

California Tahoe Conservancy  
Agenda Item 8a  
June 16, 2016

**LAND ACQUISITIONS**

Recommended Action: Adopt Resolution 16-06-03 (Attachment 2) authorizing staff to expend up to \$116,000, and to take all other actions necessary to acquire fee or less-than-fee interest in two parcels (El Dorado County Assessor's Parcel Number (APN) 033-191-07 and Placer County APNs 112-120-059).

Location: El Dorado County APN 033-191-07 is located within and adjacent to the Upper Truckee River in the Country Club Heights subdivision at the intersection of U.S. Highway 50 and Sawmill Road, on the south shore of Lake Tahoe.

Placer County APN 112-120-059 is located within and adjacent to Snow Creek in the undeveloped portion of the Woodvista roadless subdivision, west of the Old Brockway Golf Course, on the north shore of Lake Tahoe.

Fiscal Summary: The recommended action includes up to \$116,000 in acquisition costs as follows: \$70,000 for El Dorado County APN 033-191-07 (Lake Tahoe Acquisition Fund), \$31,000 for Placer County APN 112-120-059 (Lake Tahoe Acquisition Fund and Proposition 84 Fund), and \$15,000 for survey and closing costs (Lake Tahoe Acquisition Fund and Proposition 84 Fund).

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Overview

**Description of Recommended Action**

Staff recommends the Board authorize the acquisition of the following land parcels, both of which fulfill California Tahoe Conservancy (Conservancy) Strategic Plan goals:

- One vacant parcel located in the Upper Truckee River floodplain (El Dorado County APN 033-191-07), "Upper Truckee River Parcel." The

purpose of the acquisition is to preserve open space in its natural condition, provide fish and wildlife habitat, provide Upper Truckee River public recreation access, and potentially provide restored soft land coverage rights to the Conservancy Land Bank or credit to the Environmental Improvement Program (EIP). This 1.85 acre parcel is non-buildable, includes one residential development right, and approximately one third of the parcel contains soft land coverage. The parcel was appraised for \$70,000. The owners are willing sellers at the appraised value. The title report shows a Deed of Trust, which must be cleared prior to close of escrow;

- One vacant .22 acre parcel located in a roadless subdivision in Snow Creek (Placer County APN 112-120-059), "Roadless Subdivision Parcel." The parcel includes one residential development right, and 98 square feet of potential land coverage. The acquisition purpose is to preserve open space and land in its natural condition, to preserve the watershed corridor, provide dispersed public recreation, and provide wildlife habitat. This property recently appraised at \$31,000, and the owners are willing sellers at the appraised value.

## **History**

### Upper Truckee River Parcel

The Upper Truckee River parcel is the only remaining parcel in private ownership along this section of the Upper Truckee River corridor. Acquisition will complete public land ownership along this section of the river corridor. The Conservancy owns the following adjacent SEZ parcels: Sunset Stables to the north, the former Elks Club Lodge to the southeast, and the boat launch area to the south, and across U.S. Highway 50 the former stilt house to the southwest and the four-plex to the west.

The Upper Truckee River parcel acquisition is important for Stream Environment Zone (SEZ) protection, fish and wildlife conservation, access to public lands and waters, and to maintain land in its natural condition.

### Roadless Subdivision Parcel

This parcel was previously approved for purchase by the Board on March 19, 2009. The subsequent bond freeze precluded the purchase of this and other

properties for several years. This parcel has no title exceptions. The development rights will be retired.

This parcel, located within an area of Woodvista subdivision, was never developed, and is considered "roadless." This acquisition fulfills the Strategic Plan to acquire roadless private parcels surrounded by public ownership. Approximately 84 percent of this area is in public ownership, and predominately owned by the Conservancy. Acquisition of the Roadless Subdivision Parcel will increase public ownership to 86 percent.

The Roadless Subdivision Parcel acquisition will prevent environmental damage to an area currently lacking any development, preserve access to public lands and waters, protect the Snow Creek SEZ, ensure wildlife conservation, and preserve land in its natural condition.

#### Both Proposed Acquisitions

Staff conducted site inspections for the proposed parcels to identify potential problems related to their physical condition. The parcels contain only minor conditions which can be addressed through the Urban Land Management Program. All of the owners are capable of transferring title. All monetary encumbrances are paid from sellers' proceeds prior to the close of escrow. Traditionally the Conservancy pays for escrow fees, title insurance, and other related closing costs.

