



RESOLUTION No. 18-579

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE CONTRACT BETWEEN THE COUNTY OF NEVADA AND ASCENT ENVIRONMENTAL INC. EXTENDING THE CONTRACT TERMINATION DATE TO DECEMBER 31, 2019

WHEREAS, the Board of Supervisors on July 11, 2017 approved Resolution 17-378, which authorized a contract between the County of Nevada and Ascent Environmental, Inc. pertaining to the preparation of an Initial Study (EIS16-003) consistent with the California Environmental Quality Act and, if warranted, a Mitigated Negative Declaration or Environmental Impact Report for Truckee Donner Land Trust (TDLT) Lake Van Norden Dam Spillway Notching project. The TDLT proposes a Use Permit (U16-003,) to notch the Lake Van Norden Dam to mitigate the risk of dam failure consistent with California Department of Water Resources Division Safety of Dams and to comply with the requirement of the Division of Water Rights by removing the ability to impound water for which TDLT does not have a water right. The environmental analysis also includes an assessment of a Management Plan (MGT16-010) addressing proposed disturbance to the riparian and wetlands of the headwaters of the South Yuba River, (collectively “the proposed Project”); and

WHEREAS, the expiration date for the Contract is on December 31, 2018, and the Environmental Impact Report (EIR) has not been completed thus requiring a renewal of the contract and extending the expiration date to December 31, 2019; and

WHEREAS, Ascent Environmental, Inc. has completed an Initial Study, the EIR Scoping process and the Administrative Draft EIR and remains within the scope and budget of the originally approved contract, as agreed to by the County and Applicant; and

WHEREAS, Ascent Environmental, Inc. remaining tasks to be completed in the next year will include the Draft EIR, receipt of public comment, cataloguing and responding to public comments, preparation of the Final EIR and participation in the public hearings to certify the Final EIR; and

WHEREAS, this contract amendment does not have additional financial impact; and

WHEREAS, there is sufficient budget available in the 2018/19 Planning Department budget 1123-20708-325-2000/521520.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the County Board of Supervisors:

1. Approves Contract Amendment No. 1 and authorizes the Chair of the Board of Supervisors to execute, on behalf of the County of Nevada, the Amendment between Nevada County and Ascent Environmental, Inc.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 11th day of December, 2018, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By:  _____

 _____
Edward Scofield, Chair

**AMENDMENT NO. 1 TO THE CONTRACT WITH
ASCENT ENVIRONMENTAL, INC.**

THIS AMENDMENT is executed this 11th day of December, 2018, by and between ASCENT ENVIRONMENTAL, INC. and COUNTY OF NEVADA. Said Amendment will amend the prior agreement between parties entitled "Preparation of an Initial Study, and either a Subsequent Mitigated Negative Declaration or an Environmental Impact Report for the proposed Lake Van Norden Spillway project in Soda Springs (EIS16-003) on behalf of the Truckee Donner Land Trust," executed on July 11, 2017 by Resolution No. 17-378.

WHEREAS, the parties desire to amend their agreement; and

WHEREAS, this amendment shall be effective when signed by both parties; and

NOW, THEREFORE, the parties hereto agree as follows:

1. Renew the contract by extending the expiration date from December 31, 2018 to December 31, 2019.
2. That in all other respects the prior agreement of the parties shall remain in full force and effect except as amended herein.

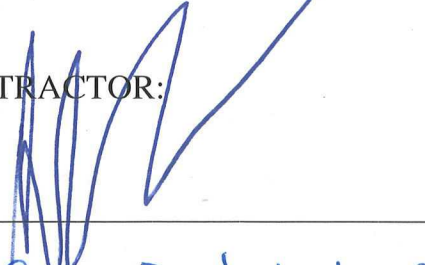
COUNTY OF NEVADA

BY: 
Honorable Ed Scofield
Chair of the Board of Supervisors

ATTEST:

By: 
Clerk of the Board of Supervisors

CONTRACTOR:

By: 
Title: Gary D. Jakobs, President
Environmental Ascent, Inc.