

N F
Comm Dev
Lyndia Tealia

STATE BOND EROSION CONTROL

FILED
2000.145

PROJECT AGREEMENT

'00 NOV -1 P12:19

Participant DOUGLAS COUNTY IN BEHALF OF KINGSBURY GID Project Number TBA995A-004A REED

Project Title LOWER KINGSBURY EROSION CONTROL *[Signature]* CLERK
DEPUTY

Period Covered By This Agreement 09/08/98 TO 11/15/2001

Tax ID Number 88-6000031

PROJECT SCOPE (Description of Project)

DECREASE RUN-OFF AND SEDIMENT IN THE LOWER KINGSBURY AREA EDGEWOOD AND BURKE CREEKS BY INSTALLING SUCH PRACTICES AS:

1. CMP
2. DROP INLETS
3. AC SWALES
4. SEDIMENT BASINS
5. CONCRETE C & G'S
6. RETAINING WALLS
7. ROCK RIP-RAP
8. REVEGETATION

Project Cost

Total Cost	\$	<u>1,773,787.00</u>
State Costs	\$	<u>1,330,340.00</u>
Local Costs	\$	<u>443,447.00</u>

The following attachments are hereby incorporated into this agreement:

1. Project Application and Attachments
2. Q12 REGULATIONS LCB FILE # R222-97

The State of Nevada, represented by the Division of State Lands (DIVISION), and the Participant named above, mutually agree to perform this Agreement with the terms, promises, conditions, plans, specifications, estimates, procedures, project proposals, maps, and assurances attached hereto and hereby made a part hereof.

In the event the Participant does not make available to the DIVISION all necessary information to process the project within (6) six months from the date of this Agreement, this Agreement is null and void.

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The Participant hereby promises, in consideration of the promises made by the DIVISION herein, to execute the project described above in accordance with the terms of this Agreement.

The following special project terms and conditions were added to this Agreement before it was signed by the parties hereto:

All erosion control work shall be maintained for 20 years after its completion. Failure to perform such maintenance shall require repayment of the grant amount for the pro-rate portion of the remaining life of the project not maintained.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date entered below.

SPECIAL CONDITIONS : DESIGN COSTS PRIOR TO PROJECT APPROVAL WILL BE ALLOWABLE COSTS. ALL WORK MUST BE NEW OR COMPLEMENT WORK DONE UNDER THE 1986 BOND ACT FUNDS.

STATE OF NEVADA

PARTICIPANT

(Name of Participant)

By [Signature]

By [Signature]

(Name)

(Name)

State Land Registrar

Chairman - Douglas County Commission

(Title)

(Title)

11/18/98

Oct 17, 2000

(Date)

(Date)

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PETER G. MORROS
Director
Department of Conservation
and Natural Resources

PAMELA B. WILCOX
Administrator

KENNY C. GUINN
Governor



State Land Office
State Land Use Planning Agency

Address Reply to

Division of State Lands
333 W. Nye Lane, Room 118
Carson City, Nevada 89706-0857
Phone (775) 687-4363
Fax (775) 687-3783

STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
Division of State Lands

September 20, 2000

Ron Roman
Associate Engineer
Douglas County Community Development
1594 Esmeralda Ave.
Minden, NV 89423

Subject: Lower Kingsbury Erosion Control Project
Tahoe Bond Act # 993-004

Dear Mr. Roman:

Congratulations to Kingsbury GID and Douglas County for acquiring the final match necessary from the USFS for the Lower Kingsbury Erosion Control Project. Due to the delay in acquiring the match, the current funding agreement expiration needs to be extended.

I hereby amend the Project Agreement for Lower Kingsbury erosion control project TBA 993-004 with a new "Period Covered" from 09/08/1998 to 12/15/2003. This change is necessary in order to complete the project including revegetation.

I am looking forward to completing this project in the Kingsbury GID area. Thank you for your participation in the Nevada Tahoe Bond Act and the Environmental Improvement Program at Lake Tahoe.

Sincerely,

A handwritten signature in black ink, appearing to read "Pam Wilcox".

PAM WILCOX
State Lands Administrator

Email Kingsbury GID
Email Jim Lawrence

RECEIVED

SEP 26 2000

DOUGLAS COUNTY
COMMUNITY DEVELOPMENT

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STATE BOND GRANT PRE-APPLICATION

Please type or print clearly

I. GENERAL INFORMATION - PROJECT

A. PROJECT TITLE Lower Kingsbury Erosion Control Project

B. PROJECT LOCATION See Attached
ATTACH USGS 7.5 MIN. MAP IDENTIFYING LOCATION

C. BRIEF DESCRIPTION Installation of erosion control improvements such as rock-lined ditches, drop inlets, asphalt concrete swale and sediment basins to decrease run-off and sediment to the Edgewood and Burke Creek tributary areas.

D. HOW FAR ALONG IS PROJECT IN DEVELOPMENT? Pre-design
has been completed.

II. GENERAL INFORMATION - APPLICANT

A. NAME Kingsbury General Improvement District
ADDRESS P.O. Box 2220
Stateline, NV 89449
PHONE NUMBER 588-3548

B. OWNER OF PROPERTY Most of the construction would be with in the Douglas County right-of-way.

C. IF APPLICANT IS NOT OWNER OF PROPERTY, DESCRIBE APPLICANT'S INTEREST. Kingsbury GID is responsible for drainage and erosion control within the right-of-way.