Our site and title investigations to date indicate that there are no obvious management or title conditions which would preclude acquisition. However, the property corners will be found or located for both parcels possibly by a professional engineer or surveyor to verify the absence or location of encroachments. In addition, a Phase I Environmental Assessment will be prepared for the Upper Truckee River Parcel to determine historical use and confirm absence of potential hazardous conditions. This additional due diligence work will be completed prior to the Conservancy's entering into the property acquisition agreements for purchase and the costs are included in the closing costs referenced in the fiscal summary. If the landowners demonstrate that the work has already been performed or could be performed by a contractor hired by them and the results are shared, then the reasonable cost for the work may be reimbursed by the Conservancy through escrow (in the same manner as title and escrow costs) if acceptable site management and property boundary conditions are confirmed.

## **Financing**

The total acquisition cost is \$116,000. The funding sources are: \$70,000 in Lake Tahoe Acquisition Fund for the Upper Truckee River Parcel (El Dorado County APN 033-191-07), \$31,000 in Lake Tahoe Acquisition Fund and Proposition 84 Fund for the Roadless Subdivision Parcel (Placer County APN 112-120-059), and \$15,000 in Lake Tahoe Acquisition Fund and Proposition 84 for survey and closing costs.

## Authority

### Consistency with the **Conservancy's Enabling Legislation**

Acquisition is consistent with the Conservancy's enabling legislation. Specifically, Government Code section 66907 authorizes the Conservancy to "select and acquire real property or interests therein in the name of and on behalf of the state, for the purposes of protecting the natural environment, providing public access or public recreational facilities, preserving wildlife habitat areas, or providing access to, or management of acquired lands."

### **Consistency with the Conservancy's Strategic Plan**

The recommendation is consistent with the Strategic Plan (Strategy II) to acquire strategic parcels located in priority watersheds and roadless subdivisions.

### Consistency with the **Conservancy's Program Guidelines**

#### **Upper Truckee River Parcel**

The recommended action is consistent with the Conservancy's Land Acquisition criteria. Specifically, the acquisition is consistent with the Conservancy's authority to acquire real property for the purpose of protecting the natural environment through the Conservancy's Land Coverage Program and its Stream Environment Zone and Watershed Restoration Program. The acquisition is also consistent with the Conservancy's Land Acquisition criteria for providing public access and the Public Access and Recreation Program Guidelines as it provides access to regionally significant riverfront and natural areas along the Upper Truckee River which receive or can accommodate visitor use. Finally, the acquisition is consistent with the Conservancy's Land Acquisition criteria for preserving wildlife habitat areas and the Wildlife

Enhancement Program Guidelines because the parcel is located in a riparian area and provides suitable habitat for fish and wildlife.

### **Roadless Subdivision Parcel**

The recommended action is consistent with the Conservancy's Land Acquisition criteria. Specifically, the acquisition is consistent with the Conservancy's authority to acquire real property for the purpose of protecting the natural environment through the Conservancy's Environmentally Sensitive Lands Acquisition Program. The acquisition is also consistent with the Conservancy's Land Acquisition criteria for providing public access. Finally, the acquisition is consistent with the Conservancy's Land Acquisition criteria for preserving wildlife habitat areas and the Wildlife Enhancement Program Guidelines because the parcel is located in a riparian area and provides suitable habitat for wildlife.

Consistency with External Authorities

The roadless subdivision parcel recommended action is consistent with the EIP because it contributes to the implementation of EIP project #01.02.04.0001.

Compliance with the California Environmental Quality Act (CEQA)

### **Upper Truckee River Parcel**

Pursuant to the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), certain classes of activities are statutorily exempt from CEQA or are exempt because they have been determined by the Secretary for Natural Resources to have no significant effect on the environment. Pursuant to Public Resources Code sections 21001(f) and 21082, the Conservancy has also adopted regulations to implement, interpret, and make specific the provisions of CEQA. (Cal. Code Regs., tit. 14, § 12100 et seq.) Staff has evaluated the acquisition of the Upper Truckee River Parcel, and has found this acquisition is exempt under CEQA. The acquisition qualifies for a categorical exemption under State CEQA Guidelines section 15313 (acquisition of lands for wildlife conservation and public access purposes), and the Conservancy's CEQA regulations, section 12102.13. A Notice of Exemption (NOE) has been prepared (Attachment 3a). If the Board authorizes the acquisition, staff will file the NOE with the State Clearinghouse pursuant to State CEQA Guidelines, section 15062.

