



California Tahoe Conservancy – U.S. Forest Service Proposed Land Exchange Questions and Answers

What does the proposed land exchange involve?

The California Tahoe Conservancy and the U.S. Forest Service are exploring the concept of a land exchange in which the Forest Service would transfer its urban lots to the Conservancy in exchange for larger parcels of general forest land.

What are urban lots?

Primarily through the 1980 Santini-Burton Act, the Forest Service acquired roughly 3,200 “urban intermix” lots totaling about 3,500 acres, including about 2,200 lots in California. In 1984, the Conservancy launched a similar program, initially funded by an \$85 million State Bond Act passed in 1982. The Conservancy has acquired over 4,850 parcels, totaling more than 6,500 acres. The two programs sought to acquire environmentally sensitive lands to mitigate the negative impacts of development on Lake Tahoe’s watersheds. Undeveloped parcels limit the increase in impervious surfaces within Lake Tahoe watersheds and provide the natural hydrologic function of undisturbed forest areas. They can slow the flow of water in between developed areas, reducing erosion, and provide opportunities for construction of erosion control structures. They provide wildlife habitat and can enhance neighborhoods by providing forested areas that filter noise and help screen and blend development into the natural surroundings.

What’s the problem with current urban lot management?

While urban lot acquisitions have protected thousands of acres from the threat of overdevelopment and related traffic congestion, and air and water quality impacts, they have also created a “checkerboard pattern” of state and federal ownership of small lots within most residential and commercial areas. This pattern has required both the Conservancy and the Forest Service to develop separate urban lot management programs, operating side-by-side in the same neighborhoods. The mixed ownerships are confusing to the public and to local agencies and public utilities and often require both state and federal environmental reviews and permitting processes for projects occurring on adjoining parcels.

In response to these concerns, a 2000 USDA Office of the Inspector General audit and several subsequent reports to Congress by the U.S. Department of Agriculture (parent agency to the Forest Service) have recommended a consolidation of public land ownerships in the Lake Tahoe Basin to improve management effectiveness and efficiency.

What are the benefits of the proposed exchange?

The proposed exchange would maximize the management efficiencies of both agencies. It would consolidate management of most urban lots on the California side of Lake Tahoe under the Conservancy, providing economies of scale for the Conservancy in building a program to maintain and improve forest health and fuels management, watershed restoration and recreation and public access opportunities on these parcels over the long-term.

The Forest Service would focus its management on larger, general forest parcels and eliminate its costly urban lots management program on the California side of the Lake. The exchange would eliminate a number of Conservancy inholdings surrounded by National Forest System lands, allowing the Forest Service to integrate those parcels seamlessly into its land management plan and better meet its environmental and recreation goals in the Lake Tahoe Basin.

The exchange would help to reduce public confusion over ownership of these parcels, streamline permitting and eliminate the need for police, fire, utility and other local agencies to negotiate multiple agreements for access to these lands.

Will existing protections and restrictions on the use of these parcels continue if the land exchange goes through?

Yes, both the Conservancy and the Forest Service will continue to manage the lands for conservation, recreation and public access. Almost all of the National Forest System lands to be transferred were acquired under the Santini-Burton Act, which stipulates that while these lands may be transferred to state or local governments, they must be deed restricted for conservation and public recreation purposes. The Forest Service will manage the lands it acquires in accordance with its land management plan, which does not provide for disposal (sale) of acquired lands. The Conservancy will manage the parcels it acquires in accordance with its current urban lots program, and will also maintain existing uses and protections.

How are the two agencies seeking to complete the exchange?

Federal requirements such as appraisals, title searches and hazmat surveys for each parcel make pursuing a land exchange under administrative procedures unfeasible. Therefore, both agencies have sought legislative language to streamline the exchange, recognizing that the transfers are of roughly equal value and between two management agencies for conservation purposes. Currently, language authorizing the exchange appears in both the House and Senate versions of the Lake Tahoe Restoration Act reauthorization (S. 1724 and H.R. 3382).