III. BUDGET OVERVIEW

A. ESTIMATE 75% BOND REQUEST \$1,330,340

ESTIMATE 25% MATCH 443,447

ESTIMATED TOTAL PROJECT COST 1,773,787

B. PROPOSED METHOD OF FINANCING 25% MATCH

1. CASH 443,447

2. IN -KIND _____


3. OTHER _____

TOTAL MATCH 443,447

V. SIGNATURE PAGE

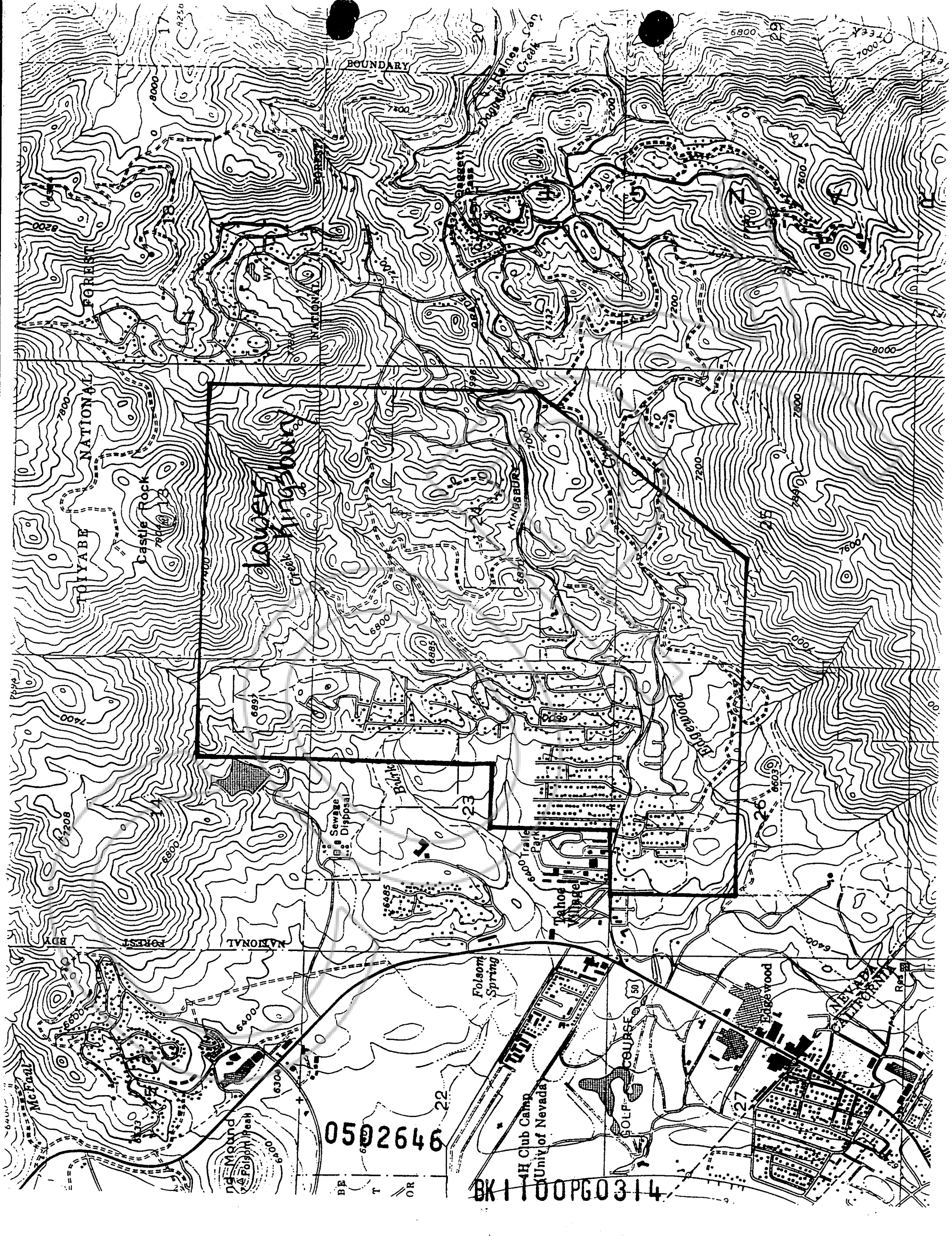
On behalf of Kingsbury General Improvement District and Douglas County requests this application be considered for financial assistance under the grant program.

Douglas County
(Applicant typed name)

		<u>2/27/98</u>	Applicant
Representative Signature	Title	Date	
Joseph R. Nunes	Director Community Development		

(Signature of party with proposal)

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BOUNDARY

NATIONAL FOREST

TOiyabe NATIONAL FOREST

Castle Rock

Lovely Kingsbury

Sewage Disposal

Bank

Tahoe Village

Edgewood

Folsom Spring

McFalls

McFalls Peak

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4H Club Camp
Univ of Nevada

GOLF COURSE

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BE T OR

LOWER KINGSBURY EROSION CONTROL PROJECT KINGSBURY GENERAL IMPROVEMENT DISTRICT

I. BACKGROUND

In the Fall of 1995 and the Spring of 1996 Kingsbury General Improvement District (KGID) conducted a study (KGID Study) of the erosion and drainage problems that then existed within the boundaries of the District. This study identified specific sites and recommended solutions to the various problems. Since that time some of these problems have been corrected with District funds, however, many are yet to be addressed. In January, 1997 the Tahoe Regional Planning Agency published their report titled "Draft Environmental Improvement Program for the Lake Tahoe Region" (TRPA-EIP). That program incorporated the various community plans as well as the 208 Water Quality Plan. The TRPA-EIP also identified specific problem sites within the boundaries of Kingsbury General Improvement District.

Both the KGID Study and the TRPA-EIP identified problems such as Cut Slopes, Sediment Generation Sites, Possible Runoff Treatment Locations, Road Shoulder Problems, Unlined Ditches or Swales and General Drainage Problems. Approximately 60% of these problems within Lower Kingsbury contribute runoff and sediment to the Edgewood Creek tributary area with the remaining 40% contributing to the Burke Creek tributary area.

A list of project sites was compiled and field investigations of each of these sites were made to determine the work necessary to complete the corrections of these problem areas. Conceptual engineering designs were completed to determine an estimated cost and a final evaluation of each project was conducted to ensure compliance with the guidelines of the 1996 Nevada State Bond Act Program. From this work a listing of projects within the Lower Kingsbury Area was established. This list follows under the title of Project Sites.

In accordance with the Tahoe Bond Act Project Criteria, all proposed curb and gutter provides a necessary channel to convey runoff to a new or existing treatment device and eliminates the drainage pathway erosion which is currently occurring.