### **Roadless Subdivision Parcel**

Pursuant to the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), certain classes of activities are statutorily exempt from CEQA or are exempt because they have

been determined by the Secretary for Natural Resources to have no significant effect on the environment. Pursuant to Public Resources Code sections 21001(f) and 21082, the Conservancy has also adopted regulations to implement, interpret, and make specific the provisions of CEQA. (Cal. Code Regs., tit. 14, § 12100 et seq.) Staff has evaluated the acquisition of the Roadless Subdivision Parcel, and has found this acquisition is exempt under CEQA. The acquisition qualifies for a categorical exemption under State CEQA Guidelines section 15313 (acquisition of lands for wildlife conservation and public access purposes), and the Conservancy's CEQA regulations, section 12102.13. An NOE has been prepared (Attachment 3b). If the Board authorizes the acquisition, staff will file the NOE with the State Clearinghouse pursuant to State CEQA Guidelines, section 15062.

List of Attachments:

Attachment 1a - Location Map for Subject Parcels

Attachment 1b - Project Map for Upper Truckee River Parcel

Attachment 1c - Project Map for Roadless Subdivision Parcel

Attachment 2 - Resolution for Upper Truckee River and Roadless Subdivision parcels

Attachment 3a - Notice of Exemption for Upper Truckee River Parcel

Attachment 3b - Notice of Exemption for Roadless Subdivision Parcel

Conservancy Staff Contact:

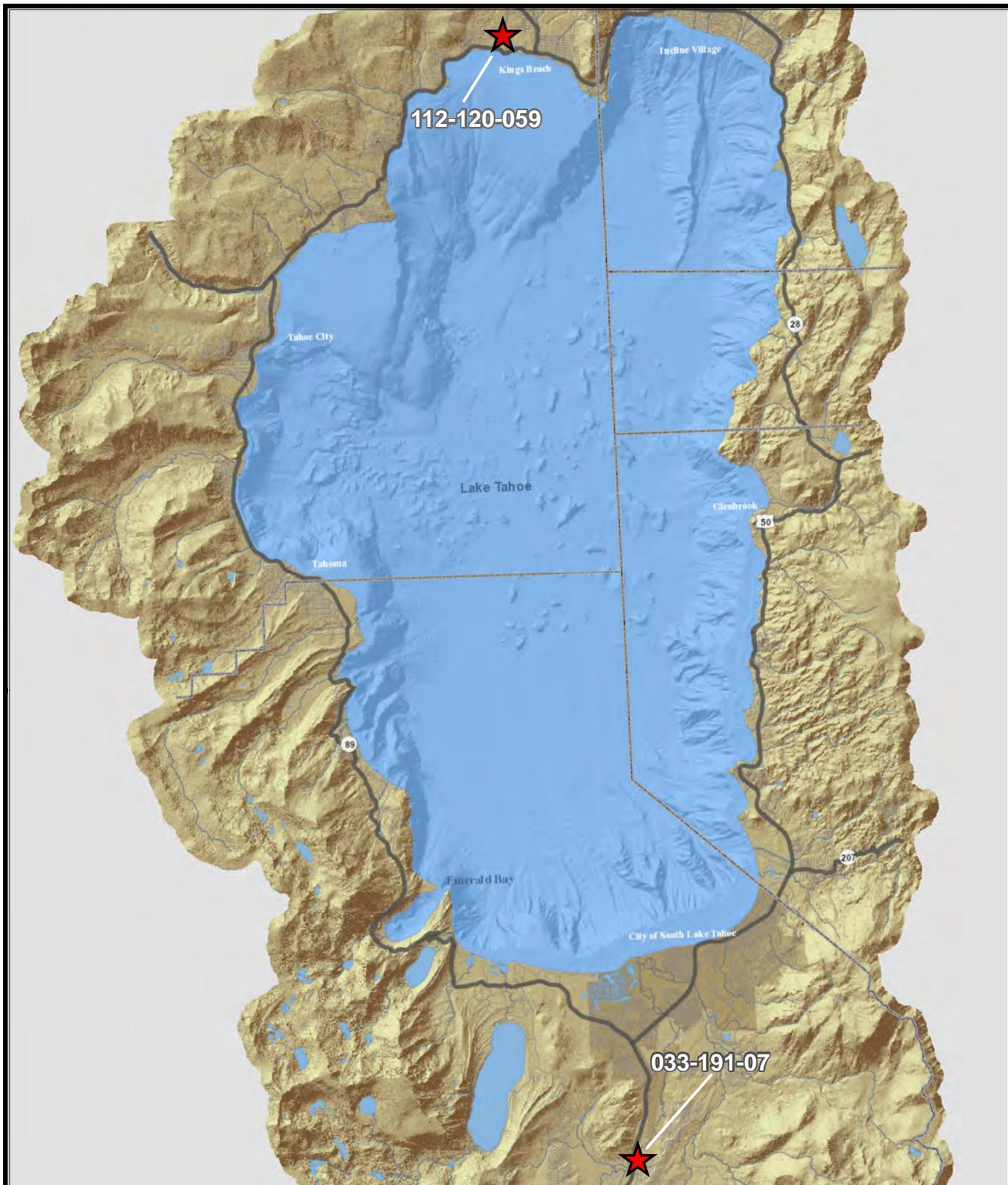
Amy Cecchettini

Phone: (530) 543-6033

Aimee Rutledge

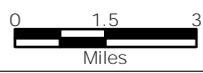
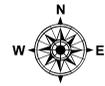
Phone: (530) 543-6067

ATTACHMENT 1a  
Location  
