

Response to Comments on the Kings Beach Water Quality and Stream Environment Zone Improvement Project Draft Environmental Document

This document presents the responses to comments received during the public review period for the draft Environmental Compliance Document (ECD) for the Kings Beach Water Quality and Stream Environment Zone Improvement Project (the Project). The public comment period began August 8, 2008; a Notice of Availability was published in the Sierra Sun on August 13, 2008 (a copy is provided in Appendix H of the ECD). The original deadline for comments was September 22, 2008; however, during the review process, an error on the project design plans was recognized, resulting in minor revisions to Figures 5A and 5F and Sheets CC-1, CC-5, G-1, O-4, and O-5 of the design plans. The corrected information was posted to the Placer County Public Works Department website and the comment period was extended to October 14, 2008 to enable interested parties to review the updated information. The corrections did not result in the identification of any new or increased environmental impacts that were not addressed in the ECD. A corrected copy of the design plans is provided in Appendix C of the final ECD.

The Project was also presented at a public meeting held on September 17, 2008. Appendix H of the ECD has been amended to include information associated with that meeting, including the public meeting notice flyer, proof of publication of the notice, and a copy of the presentation.

Comments that were received at the public meeting and by e-mail included those made by the general public and resource agencies. Comments from the public were focused on clarification of specific actions to be taken as part of the Project on individual parcels. Agency comments were focused on clarification of the characterization of biological and cultural resources. Responses to the comments are provided in Table RC-1.

The responses to the agency comments resulted in minor modifications and clarifications to the description of environmental conditions in the Biological Evaluation/Biological Assessment (BE/BA) and the Cultural/Historic Resources Inventory Report (Cultural Report) prepared as supporting documents for the ECD. The revised BE/BA and Cultural Report have been submitted to the lead agencies responsible for preparation of the environmental review; they are presented as Appendices D and E of the revised ECD. The responses to the comments and revisions to the ECD and supporting documents have not resulted in any changes to the determination of environmental effects or identification of measures to avoid or minimize adverse effects previously presented in the ECD. Therefore, the conclusions regarding the effects and mitigation of those effects presented in the previously released public draft of the ECD for the Project have not changed.

Table RC-1. Responses to Comments on Kings Beach Water Quality and Stream Environment Zone Improvement Project Environmental Compliance Document

Source of Comment	Commenter (and Affiliation)	Commenter Contact Info	Comment	Response to Comments
Email	Dana Ash	sierralover@gmail.com	We want to know what the plans are for the parcel next to us (NW corner of Steelhead and Coon). If you do put the water underground, how much will the project disrupt the parcel in either direction of the culvert? Ten feet? Fifteen feet?	<p>The parcel located on the NW corner of Coon St. and Steelhead Ave. is APN 090-111-017-000 and owned by the State of CA. To relieve parking pressure along Coon Street, staggered boulder barriers are proposed along Coon Street. Also to convey storm water runoff, curb and gutter is proposed along the south and east roadside shoulders of the roadway and parcel border. The adjacent parcel to the west (APN 090-111-002-000) will collect the curb and gutter runoff along with surface flows and convey water under Steelhead Ave (south) towards a county owned parcel at the NW corner of Coon St. and Golden Ave. and eventually to the lake. In this location water is not proposed to be placed underground, other than at the Coon Street SEZ crossing of Steelhead Ave. where the flow will be routed into the existing piping system at the crossing.</p> <p>No changes to the ECD are necessary in response to the comment.</p>
Public Comment Sheet	Jim Phelan (Tahoe Yacht Harbor, LLC.)	P.O. Box 6510, Tahoe City, CA 96145	Property concerned 810 Coon Street Boat Storage Warehouse. I would appreciate a closer look at what facilities will be installed on our property.	<p>The parcel in question is located on the eastern side of Coon St. between Speckled Ave. and Cutthroat Ave. (APN 090-094-018-000). The northern boundary of the parcel in question will have curb and gutter collecting runoff from Speckled Ave. Within the Coon St. right-of-way, north of the driveway entrance to the parcel, a rock bowl is proposed to collect/infiltrate/ and slow down velocities before entering an existing storm drain pipe under the driveway. Within the Cutthroat Ave. right-of-way, along the south side of the parcel, a grass-lined swale is proposed. The swale will collect runoff and capture sediment before conveying water through a storm drain under Cutthroat Ave. (south) and onto a CTC-owned parcel.</p> <p>No changes to the ECD are necessary in response to the comment.</p>

