



WASHOE COUNTY

Integrity Communication Service

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STAFF REPORT

BOARD MEETING DATE: February 25, 2025

DATE: January 6, 2025

TO: Board of County Commissioners

FROM: Dwayne Smith, Division Director, Engineering & Capital Projects
Community Services, 775-328-2043, Desmith@washoecounty.gov

THROUGH: Eric Crump, Director, Community Services Dept., 775-328-3625,
ecrump@washoecounty.gov

SUBJECT: Recommendation to: (1) Accept a Project Funding Agreement between the State of Nevada acting by and through its Division of State Lands and the Fund to Protect Lake Tahoe funding agreement [in the amount of \$742,458.09 with a Washoe County cash/in-kind match in the amount of \$185,614.52 for this phase of the project] for the purpose of planning, permitting, and design (Phase I), of the Upper Third and Rosewood Creeks Water Quality Improvement Project, with funds identified for planning, design, and permitting to be fully expended by December 31st, 2026, and with provisions to receive additional funding for future phases of the project, subject to final approval by the Board of County Commissioners; (2) approve an Agreement for Professional Services between Washoe County and CDM Smith to provide design services for shoulder stabilization, new storm drain, drainage pattern impacts, and infiltration storm drain for portions of the Upper Third and Rosewood Creeks Water Quality Improvement Project in the amount of [\$742,458.09], and to support the Lake Tahoe Maximum Daily Load requirements to reduce the pollutant load in stormwater runoff; (3) authorize the County Manager to execute all funding agreement documents; and, (4) direct the Finance Office to make the necessary budget amendments. Community Services. (Commission District 1.)
FOR POSSIBLE ACTION.

SUMMARY

The Upper Third and Rosewood Creeks Water Quality Improvement Project (Project) supports erosion control by reducing fine sediment particles (FSP) from entering the Lake Tahoe environment. Community Services Department (CSD) recommends acceptance of the Participating Agreement #FTPLT24-001 from the Nevada Division of State Lands in the amount of \$742,458.09 [required match \$185,614.52] for the period of upon approval through December 31, 2026. This funding may be used to support Phase 1 of the Project,

which includes planning, design, and permitting. The agreement may be amended to fund the construction phase of the Project.

Water quality design elements for the Project may include storm drainpipes and manholes, concrete curb and gutter, shoulder stabilization, channel improvements, infiltration chambers, catch basins, water quality treatment basins, culvert improvements, rock slope protection and revegetation to control erosion and improve water quality.

Washoe County has benefited from previous funding directed through the Nevada Division of State Lands and under those previous funding agreements, is required to match the federal funds in the amount of 25%, which for this phase of the project is the amount of \$185,614.52. Washoe County plans to utilize the previously accepted Participating Agreement #23-PA-11051900-025 from the United States Department of Agriculture, Forest Service Region 5, Lake Tahoe Basin Management Unit, as well as Washoe County personnel salaries and wages associated with the management of this project to satisfy the match requirement.

In addition, CSD recommends approval of a professional services agreement with CDM Smith in the amount of \$742,458.09 to provide the design, engineering analysis, permitting, and environmental review of the Project. This was a qualifications-based selection with five respondents to the Request for Qualifications. The agreement is effective upon BCC approval and will extend to December 31, 2026.

Washoe County Strategic Objective supported by this item:

Fiscal Sustainability: Long-term sustainability.

PREVIOUS ACTION

On May 21, 2024, the Board of County Commissioners (Board) adopted the Washoe County Final budget for Fiscal Year 2025 as well as adopting the Capital Improvement Plan (CIP) for Fiscal Years 2025-2029.

On October 10, 2023, the Board approved the acceptance of Participating Agreement #23-PA-11051900-025 from the United States Department of Agriculture, Forest Service Region 5, Lake Tahoe Basin Management Unit in the amount of \$800,000.00, with required match of \$200,000.00, for the period of upon approval through June 30, 2026. The funding will be used to support design, planning, permitting, alternatives analysis, initial inspections, and construction bidding components of this Project.

BACKGROUND

Washoe County Community Services Department (CSD) continues its efforts to meet the Lake Tahoe TMDL (Total Maximum Daily Load) requirements established by the United States Environmental Protection Agency (EPA). The goal of the TMDL is to reduce the pollutant load in urban stormwater runoff that reaches Lake Tahoe. Within Nevada, the TMDL is implemented through an agreement approach, and in 2016, Washoe County

updated an ILA with NDEP to comply with obligations and commitments towards achieving the identified load reduction milestones and associated credit targets. Specifically, one of the requirements of the ILA is to maintain a five-year list of priority pollutant control projects to reduce sediment loading and to implement those projects. Additionally, the County commits to “oversee and coordinate financing for all aspects of pollutant control implementation including planning and design, construction, and activities related to Crediting Program participation. As an implementing entity, the County will pursue self-funded and external funding sources to implement the [projects].”

In further efforts to improve Lake Tahoe's water quality and transparency, Washoe County has participated in the Tahoe Regional Planning Agency Environmental Integrity Project (TRPA EIP) in the Lake Tahoe Basin since the program's inception. This has been done through implementing erosion control and water quality improvement projects and enhanced road maintenance practices within the County right-of-way to improve the water quality of urban storm runoff discharging to Lake Tahoe.

This project is highly connected to Lake Tahoe via Third and Rosewood Creeks and is a priority treatment area due to a relatively large baseline fine sediment particle load. The project proposes to install stormwater treatment Best Management Practices (BMPs) and shoulder stabilization within the existing Washoe County right-of-way and undeveloped USFS parcels, providing treatment for urban stormwater runoff to meet the Lake Tahoe total maximum daily load (TMDL). In further efforts to improve the water quality and transparency of Lake Tahoe, Washoe County has participated in the Tahoe Regional Planning Agency (TRPA) Environmental Improvement Plan (EIP) in the Lake Tahoe Basin since the inception of the program. This has been done through implementing erosion control and water quality improvement projects and enhanced road maintenance practices within the County right-of-way to improve the water quality of urban storm runoff discharging to Lake Tahoe.