Land Acquisitions



**Items of Interest**

 Proposed Parcel Acquisitions



Sources:  
TRPA, CTC

California  
Tahoe Conservancy



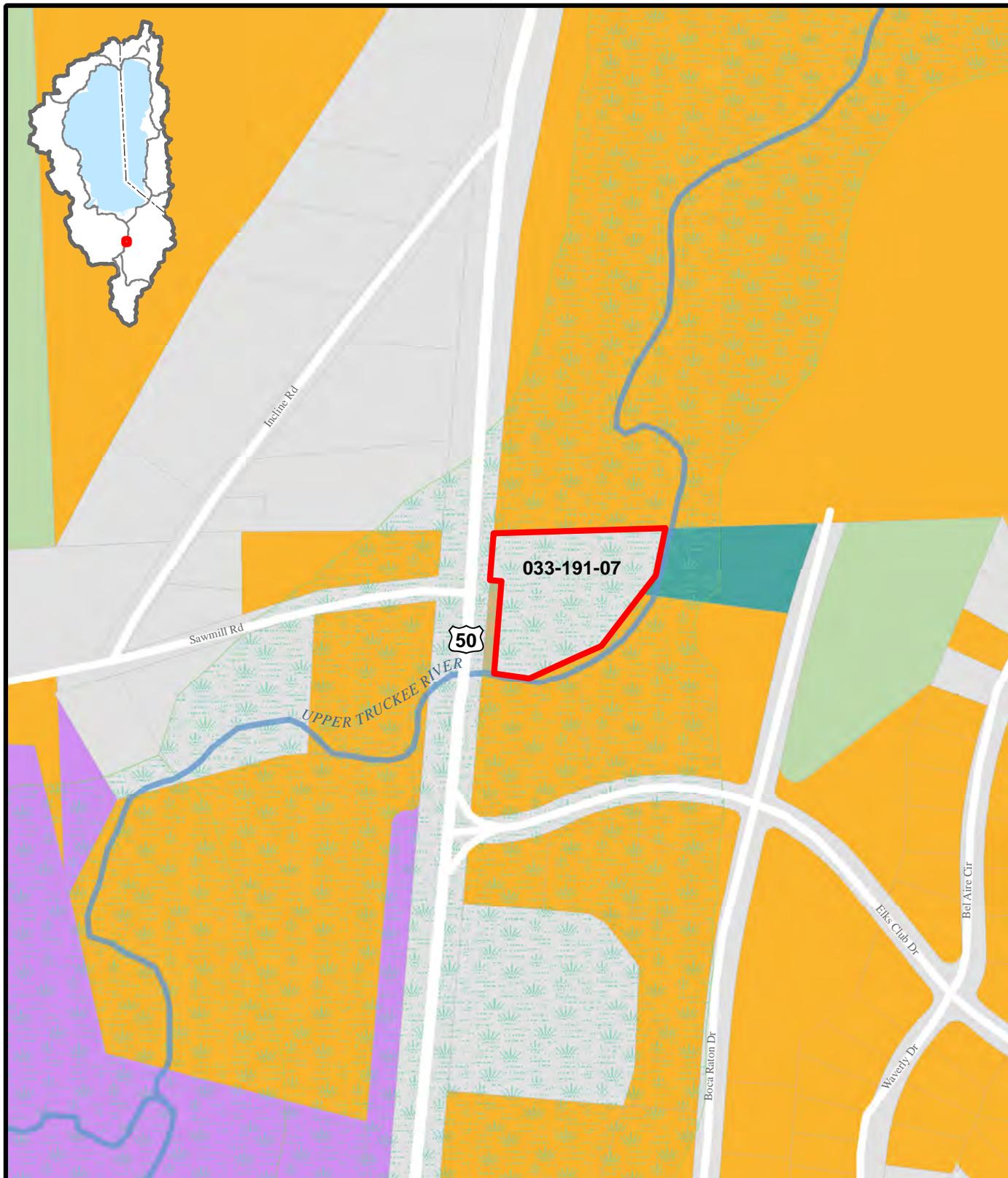
June 2016

\*Map for reference purposes only.