<p>Public Comment Sheet</p>	<p>Dave Shelton (Shelton Family, LLC)</p>	<p>P.O. Box 4 Tahoe City CA 96145 583-2805 ds@david-shelton.com</p>	<p>Comment 1) Would reduction in velocities on Griff Creek result in an expansion of potential flooding?</p> <p>Comment 2) If so would flooding be increased beyond limits of current FEMA studies and map amendments?</p> <p>Comment 3) Will there be a FEMA map amendment as a result of this project?</p> <p>Comment 4) That could affect property values. Do participating agencies assume any responsibility for expanded flood influence?</p> <p>Comment 5) Is an expansion of flood areas considered an adverse impact?</p>	<p>Response to 1) Proposed secondary channels, which decrease velocities in the main channel, would increase dispersion within the existing floodplain of Griff Creek on a more regular basis (i.e., during more frequent storm events). The potential for flooding, beyond the existing condition flooding, during a catastrophic event (e.g., a 100-year flood) would not increase.</p> <p>No changes to the ECD are necessary in response to the comment.</p> <p>Response to 2) No flooding areas would extend beyond the current FEMA flood hazard delineations.</p> <p>No changes to the ECD are necessary in response to the comment.</p> <p>Response to 3) If flooding is not going to go beyond the current FEMA boundaries, there should be no need to amend the current boundary.</p> <p>No changes to the ECD are necessary in response to the comment.</p> <p>Response to 4) Participating agencies do not take responsibility for catastrophic flooding events. All designs and concurrent construction of improvements are to be designed and operated in accordance with the Placer County Drainage Manual.</p> <p>No changes to the ECD are necessary in response to the comment.</p> <p>Response to 5) Expansion of flooding areas beyond the current FEMA areas would be considered an adverse impact. However, since this is not the case on the proposed Griff Creek improvements, there is no adverse impact.</p> <p>No changes to the ECD are necessary in response to the comment.</p>
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<p>Email</p>	<p>Stanley Kot (LTBMU Wildlife Biologist)</p>	<p>35 College Drive South Lake Tahoe, CA 96150 sjkot@fs.fed.us</p>	<p>Comment 1) The American peregrine falcon (APF) in Table 4 on page 22 has been delisted for over 5 years, so it is no longer a regional forester sensitive species.</p> <p>Comment 2) Also, the mountain yellow-legged frog (MYLF) . . . has no designated critical habitat yet. You could pull the mention of designated critical habitat on page 28.</p> <p>Comment 3) You may want to include in your management recommendations the mitigation measures BIO-1 to BIO-6 . . . from your Kings Beach Environmental Compliance Document (KB ECD).</p>	<p>Response to 1) The BE/BA has been modified by marking APF as not a forester sensitive species in Table 4. However, APF remains in the table to acknowledge that it is a TRPA special-interest species (Table 4 BE/BA was used not only to evaluate USFS sensitive species, but also to assist with the evaluation of other agencies' species of interest).</p> <p>No changes to the ECD are necessary in response to the comment.</p> <p>Response to 2) The BE/BA has been modified by removing the reference to critical habitat for the MYLF (on page 28 of BE/BA).</p> <p>No changes to the ECD are necessary in response to the comment.</p> <p>Response to 3) The BE/BA has been modified to include the appropriate mitigation measures presented in the KB ECD.</p>

