin
Vice Chair Frances Spivy-Weber
Board Member Tam M. Doduc
Board Member Steven Moore
Board Member Felicia Marcus

NAY: None

ABSENT: None

ABSTAIN: None



Jeanine Townsend
Clerk to the Board