II. PROJECT SITES

1. Cedar Drive between Terrace View Drive & Summit Drive (East Side)
2. Cedar Drive between Terrace View Drive & Summit Drive (West Side)
3. Summit Drive @ Chimney Rock Road (South Side)
4. Terrace View Drive @ Summit Drive (East Side)
5. Terrace View Drive @ Summit Drive (West Side)
6. Terrace View Drive @ Ridge Drive (East Side)

7. Chimney Rock Road between Summit Drive & Sherwood Court (East Side)
8. Sherwood Drive @ Chimney Rock Road (North Side)
9. Sherwood Drive @ Chimney Rock Road (South Side)
10. Sunset Court (Northeast Side)
11. Sherwood Drive @ Terrace View Drive (North Side)
12. Terrace View Drive @ Kingsbury Circle (West Side)
13. Kingsbury Circle between Terrace View Drive and Pony Express Way (East Side)
14. Hall Court (East Side)
15. Hall Court (West Side)
16. Robert Way @ Chimney Rock Road (North & South Side)
17. Chimney Rock Road between Robert Way & Reinken Lane (East Side)
18. Juniper Drive @ Kingsbury Grade (East & West Side)
19. Charles Avenue @ Juniper Drive (North Side)
20. Charles Avenue (South Side) & Juniper Drive (West Side)
21. Meadow Lane @ Kingsbury Grade (East Side)
22. Thomas Lane (North Side) & Cottonwood Drive (West Side)
23. Thomas Lane (South Side)
24. Cottonwood Drive @ Kingsbury Grade (East Side)
25. Cottonwood Drive @ Kingsbury Grade (West Side)
26. Pine Ridge Drive (West Side)
27. Laurel Circle @ Laurel Lane Intersection (Northeast Corner)
28. Sequoia Drive (West Side)
29. Daggett Way (North Side)
30. Cypress Lane (South Side) & Daggett Way (East Side)
31. Palasades Drive (East Side)
32. Palasades Drive (West Side)
33. Edgewood Drive (North Side)
34. Panorama Drive (West Side)
35. Vista Drive @ Panorama Drive (South Side)
36. Easy Street (West Side)
37. Easy Street (East Side)
38. MacKay Court (North & South Side)
39. Terrace View Drive @ Chimney Rock Road (North & South Side)
40. Terrace View Drive @ Cedar Drive (North Side)
41. Terrace View Drive from Summit Drive to Pleasant Court (East Side)
42. Pleasant Court (South Side)
43. Chimney Rock from Summit Drive to Sherwood Court (East Side)
44. Chimney Rock from Granite Court to Sunset Court (East Side)
45. Chimney Rock Road from Robert Way to Pine Drive (East & West Side)
46. Terrace View Drive from Sherwood Drive to Kingsbury Circle (East & West Side)
47. Kingsbury Circle (South Side)
48. Terrace View Drive @ Kingsbury Grade (North Side)
49. Hall Court @ Pony Express Way (East Side)
50. Pine Drive @ Reinken Lane (East & West Side)

51. Juniper Drive north of William Lane (North Side)
52. Meadow Lane from Thomas Lane to Kingsbury Grade (East Side)
53. Laurel Lane east of Laurel Circle (North Side)
54. Laurel Lane @ Highlands Drive (North Side)
55. Laurel Lane west of Highlands Drive (North Side)
56. Meadow Drive @ Kingsbury Grade (East & West Side)
57. Meadow Drive south of Granite Springs Drive (South Side)
58. Delissa Court (West Side)
59. Easy Street @ Edgewood Drive (South Side)
60. Crestview Drive west of Pinecone Terrace (North Side)
61. Panorama Drive (South Side)

III. OPINION OF PROBABLE COSTS

Enclosed with this application is a spread sheet showing all project sites and the associated construction items, quantities, unit prices and total costs for each site. A summary of these costs is given below along with the additional support costs.

<u>ITEM</u>	<u>QUANTITY</u>	<u>UNIT PRICE</u>	<u>TOTAL</u>
1. CMP	1,284 LF	\$55.00	\$70,620
2. Drop Inlet	16 EA	2,200.00	35,200
3. AC Swale	13,073 LF	27.00	352,971
4. Sediment Basin	13 EA	3,000.00	39,000
5. Concrete C&G	2,351 LF	30.00	70,530
6. Retaining Wall	2,059 LF	150.00	308,850
7. Rock Rip-Rap	3,380 SY	75.00	253,500
8. Revegetation	95,000 SF	0.60	<u>57,000</u>
CONSTRUCTION TOTAL			\$1,187,671
Mobilization (10%)			\$118,767
Contingency (10%)			\$118,767
Engineering/Admin. (25%)			<u>\$296,918</u>
PROJECT TOTAL			\$1,722,123

IV. SITE LOCATION PLAN

Attached to this application is a site location plan. This plan gives the individual sites that have been combined to make up this project. Heavy lines on the plan denote the location and approximate extent of the proposed improvements.

LOWER KINGSBURY PROJECT KINGSBURY GENERAL IMPROVEMENT DISTRICT

ENGINEER'S OPINION OF PROBABLE COST (SHEET 1 OF 2)