			<p>Comment 4) And in the reference section, USDA Forest Service (USFS). 1988. Land and Resources Management Plan Management Plan. Forest Service, Region 5, Lake Tahoe Basin Management Unit. S. Lake Tahoe, CA.</p> <p>Comment 5) You could also include your Kings Beach Environmental Compliance Document in the reference section.</p>	<p>Response to 4) The BE/BA has been modified to remove the redundant "Management Plan" typo in the references section.</p> <p>No changes to the ECD are necessary in response to the comment.</p> <p>Response to 5) The BE/BA has been modified to include the KB ECD in the references section.</p> <p>No changes to the ECD are necessary in response to the comment.</p>
Email	<p>Shana Gross (LTBMU Botanist/Rare Plant Ecologist)</p>	<p>35 College Drive South Lake Tahoe, CA 96150 530.543.2752 segross@fs.fed.us</p>	<p>Comment 1) Page 2 and 11: you separate USFS R5 sensitive species and LTBMU sensitive species. The LTBMU sensitive species are a subset of the R5 sensitive species and so are one and the same – these two bullets should be combined really you are analyzing for LTBMU R5 sensitive species since you are not addressing all R5 species</p> <p>Comment 2) Tahoe yellow cress (TYC) for Kings beach: this is discussed on page 4, 16, and 19. I understand you were unable to survey due to access; however there are annual surveys done for TYC through the TYC working group. The latest report has that 3 TYC plants were observed on Kings Beach in 2003. So while this is a heavily used area, plants have been observed, although probably only observed this one year due to use. . . . I think because surveys were not conducted by you and will not be conducted until project implementation you need to include what has been done by others. Of course you will still want to do surveys even though they have been done since this is a candidate so all of the additional survey language is good.</p>	<p>Response to 1) The Vegetation BE and Wildlife BE/BA have been modified to remove the bullet point referring to "all R5 species."</p> <p>No changes to the ECD are necessary in response to the comment.</p> <p>Response to 2) The Tahoe Yellow Cress Working Group (Stanton, et al., 2007) reported three occurrences of this species at Kings Beach in 2002; however, every subsequent year through 2006 (the last year for which data is available), no occurrences were found at Kings Beach. Nonetheless, potential Tahoe yellow cress habitat will be surveyed in accordance with agency protocol before Project designs are finalized. If any occurrences of this species are found, the Project design will be modified as needed to avoid direct impacts. Temporary fence will also be erected as appropriate to protect any occurrences until Project activities are concluded.</p> <p>The BE has been modified to include the above statement.</p> <p><i>Reference: Stanton, A. E. and B. M. Pavlik. 2007. Implementation of the Conservation Strategy for Tahoe Yellow Cress (Rorippa subumbellata). 2006 Annual Report (Appendix C). BMP Ecosciences, San Francisco, CA, prepared for Tahoe Yellow Cress Adaptive Management Working Group and Executive Committee, January 2007. Online: http://heritage.nv.gov/reports/rosu_annrep_2006_C.pdf</i></p> <p>No changes to the ECD are necessary in response to the comment.</p>

Comment 3) Another thing I realized is that if TYC surveys were not conducted than this section of the project was probably not surveyed for weeds? Is this correct? If this wasn't surveyed for weeds than that needs to be stated in the risk assessment and surveys need to be conducted pre implementation due to both bull thistle and mullein being present at a lot of beach sites. (Sorry I know we thought the risk assessment was complete, but this wasn't clear in there – just this one added pre-survey language is all it needs though)

Comment 4) FS special interest species plant are not supposed/allowed to be included in the BE/BA. If these species are found they require a separate report, if they are not found than [sic] no report is necessary as long as we are aware that they were surveyed for. You will need to fix this throughout the plant portion of the document to remove reference to these species

Response to 3) The Noxious Weed Risk Assessment states that pre-construction surveys for listed noxious or invasive weeds will occur in areas to be disturbed by Project activity, and weed mitigation measures will apply to any weed infestations identified within fifty (50) feet of planned Project activities. This includes the beach sites. The Noxious Weed Risk Assessment has been modified to include language to this effect.

No changes to the ECD are necessary in response to the comment.

Response to 4) The BE has been modified to remove all references to Forest Service Species of Interest. Note, surveys included Forest Service Species of Interest; none were found.

No changes to the ECD are necessary in response to the comment.

Comment 5) In table 2, be clear as to why the species you determine do not have habitat in the project don't. It seems to me that *Epilobium howellii*, *Lewisia kelloggii*, and *Dendrocollybia* could all have potential in the project area (especially the *Epilobium*); however since I wasn't there I do not know. When I read the project habitat descriptions and combine with the species habitat descriptions I do not see why they are not present. This can be documented in table 2 to be clear so there are no questions.