The possibility exists for the County to pursue future state and/or federal funding for this project. If awarded, all funds will be applied only to the project's construction phase.

GRANT AWARD SUMMARY

Project/Program Name: Upper Third and Rosewood Creek Water Quality Improvement Project

Scope of the Project: Washoe County will contract with an engineering firm for professional services to include planning, permitting, design, alternatives analysis, initial inspections, and construction bidding for the project. The selected firm will plan and design targeted erosion control features and stormwater treatment facilities that may include shoulder stabilization, storm drains, catch basins, stormwater treatment facilities, infiltration features, curb and gutter, channel improvements, culvert improvements, water quality basins, and revegetation.

Benefit to Washoe County Residents: The project will continue to improve water

quality and clarity of Lake Tahoe through the design and construction of erosion control and stormwater treatment facilities. The project will help Washoe County meet the Federal and State requirements of the Lake Tahoe TMDL.

On-Going Program Support: Washoe County will be responsible for maintenance of any facilities constructed for a minimum of 20 years. Maintenance of stormwater features is currently provided by the CSD. The Department is pursuing potential funding opportunities and is working to develop strategies for on-going program support of the Lake Tahoe TMDL.

Award Amount: \$742,458.09, with provisions to receive additional funding for subsequent phases.

Grant Period: upon approval – December 31, 2026

Funding Source: Nevada Division of State Lands Tahoe Bond Funds

Pass Through Entity: N/A

CFDA Number: N/A

Grant ID Number: **FTPLT 24-001**

Match Amount and Type: \$185,614.52 or 25% total match (in-kind match).

Sub-Awards and Contracts: Washoe County will contract with an engineering firm for professional services to include planning, permitting, design, alternatives analysis, initial inspections and assistance with construction bidding of the project. Washoe County will release a public bid for the future construction phase under a different funding source, which will be advertised and awarded in accordance with Washoe County purchasing policies and procedures and any other requirements dependent on final funding sources. All Washoe County procurement requirements will be followed.

FISCAL IMPACT

Should the board accept Funding Agreement FTPLT 24-001 from the Nevada Division of State Lands Tahoe Bond Funds, in the amount of \$742,458.09, the FY25 adopted budget will be increased by a total of \$742,458.09 in the following accounts:

Cost Object	G/L Account	Amount
IO12482 – Upper Third Rosewood Creek WQIP PW925004	431100 – Federal Grants	\$742,458.09
IO12482 – Upper Third Rosewood Creek WQIP PW925004	818000 – Transfer to Intrafund	\$742,458.09
PW925004- Upper Third and Rosewood Creek WQI	781001 – Land Improvements Capital	\$742,458.09
PW925004- Upper Third and Rosewood Creek WQI	818000 – Transfer to Intrafund	\$(742,458.09)

There is a 25% match requirement for this grant. Washoe County plans to provide support for this project to meet this match requirement by using funding from the USFS, approved by the Board on October 23, 2023, under Participating Agreement #23-PA-11051900-025. (IO12266)

The grant funds will be requested on a reimbursement basis **quarterly**.

Indirect costs are not allowable in this grant award as no salary or wages are included in the grant budget.

RECOMMENDATION

It is recommended the Board of County Commissioners to: (1) Accept a Project Funding Agreement between the State of Nevada acting by and through its Division of State Lands and the Fund to Protect Lake Tahoe funding agreement [in the amount of \$742,458.09 with a Washoe County cash/in-kind match in the amount of \$185,614.52 for this phase of the project] for the purpose of planning, permitting, and design (Phase I), of the Upper Third and Rosewood Creeks Water Quality Improvement Project, with funds identified for planning, design, and permitting to be fully expended by December 31st, 2026, and with provisions to receive additional funding for future phases of the project, subject to final approval by the Board of County Commissioners; (2) approve an Agreement for Professional Services between Washoe County and CDM Smith to provide design services for shoulder stabilization, new storm drain, drainage pattern impacts, and infiltration storm drain for portions of the Upper Third and Rosewood Creeks Water Quality Improvement Project in the amount of [\$742,458.09], and to support the Lake Tahoe Maximum Daily Load requirements to reduce the pollutant load in stormwater runoff; (3) authorize the County Manager to execute all funding agreement documents; and, (4) direct the Finance Office to make the necessary budget amendments.. Community Services.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be: "Move to: (1) Accept a Project Funding Agreement between the State of Nevada acting by and through its Division of State Lands and the Fund to Protect Lake Tahoe funding agreement [in the amount of \$742,458.09 with a Washoe County cash/in-kind match in the amount of \$185,614.52 for this phase of the project] for the purpose of planning, permitting, and design (Phase I), of the Upper Third and Rosewood Creeks Water Quality Improvement Project, with funds identified for planning, design, and permitting to be fully expended by December 31st, 2026, and with provisions to receive additional funding for future phases of the project, subject to final approval by the Board of County Commissioners; (2) approve an Agreement for Professional Services between Washoe County and CDM Smith to provide design services for shoulder stabilization, new storm drain, drainage pattern impacts, and infiltration storm drain for portions of the Upper Third and Rosewood Creeks Water Quality Improvement Project in the amount of [\$742,458.09], and to support the Lake Tahoe Maximum Daily Load requirements to reduce the pollutant load in stormwater runoff; (3) authorize the County Manager to execute all funding agreement documents; and, (4) direct the Finance Office to make the necessary budget amendments. Community Services."