



Board Agenda Item 66

DATE: July 9, 2019

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director
Department of Public Works and Planning

SUBJECT: Application for Central Valley Flood Protection Board Encroachment Permit and California Department of Fish and Wildlife Streambed Alteration Agreement for the Lost Lake Trail Project

RECOMMENDED ACTION(S):

- 1. Approve and authorize the Chairman to execute an Application for a Central Valley Flood Protection Board Encroachment Permit; and, subject to review and approval by County Counsel as to legal form and the Auditor-Controller/Treasurer-Tax Collector as to accounting form, any associated permits, licenses, agreements, amendments, or other documents required to complete the Lost Lake Trail Project.**
- 2. Authorize the Director of the Department of Public Works and Planning, subject to review and approval by County Counsel as to legal form and the Auditor-Controller/Treasurer-Tax Collector as to accounting form, to execute a California Department of Fish and Wildlife Streambed Alteration Agreement and any subsequent amendments, or other documents required to complete the Lost Lake Trail Project.**

Approval of the recommended actions will authorize the application for an encroachment permit with the Central Valley Flood Protection Board (CVFPB) to complete the Lost Lake Trail Project (Project). Upon review and approval by County Counsel and the Auditor-Controller/Treasurer-Tax Collector, authorize the Chairman to execute associated permits, licenses, agreements, amendments, and other documents and the Director of the Department of Public Works and Planning to execute a Streambed Alteration Agreement (SAA) and any related amendments with the California Department of Fish and Wildlife (CDFW). This item pertains to a location in District 5.

ALTERNATIVE ACTION(S):

If the first recommended action is not approved, the Project will be delayed or cancelled. If the second recommended action is not approved, the Department will be required to bring any SAA or related amendments to your Board at a later date, which would delay the Project.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended actions. The Project cost is estimated at \$320,000 and funded through the use of Measure C funds, authorized by the Board of Supervisors on June 2, 2015. Sufficient appropriations and estimated revenues are included in the Department's - Roads Org 4510 FY 2019-20 Recommended Budget.

DISCUSSION:

The Lost Lake Trail is located within Lost Lake Park, near the unincorporated community of Friant, approximately 2.6 miles downstream from Friant Dam. The proposed project involves improvement to the existing defined trail by placing durable surfacing to improve accessibility. Although footpaths have been formed over years of use, the existing pathways are not well-defined, presenting accessibility challenges. The use of the undefined trail damages sensitive vegetation and creates conduits for erosion. The Project will increase the public's accessibility to additional areas near the San Joaquin River.

The Project requires submittal of an Application for an Encroachment Permit from the Central Valley Flood Protection Board (CVFPB), which requires signature by the "Trustees" of the County. For this purpose, the Board of Supervisors are considered the trustees of the County, and with your Board's approval, the Chairman would execute various instruments on behalf of the Board.

The Department filed a Notification of Lake or Streambed Alteration Agreement for the Project on April 16, 2019 with the CDFW. The purpose of a SAA is to establish conditions associated with working on a project within the channel or floodplain of any body of water, which has the potential to impact the water quality or water flow of a natural body of water. As of June 6, 2019, the Department has not received an SAA from CDFW, with your Board's approval, once received; the Department Director would be authorized to execute the SAA, along with any subsequent amendments. This action mirrors the previous authorization the Board granted the Director for other Lake and Streambed Alteration Agreements on September 25, 2018. This SAA is not covered by the previous authorization, as it was not included in the list of approved projects.

REFERENCE MATERIAL:

BAI #60, September 25, 2018
BAI #5, June 2, 2015
BAI #12, September 24, 2013
BAI #15, May 24, 2011

ATTACHMENTS INCLUDED AND/OR ON FILE:

Location Map
On file with Clerk - Application for Encroachment Permit from Central Valley Flood Protection Board
On file with Clerk - Notice of Exemption

CAO ANALYST:

Sonia M. De La Rosa