June 2000

SITES	ROCK LINED DITCH		CMP		DROP INLET		ASPHALT CONCRETE SWALE		SEDIMENT BASIN		CONCRETE		
	QUANTITY (LF)	UNIT PRICE (\$)	TOTAL (\$)	QUANTITY (LF)	UNIT PRICE (\$)	TOTAL (\$)	QUANTITY (EA)	UNIT PRICE (\$)	TOTAL (\$)	QUANTITY (EA)	UNIT PRICE (\$)	TOTAL (\$)	QUANTITY (LF)
1 Cedar Drive			\$0.00			\$0.00	532	\$27.00	\$14,384.00			\$0.00	
2 Cedar Drive			\$0.00			\$0.00	542	\$27.00	\$14,634.00			\$0.00	
3 Summit Drive			\$0.00			\$0.00	117	\$27.00	\$3,159.00			\$0.00	
4 Terrace View Drive			\$0.00			\$0.00	224	\$27.00	\$6,048.00			\$0.00	
5 Terrace View Drive			\$0.00			\$0.00	254	\$27.00	\$6,858.00			\$0.00	
6 Terrace View Drive			\$0.00			\$0.00			\$0.00	1	\$3,000.00	\$3,000.00	184
7 Chimney Rock Road			\$0.00			\$0.00			\$0.00			\$0.00	
8 Sherwood Drive			\$0.00			\$0.00	653	\$27.00	\$17,631.00	1	\$3,000.00	\$3,000.00	
9 Sherwood Drive			\$0.00			\$0.00	700	\$27.00	\$18,900.00	1	\$3,000.00	\$3,000.00	
10 Sunset Court			\$0.00			\$0.00			\$0.00			\$0.00	
11 Sunset Court			\$0.00			\$0.00	328	\$27.00	\$8,856.00			\$0.00	
12 Terrace View Drive			\$0.00			\$0.00	428	\$27.00	\$11,556.00			\$0.00	
13 Kingsbury Circle			\$0.00			\$0.00	1154	\$27.00	\$31,158.00			\$0.00	120
14 Hall Court			\$0.00			\$0.00	617	\$27.00	\$16,659.00			\$0.00	
15 Hall Court			\$0.00			\$0.00	669	\$27.00	\$18,163.00	1	\$3,000.00	\$3,000.00	
16 Robert Way			\$0.00			\$0.00	547	\$27.00	\$14,769.00			\$0.00	
17 Chimney Rock Road			\$0.00			\$0.00			\$0.00			\$0.00	432
18 Juniper Drive			\$0.00			\$0.00	259	\$27.00	\$6,993.00			\$0.00	
19 Charles Avenue			\$0.00			\$0.00	249	\$27.00	\$6,723.00			\$0.00	
20 Charles Avenue			\$0.00			\$0.00	65	\$27.00	\$1,755.00			\$0.00	
21 Meadow Lane			\$0.00			\$0.00	460	\$27.00	\$12,420.00			\$0.00	
22 Thomas Lane			\$0.00			\$0.00	348	\$27.00	\$9,396.00			\$0.00	
23 Thomas Lane			\$0.00			\$0.00	104	\$27.00	\$2,808.00			\$0.00	
24 Cottonwood Drive			\$0.00			\$0.00	589	\$27.00	\$15,903.00			\$0.00	
25 Cottonwood Drive			\$0.00			\$0.00	703	\$27.00	\$18,981.00			\$0.00	
26 Pine Ridge Drive			\$0.00			\$0.00			\$0.00	1	\$3,000.00	\$3,000.00	
27 Laurel Circle			\$0.00			\$0.00	420	\$27.00	\$11,340.00			\$0.00	
28 Sequoia Drive			\$0.00			\$0.00	324	\$27.00	\$8,748.00			\$0.00	
29 Daggert Way			\$0.00			\$0.00	620	\$27.00	\$16,740.00			\$0.00	
30 Cypress Lane			\$0.00			\$0.00	353	\$27.00	\$9,531.00			\$0.00	
31 Palisades Drive			\$0.00			\$0.00	358	\$27.00	\$9,666.00			\$0.00	
32 Palisades Drive			\$0.00			\$0.00	493	\$27.00	\$13,311.00	1	\$3,000.00	\$3,000.00	
33 Edgewood Drive			\$0.00			\$0.00	284	\$27.00	\$7,668.00			\$0.00	
34 Panorama Drive			\$0.00			\$0.00	122	\$27.00	\$3,294.00			\$0.00	
35 Vista Drive			\$0.00			\$0.00	241	\$27.00	\$6,507.00			\$0.00	
36 Easy Street			\$0.00			\$0.00	266	\$27.00	\$7,182.00			\$0.00	
37 Easy Street			\$0.00			\$0.00			\$0.00			\$0.00	
TOTALS	0		\$0.00	1090		\$59,950.00	13073		\$352,971.00	7		\$21,000.00	756

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LOWER KINGSBURY PROJECT KINGSBURY GENERAL IMPROVEMENT DISTRICT

ENGINEER'S OPINION OF PROBABLE COST (SHEET 1 OF 2)