ATTACHMENT 1b

Project

Land Acquisitions



**Proposed Items**

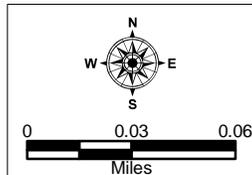
 Proposed Acquisition

**Supporting Features**

 Stream Environment Zone

**Ownership**

-  CA Tahoe Conservancy
-  CA Dept of Parks and Recreation
-  CA Dept of Transportation
-  El Dorado County
-  Private
-  US Forest Service



Sources:  
TRPA, CTC

California  
Tahoe Conservancy



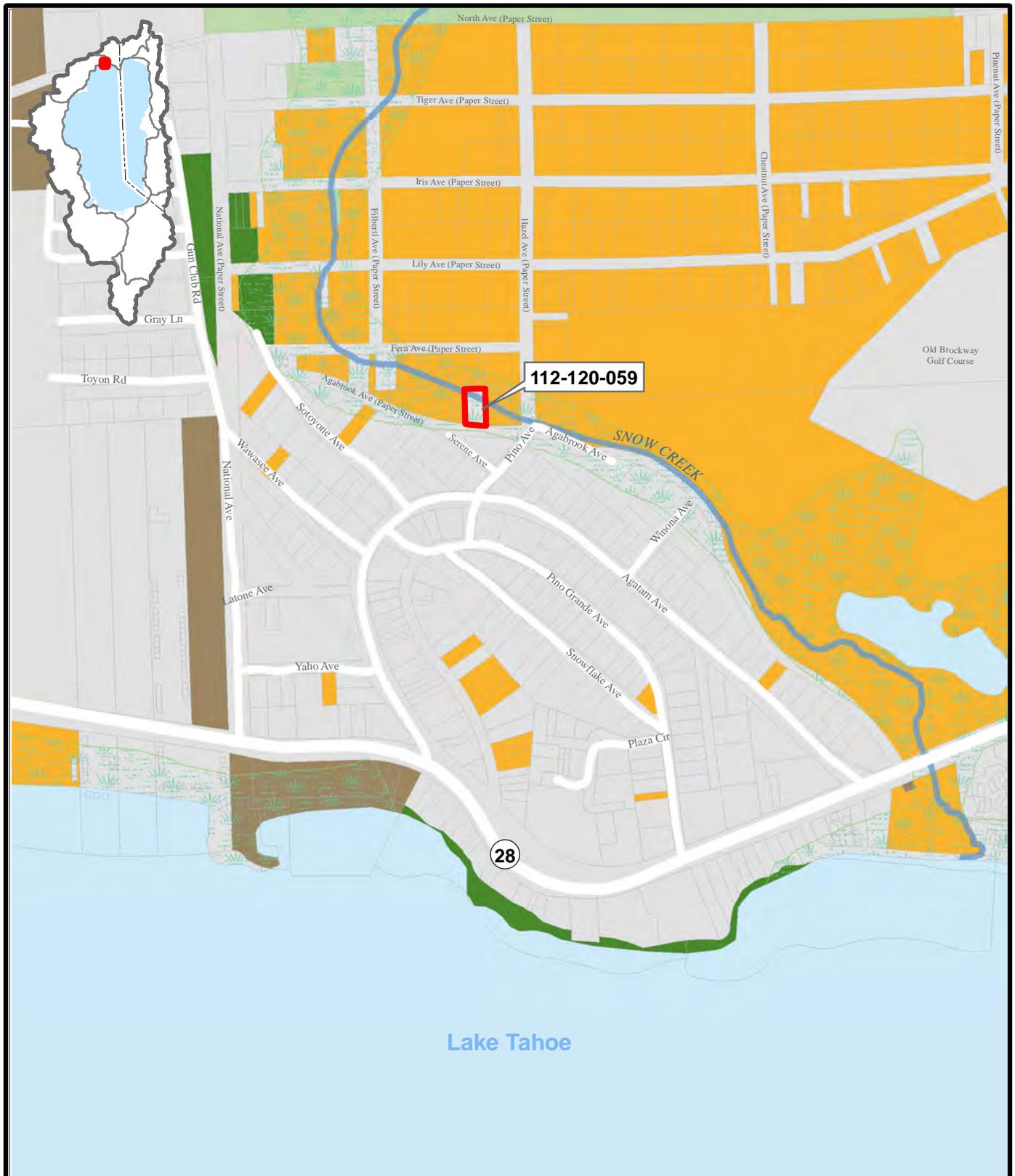
June 2016

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# ATTACHMENT 1c

## Project

## Land Acquisitions



### Proposed Items

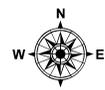
 Proposed Acquisition

### Supporting Features

 Stream Environment Zone

### Ownership

-  CA Tahoe Conservancy
-  North Tahoe Public Utility District
-  Placer County
-  Private
-  US Forest Service



Sources:  
TRPA, CTC

California  
Tahoe Conservancy



June 2016

\*Map for reference purposes only.

ATTACHMENT 2

California Tahoe Conservancy  
Resolution  
16-06-03  
Adopted: June 16, 2016

LAND ACQUISITIONS

Staff recommends that the Conservancy adopt the following resolution pursuant to Government Code sections 66907:

“The California Tahoe Conservancy hereby authorizes staff to expend up to \$116,000 and to take all other actions necessary to acquire fee or less-than-fee interest in two parcels (El Dorado County Assessor Parcel Number 033-191-07 and Placer County Assessor Parcel Number 112-120-059).”

I hereby certify that the foregoing is a true and correct copy of the resolution duly and regularly adopted by the California Tahoe Conservancy at a meeting thereof held on the 16<sup>th</sup> day of June 2016.

In WITNESS THEREOF, I have hereunto set my hand this 16<sup>th</sup> day of June 2016.

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Patrick Wright  
Executive Director

ATTACHMENT 3a

NOTICE OF EXEMPTION

TO: Office of Planning and Research  
1400 10th Street, Room 121  
Sacramento, CA. 95814

FROM: California Tahoe Conservancy  
1061 Third Street  
South Lake Tahoe, CA 96150

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***Project Title:***

Acquisition of one sensitive land parcel.

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***Project Location – Specific:***

El Dorado County Assessor's Parcel Number 033-191-07, located at the intersection of U.S. Highway 50 and Sawmill Road on the south shore of Lake Tahoe (See Exhibit 1).

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***Project Location – City:***

Unincorporated

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***Project Location – County:***

El Dorado

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***Description of Nature, Purpose, and Beneficiaries of Project:***

Purchase of fee interest in one sensitive land parcel as part of the California Tahoe Conservancy's acquisition program.

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***Name of Public Agency Approving Project:***

California Tahoe Conservancy (Conservancy meeting of 6/16/2016) (Agenda Item 8a)

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***Name of Person or Agency Carrying Out Project:***

California Tahoe Conservancy

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***Exempt Status:***

- Ministerial (§ 21080 (b)(1); § 15268)
- Declared Emergency (§ 21080 (b)(3); § 15269 (a))
- Emergency Project (§ 21080 (b)(4); § 15269 (b)(c))
- Categorical Exemption. §15313, Class 13 (see also Cal. Code Regs., tit. 14, § 12102.13).

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***Reasons Why Project is Exempt:***

Action involves land acquisition in the Lake Tahoe Basin by the California Tahoe Conservancy for fish and wildlife conservation purposes, preserving access to public lands and waters, and to preserve land in its natural condition.