Comment 6) Table 3: please check the spelling in this table while reading over it I caught several spelling errors and there could be more that I did not catch:

- Descurainia* is missing the "c"
- Convolvulus* is the correct spelling
- Amelanchier* is the correct spelling
- Erysimum* should be *E. capitatum* var. *perenne* (*perenne* is not the species)

Response to 5) *Epilobium howellii* is known from wet meadows and mossy seeps at 6,500 to 9,000 ft in subalpine coniferous forest. Wet habitats in the Project area are outside the elevation range.

Lewisia kelloggii occurs on exposed ridge tops or flat open spaces with widely spaced trees and sandy granitic to erosive volcanic soil. The Project area contains no habitat meeting those specifications.

Dendrocollybia racemosa is a mushroom that grows on other decayed mushrooms or occasionally in mixed hardwood-coniferous duff, usually within old growth stands. The Project area was effectively stripped of timber in the mid- to late-1800's by commercial logging, making stands of old growth forest uncommon in the present day. Nonetheless, individual late-seral/old growth (LSOG) trees do exist in the Project area. Upon review of the habitat requirements for *Dendrocollybia racemosa*, Table 2 of the BE has been modified to indicate the potential for this species to occur, although habitat conditions severely limit the potential for occurrence. Note, *dendrocollybia racemosa* was not found during Project surveys.

Table 2 has also been modified to include rationale for each "No" response to the question of whether a given species has potential to occur in the Project area.

No changes to the ECD are necessary in response to the comment.

Response to 6) The BE has been modified to reflect the typographical corrections.

No changes to the ECD are necessary in response to the comment.

			<p>Comment 7) Page 18, Mingan moonwort is not known in project area, but is rather found above the project area this should be clear so that it is understood why this was not found during surveys. Because this species is known from above the project area that occurrence will not be affected due to project implementation; there is still very high potential in the project area along stream for this moonwort and all moonworts (you state that for moonworts habitat suitability is minimal and it seems like it would be better to be clear that there is very good suitable habitat along stream channel, but suitable area is low)</p> <p>Comment 8) Table 2 and page 19: Bruchia bolanderi is known from 1 location in the basin</p>	<p>Response to 7) The BE has been modified to provide clarification on suitable habitat for moonworts, including Mingan moonwort.</p> <p>No changes to the ECD are necessary in response to the comment.</p> <p>Response to 8) The BE has been modified to acknowledge the comment.</p> <p>No changes to the ECD are necessary in response to the comment.</p>
<p>Email</p>	<p>Jonathan Connolly (USBR Archaeologist)</p>	<p>2800 Cottage Way, MP-153 Sacramento, CA 95825 916-978-5042</p>	<p>Comment 1) Site CA-PLA-1258, an isolated bedrock milling feature, does not appear to have been formally evaluated for inclusion to the NRHP; The eligibility status of this site needs to be clarified for the final document.</p> <p>Comment 2) Please demonstrate that the SHPO provided a consensus determination for the eligibility for all the sites located within the APE of the project to the report.</p>	<p>Response to 1) The characteristics of Site CA-PLA-1258 make it potentially eligible for inclusion to the NRHP. The Cultural/Historic Resources Inventory Report has been modified to clarify the eligibility potential of the site.</p> <p>The ECD has been amended on pages 65 and 68 to provide a discussion of the eligibility potential for this feature. The amendments do not affect the mitigation (CUL-1) provided to avoid disturbance of the site.</p> <p>Response to 2) The Cultural/Historic Resources Inventory Report and the ECD have been modified in response to this comment. As described in the revised Cultural/Historic Resources Inventory Report, two of the sites within the APE do not appear eligible for inclusion in the NRHP and one of the sites does appear to be eligible for inclusion in the NRHP. Regardless of the eligibility of the sites for inclusion in the NRHP, all three sites will be avoided during project implementation. Therefore, a finding of "No Historic Properties Affected" appears appropriate for the Project. The revised Cultural/Historic Resources Inventory Report must be submitted to SHPO by the lead agency for concurrence.</p> <p>Deferred consultation with SHPO would not prohibit Placer County from conducting or authorizing nondestructive project planning activities before SHPO consultation is complete (CFR 36 800.1(c)).</p>