June 2000

SITES	ROCKLINED DITCH		CMP		DROP INLET		ASPHALT CONCRETE SWALE		SEDIMENT BASIN		CONCRETE		
	QUANTITY (LF)	UNIT PRICE (\$)	TOTAL (\$)	QUANTITY (LF)	UNIT PRICE (\$)	TOTAL (\$)	QUANTITY (EA)	UNIT PRICE (\$)	TOTAL (\$)	QUANTITY (EA)	UNIT PRICE (\$)	TOTAL (\$)	QUANTITY (LF)
1 Cedar Drive		\$0.00	\$0.00			\$0.00	532	\$27.00	\$14,364.00			\$0.00	
2 Cedar Drive		\$0.00	\$0.00			\$0.00	542	\$27.00	\$14,634.00			\$0.00	
3 Summit Drive		\$0.00	\$0.00			\$0.00	117	\$27.00	\$3,159.00			\$0.00	
4 Terrace View Drive		\$0.00	\$0.00			\$0.00	224	\$27.00	\$6,048.00			\$0.00	
5 Terrace View Drive		\$0.00	\$0.00			\$0.00	264	\$27.00	\$7,128.00			\$0.00	
6 Terrace View Drive		\$0.00	\$0.00			\$0.00			\$0.00	1	\$3,000.00	\$3,000.00	184
7 Chimney Rock Road		\$0.00	\$0.00			\$0.00	653	\$27.00	\$17,631.00			\$0.00	
8 Sherwood Drive		\$0.00	\$0.00			\$2,200.00	700	\$27.00	\$18,900.00			\$3,000.00	
9 Sherwood Drive		\$0.00	\$0.00			\$2,200.00			\$0.00	1	\$3,000.00	\$3,000.00	
10 Sunset Court		\$0.00	\$0.00			\$0.00	328	\$27.00	\$8,856.00			\$0.00	
11 Sherwood Drive		\$0.00	\$0.00			\$0.00	428	\$27.00	\$11,556.00			\$0.00	
12 Terrace View Drive		\$0.00	\$0.00			\$2,200.00	1154	\$27.00	\$31,158.00			\$0.00	
13 Kingsbury Circle		\$0.00	\$0.00			\$2,200.00	617	\$27.00	\$16,659.00			\$0.00	120
14 Hall Court		\$0.00	\$0.00			\$2,200.00	889	\$27.00	\$23,913.00			\$0.00	
15 Hall Court		\$0.00	\$0.00			\$2,200.00			\$0.00	1	\$3,000.00	\$3,000.00	
16 Robert Way		\$0.00	\$0.00			\$4,400.00	547	\$27.00	\$14,769.00			\$0.00	
17 Chimney Rock Road		\$0.00	\$0.00			\$2,200.00	259	\$27.00	\$7,023.00			\$0.00	452
18 Juniper Drive		\$0.00	\$0.00			\$0.00	249	\$27.00	\$6,723.00			\$0.00	
19 Charles Avenue		\$0.00	\$0.00			\$0.00	85	\$27.00	\$2,295.00			\$0.00	
20 Charles Avenue		\$0.00	\$0.00			\$2,200.00	460	\$27.00	\$12,420.00			\$0.00	
21 Meadow Lane		\$0.00	\$0.00			\$0.00	348	\$27.00	\$9,396.00			\$0.00	
22 Thomas Lane		\$0.00	\$0.00			\$0.00	104	\$27.00	\$2,808.00			\$0.00	
23 Thomas Lane		\$0.00	\$0.00			\$0.00	589	\$27.00	\$15,903.00			\$0.00	
24 Cottonwood Drive		\$0.00	\$0.00			\$0.00	703	\$27.00	\$18,981.00			\$0.00	
25 Cottonwood Drive		\$0.00	\$0.00			\$2,200.00	420	\$27.00	\$11,340.00			\$0.00	
26 Pine Ridge Drive		\$0.00	\$0.00			\$2,200.00	324	\$27.00	\$8,748.00			\$0.00	
27 Laurel Circle		\$0.00	\$0.00			\$0.00	620	\$27.00	\$16,740.00			\$0.00	
28 Sequoia Drive		\$0.00	\$0.00			\$0.00	353	\$27.00	\$9,531.00			\$0.00	
29 Deggert Way		\$0.00	\$0.00			\$4,400.00	358	\$27.00	\$9,666.00			\$0.00	
30 Cypress Lane		\$0.00	\$0.00			\$0.00	483	\$27.00	\$13,141.00			\$0.00	
31 Palisades Drive		\$0.00	\$0.00			\$0.00	294	\$27.00	\$7,938.00			\$0.00	
32 Palisades Drive		\$0.00	\$0.00			\$0.00	122	\$27.00	\$3,294.00			\$0.00	
33 Edgewood Drive		\$0.00	\$0.00			\$0.00	241	\$27.00	\$6,507.00			\$0.00	
34 Panorama Drive		\$0.00	\$0.00			\$0.00	266	\$27.00	\$7,182.00			\$0.00	
35 Vista Drive		\$0.00	\$0.00			\$0.00			\$0.00	7	\$3,000.00	\$21,000.00	
36 Easy Street		\$0.00	\$0.00			\$0.00	13073		\$352,971.00			\$0.00	
37 Easy Street		\$0.00	\$0.00			\$28,600.00			\$0.00			\$0.00	
TOTALS	0		\$58,950.00	1080		\$28,600.00	13073		\$352,971.00	7		\$21,000.00	756

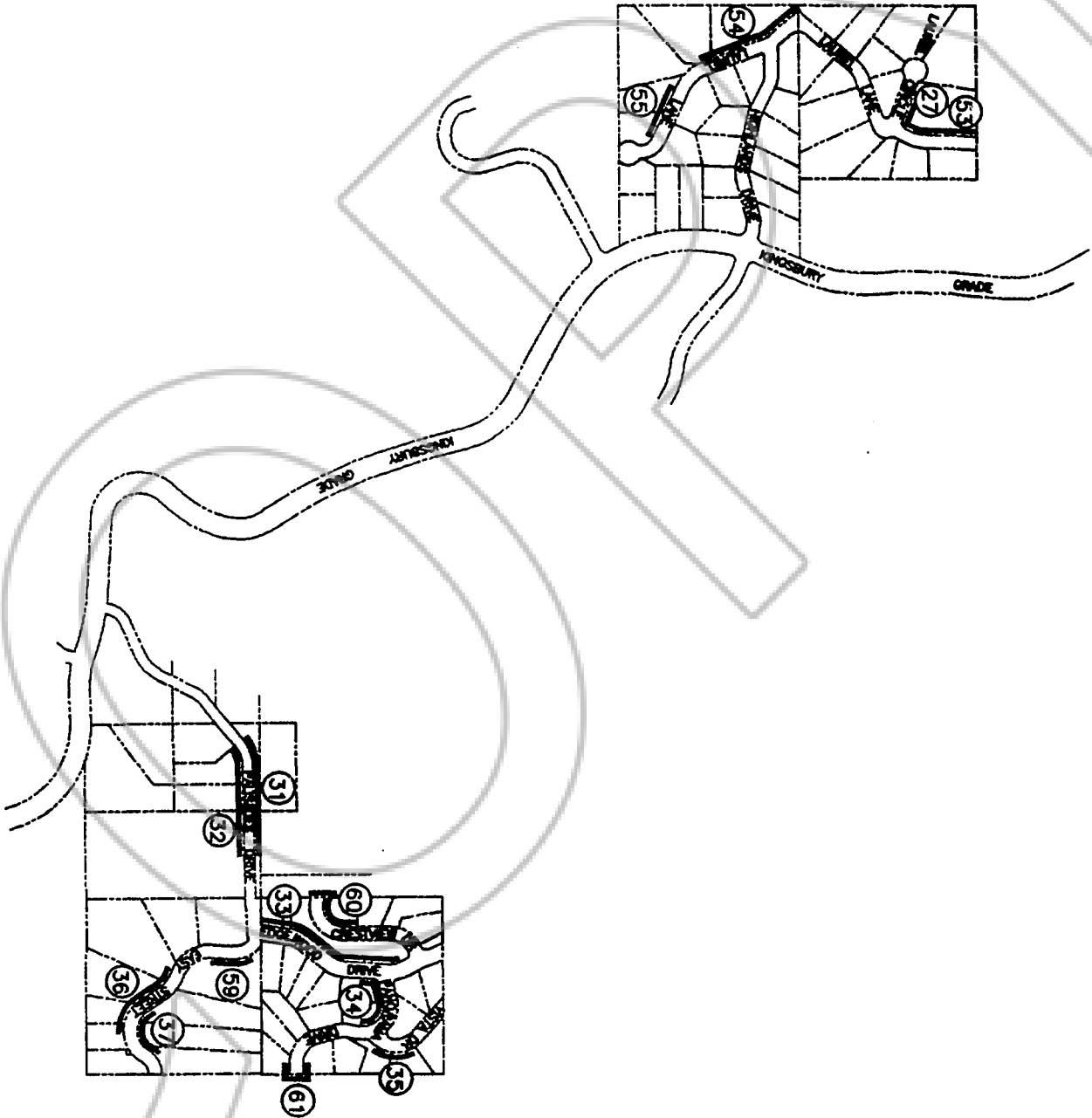
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SCALE: 1" = 500'