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***Contact Person:***

Amy Cecchetti

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***Telephone Number:***

(530) 543-6033

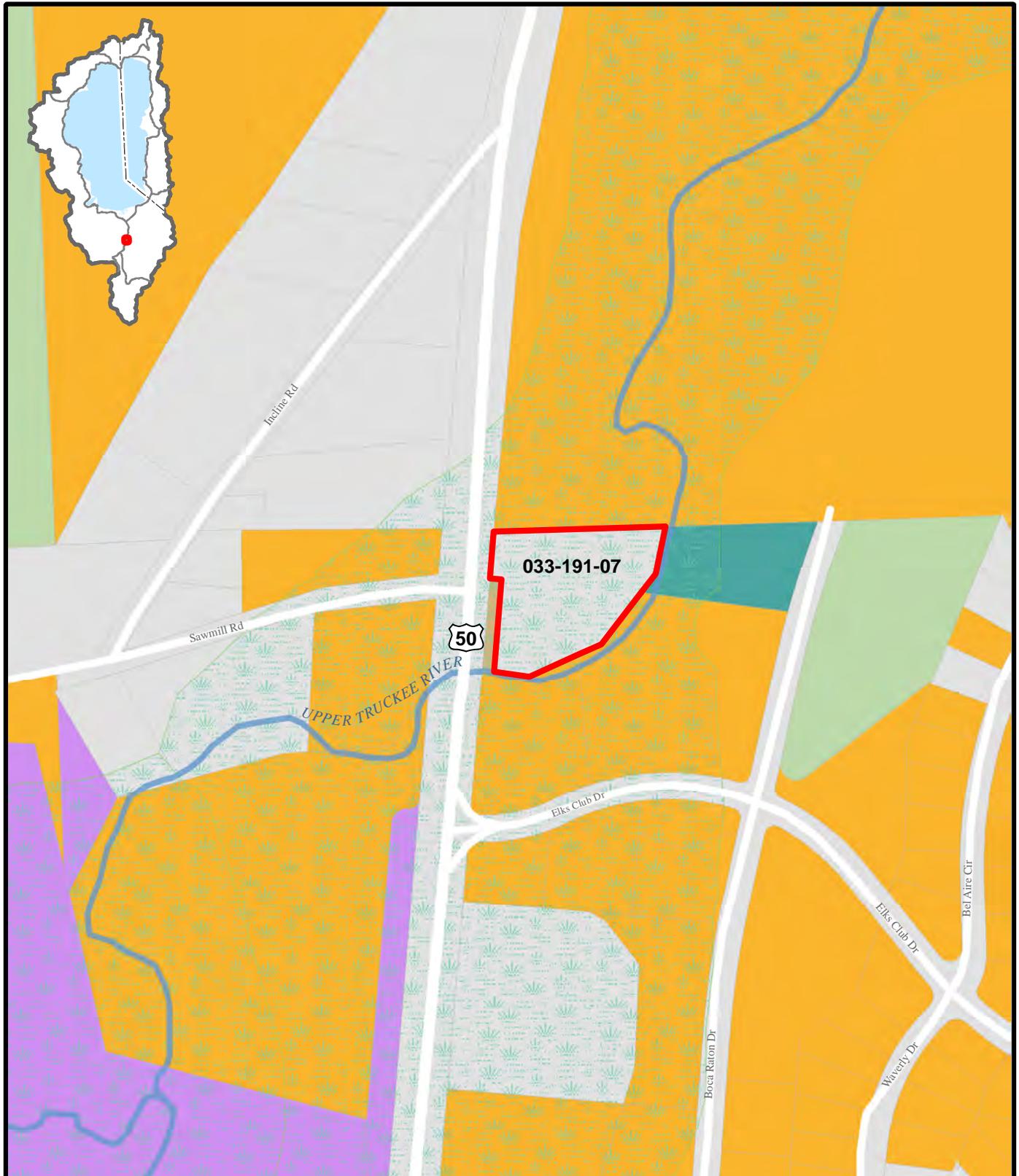
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***Date Received for Filing:***

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Patrick Wright  
Executive Director

EXHIBIT 1  
 Notice of Exemption  
 Land Acquisitions



**Proposed Items**

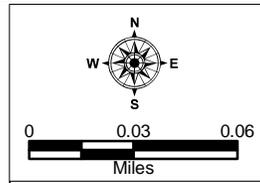
 Proposed Acquisition

**Supporting Features**

 Stream Environment Zone

**Ownership**

-  CA Tahoe Conservancy
-  CA Dept of Parks and Recreation
-  CA Dept of Transportation
-  El Dorado County
-  Private
-  US Forest Service



Sources:  
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California  
 Tahoe Conservancy



June 2016  
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ATTACHMENT 3b

NOTICE OF EXEMPTION

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1400 10th Street, Room 121  
Sacramento, CA. 95814

FROM: California Tahoe Conservancy  
1061 Third Street  
South Lake Tahoe, CA 96150

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***Project Title:***

Acquisition of one sensitive land parcel.

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***Project Location – Specific:***

Placer County Assessor's Parcel Number 112-120-059, located on an un-paved road near the Old Brockway Golf Course, northwest of Kings Beach, on the north shore of Lake Tahoe (See Exhibit 1).

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***Project Location – City:***

Unincorporated

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***Project Location – County:***

Placer

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***Description of Nature, Purpose, and Beneficiaries of Project:***

Purchase of fee interest in one sensitive land parcel as part of the California Tahoe Conservancy's acquisition program.