NOTE: HEAVY LINE DENOTES LOCATIONS OF PROJECT



P9719/LK.DWG JAN 14, 1997



LOWER KINGSBURY EROSION CONTROL PROJECT
KINGSBURY GENERAL IMPROVEMENT DISTRICT

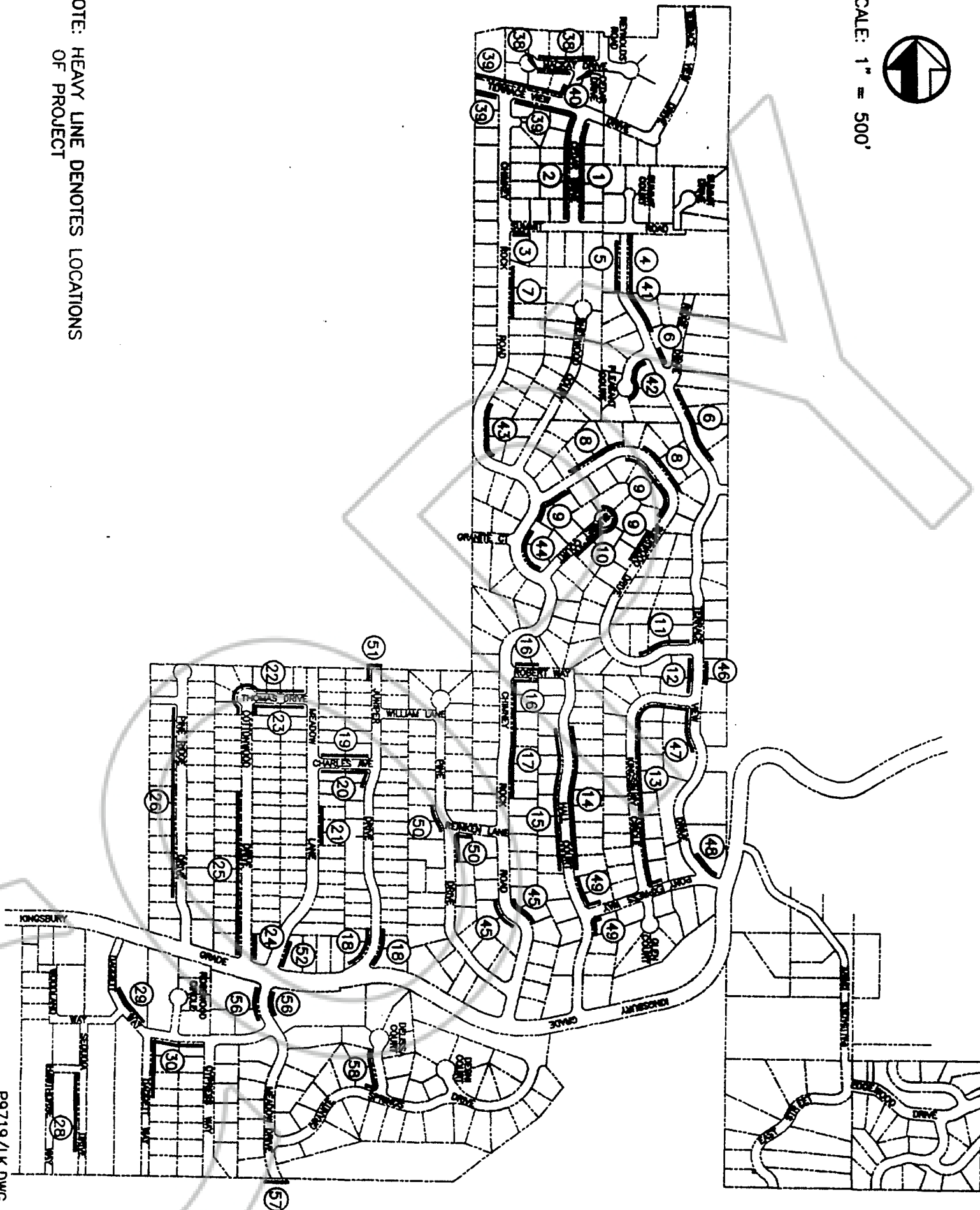
SHEET
2 OF 2

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BK1100P60321



SCALE: 1" = 500'



NOTE: HEAVY LINE DENOTES LOCATIONS OF PROJECT

P9719/LK.DWG JAN 14, 1997



LOWER KINGSBURY EROSION CONTROL PROJECT
KINGSBURY GENERAL IMPROVEMENT DISTRICT

SHEET
1 OF 2

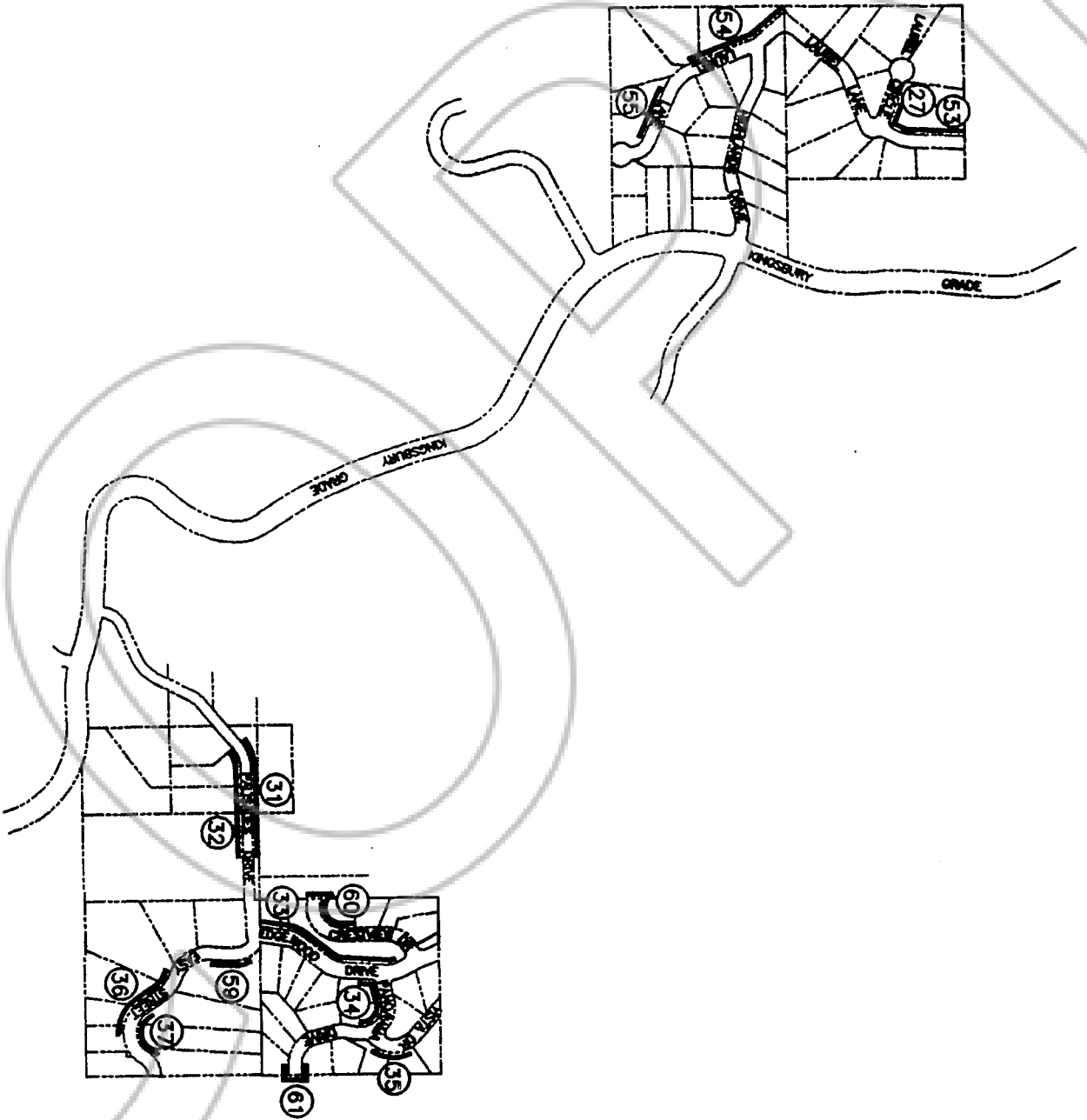
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SCALE: 1" = 500'

NOTE: HEAVY LINE DENOTES LOCATIONS
OF PROJECT



P9719/LK.DWG JAN 14, 1997



LOWER KINGSBURY EROSION CONTROL PROJECT
KINGSBURY GENERAL IMPROVEMENT DISTRICT

SHEET
2 OF 2

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BK1100PG0323

ADOPTED REGULATION OF
THE STATE LAND REGISTRAR

LCB File No. R222-97

Effective March 5, 1998

EXPLANATION - Matter in *italics* is new; matter in brackets [] is material to be omitted.

AUTHORITY: §§2-15, §2 of chapter 361, Statutes of Nevada, 1995 and NRS 548.360.

Section 1. Chapter 321 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 15, inclusive, of this regulation.

Sec. 2. *As used in sections 3 to 15, inclusive, of this regulation, the words and terms defined in sections 3 to 8, inclusive, of this regulation, have the meanings ascribed to them in those sections.*

Sec. 3. *"Committee" means the technical advisory committee established pursuant to section 7 of the "Cooperative Agreement" entered into by the division and the district on September 25, 1997.*

Sec. 4. *"District" means the Nevada-Tahoe Conservation District.*

Sec. 5. *"Division" means the division of state lands of the department of conservation and natural resources.*

Sec. 6. *"Eligible county" includes only:*

- 1. Carson City;*
- 2. Douglas County; and*
- 3. Washoe County.*

Sec. 7. "Matching contribution" means money or anything of value, including, without limitation, the use of personnel, materials or equipment of the applicant.

Sec. 8. "Project" means a project for the control of erosion or the restoration of natural watercourses in the Lake Tahoe Basin.

Sec. 9. 1. The "Cooperative Agreement" entered into by the division and the district on September 25, 1997, is hereby adopted by reference.

2. A copy of the "Cooperative Agreement" may be obtained without charge:

(a) In person, from the Division of State Lands, 333 West Nye Lane, Suite 118, Carson City, Nevada.

(b) By telephone, at (702) 687-4963.

(c) By mail, from the State Land Registrar, Division of State Lands, Capitol Complex, Carson City, Nevada 89710.

Sec. 10. 1. The state land registrar will award grants of money from the sale of general obligation bonds of this state issued pursuant to section 1 of chapter 361 of Statutes of Nevada, 1995, to the department of transportation and eligible counties pursuant to sections 10 to 15, inclusive, of this regulation.

2. Such money must be distributed as follows:

(a) Not more than one-third of the money may be allocated to projects of the department of transportation.

(b) At least two-thirds of the money must be allocated to projects of eligible counties. Such money must be divided approximately equally between projects for the control of erosion and projects for the restoration of natural watercourses.