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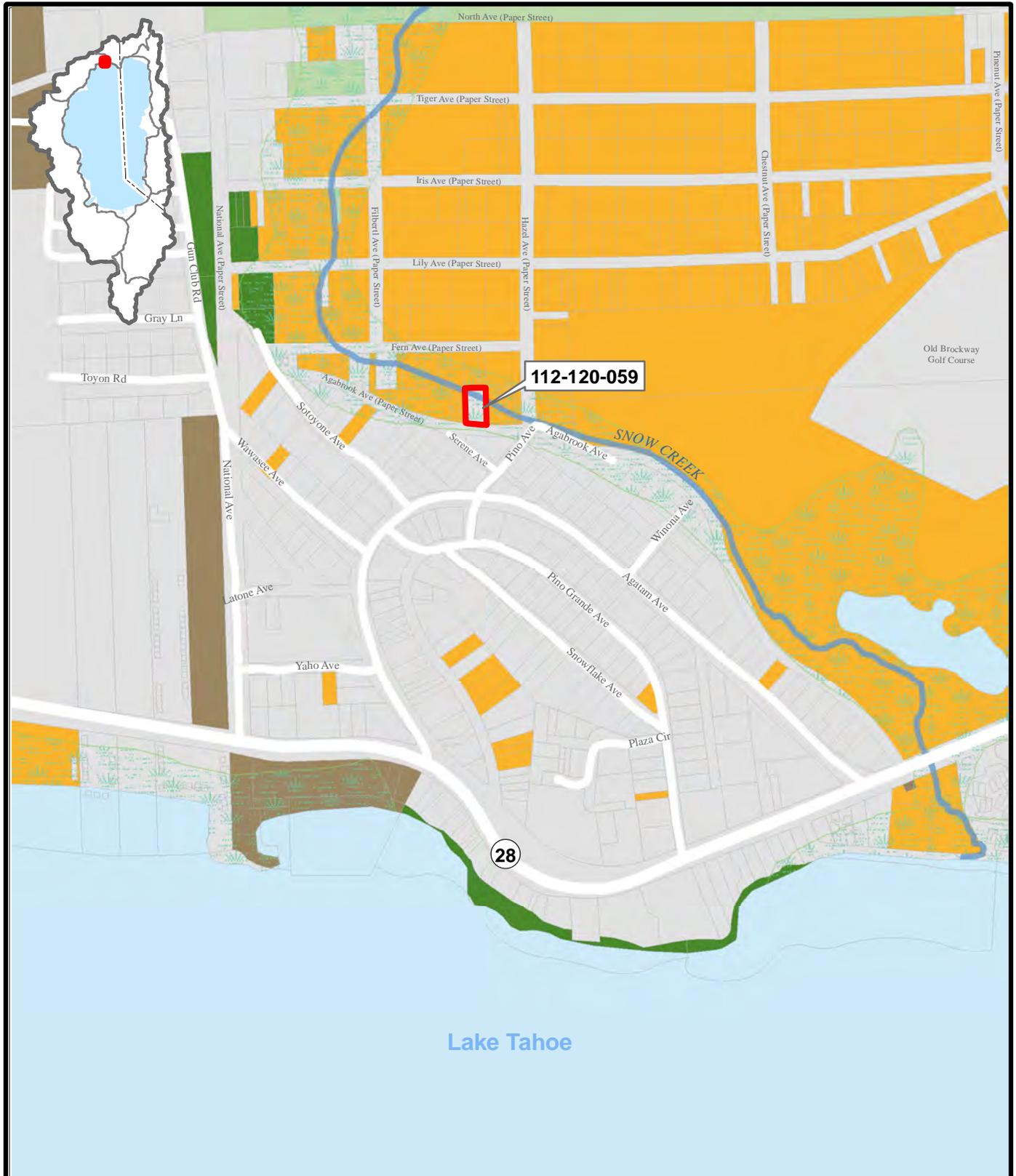
***Date Received for Filing:***

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Patrick Wright  
Executive Director

# EXHIBIT 1

## Notice of Exemption Land Acquisitions



**Proposed Items**

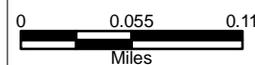
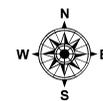
Proposed Acquisition

**Supporting Features**

Stream Environment Zone

**Ownership**

- CA Tahoe Conservancy
- North Tahoe Public Utility District
- Placer County
- Private
- US Forest Service



Sources:  
TRPA, CTC

**California  
Tahoe Conservancy**



**June 2016**

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