3. *An applicant for a grant pursuant to sections 10 to 15, inclusive, of this regulation, shall provide a matching contribution to the project of not less than 25 percent of the total projected cost of the project for which the grant is being requested by the applicant.*

4. *The state land registrar will not award a grant pursuant to sections 10 to 15, inclusive, of this regulation, in an amount which exceeds 75 percent of the projected cost of the project.*

Sec. 11. 1. *The state land registrar will periodically solicit applications from eligible counties and the department of transportation for grants of money from the sale of general obligation bonds issued pursuant to section 1 of chapter 361 of Statutes of Nevada, 1995, and establish deadlines for the submission of such applications.*

2. *An application for such a grant must be submitted to the district and must include, without limitation:*

- (a) A completed application on a form provided by the district;*
- (b) The amount of money requested for the project;*
- (c) The total projected cost of the project;*
- (d) A detailed description of the project;*
- (e) Proof of any title to land, lease or easement that is required for the carrying out of the project;*
- (f) A map of the location of the project;*
- (g) A statement regarding the conformity of the project to all applicable local and regional land use plans;*

(h) *A plan for the operation and maintenance of the project for a period of not more than 20 years, including, without limitation, the identity of the person who will operate the project and provide the maintenance; and*

(i) *An itemized list of the costs of the project in accordance with the descriptions of work and unit prices set forth in the "Question 12 Project Cost Estimator" which is hereby adopted by reference. A copy of the "Question 12 Project Cost Estimator" may be obtained without charge:*

(1) *In person, at the United States Department of Agriculture, Natural Resources Conservation Service Tahoe Field Office, 870 Emerald Bay Road, Suite 108, South Lake Tahoe, California.*

(2) *By telephone, at (530) 541-1496.*

(3) *By mail, at the United States Department of Agriculture, Natural Resources Conservation Service Field Office, P. O. Box 10529, South Lake Tahoe, California 96158.*

Sec. 12. *The district shall:*

1. *Evaluate the feasibility of each project and its estimated costs and benefits pursuant to the criteria set forth in section 13 of this regulation. In its review of each project, the district shall use the technical advice of the committee.*

2. *Develop a preliminary list which ranks projects for which applications have been submitted in order of priority for each of the following categories:*

(a) *Projects of the department of transportation.*

(b) *Projects of eligible counties for the control of erosion.*

(c) *Projects of eligible counties for the restoration of natural watercourses.*

3. *Make the preliminary list of prioritized projects available for public review.*
4. *Conduct at least one public hearing regarding each preliminary list of prioritized projects. The district may revise each preliminary list after the public hearing.*
5. *Submit a final list of prioritized projects for each category of projects to the state land registrar with a written evaluation of each project which addresses the criteria set forth in section 13 of this regulation.*

Sec. 13. *The district shall evaluate each project pursuant to the following criteria:*

1. *The benefit to the water quality of Lake Tahoe, including, without limitation, whether the project:*
 - (a) *Will address a significant problem relating to soil erosion or water quality or both soil erosion and water quality;*
 - (b) *Will result in a quantifiable improvement in water quality;*
 - (c) *Is listed as a priority project in the "Water Quality Management Plan for the Lake Tahoe Region" or the "Environmental Improvement Program" of the Tahoe Regional Planning Agency; and*
 - (d) *Will reduce significantly the amount of untreated runoff that is currently being deposited in Lake Tahoe.*
2. *The adequacy of the design of the project, including, without limitation, whether the proposed project:*
 - (a) *Uses proven, effective and cost effective techniques to address the control of soil erosion and untreated runoff;*

(b) Restores and preserves vegetation and stream environmental qualities to the maximum extent possible;

(c) Uses improvements that reflect aesthetic considerations; and

(d) Uses bioengineering.

3. The comprehensive approach of the project, including, without limitation, whether all identifiable aspects of the problem of soil erosion in the project area or the watershed are covered in the project.

4. The long-term viability of the project.

5. The cost effectiveness of the project, including, without limitation, the potential of the project to attract financing in addition to the grant.

6. The ability of the applicant to carry out the project in a timely manner.

7. The ability of the portion of the project that will be paid for with money from the grant to achieve benefits to water quality independently of the other components of the project.

8. The ability of the project to be used as a model for future projects, including, without limitation, whether the project:

(a) Uses biotechnology; and

(b) Combines proven and innovative approaches.

9. The amount of cooperation and support for the project from persons other than the applicant, including, without limitation:

(a) Federal, state and local governmental agencies; and

(b) Private landowners.

10. *The amount of a matching contribution to the project that will be provided by the applicant which must equal at least 25 percent of the cost of the project.*

11. *The adequacy of the plan for maintenance of the project.*

Sec. 14. *The state land registrar and the recipient of a grant shall enter into an agreement, which must require that the recipient shall:*

1. *Provide a matching contribution to the proposed project of not less than 25 percent of the cost of the project; and*

2. *Operate and provide maintenance for the project for not more than 20 years after the project is completed.*

Sec. 15. 1. *Except as otherwise provided in subsection 2, the recipient of a grant pursuant to sections 10 to 15, inclusive, of this regulation, may use the money from the grant to pay for:*

(a) *All expenses related directly to the project, including, without limitation, expenses related to the design and construction of the project; and*

(b) *The administrative costs of the project, not to exceed 3 percent of the total cost of the project.*

2. *The recipient of a grant pursuant to sections 10 to 15, inclusive, of this regulation, may not use the money from the grant to pay for:*

(a) *Any planning activities which are not directly related to the design and engineering of the project;*

(b) *The purchase of new equipment;*

- (c) *The paving of curbs and gutters, unless the paving of curbs and gutters is recommended by the committee to remedy erosion;*
- (d) *The acquisition of land, unless such an acquisition is deemed by the state land registrar to be an integral component of the project;*
- (e) *Any work required by a public agency as mitigation or as a condition of the approval of any other project; and*
- (f) *Any component of the project that is deemed by the state land registrar to not benefit the public.*

COPY

CERTIFIED COPY

The document to which this certificate is attached is a full, true and correct copy of the original on file and on record in my office.

DATE: November 1, 2000
 B. REED Clerk of the 9th Judicial District Court
 of the State of Nevada, in and for the County of Douglas.
 By Carol Mullock Deputy

REQUESTED BY
DOUGLAS COUNTY
 IN OFFICIAL RECORDS OF
 DOUGLAS CO., NEVADA

2000 NOV -2 AM 11: 22

LINDA SLATER
 RECORDER

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Adopted Regulation R222-97

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