

NORTH TAHOE BIKE TRAIL AND FIRESTONE PROPERTY FAQs



Why did the Conservancy provide a grant to NTPUD to purchase the Firestone property?

The Conservancy gave NTPUD a \$1.186 million grant in 1988 solely for the purpose of planning and acquiring a permanent right-of-way for the NTPUD Bike Trail, a 6.7 mile multiple purpose trail from Dollar Hill to the North Tahoe Regional Park. The grant was conditioned upon NTPUD's commitment to build and maintain the trail.

What is the status of the bike trail project?

In addition to a grant for the Firestone property, the Conservancy awarded three additional planning and acquisition grants totaling about \$1.3 million for the trail. In 2010, however, NTPUD stopped work on the trail and allowed the most recent grant agreement to expire with \$587,000 in unspent funds. The Conservancy subsequently awarded Placer County a \$435,000 planning grant in 2010 and a \$500,000 acquisition grant in 2012, and the County became the lead agency for the trail. The County has now secured nearly \$4.4 million to begin construction in summer of 2015 of the first 2.5 mile segment, known as the Dollar Creek Shared Use Trail. Placer County cannot move forward, however, without resolving the ownership issues surrounding the property.

Why doesn't NTPUD transfer ownership of the Firestone property to the County?

If NTPUD were to transfer ownership of the property, the Conservancy could then consider approving the change of ownership, as required by the grant agreement, and waiving NTPUD's obligation under the grant. This would relieve NTPUD from its obligation to construct and maintain the 6.7 mile trail, which is expected to cost well over \$10 million.

The NTPUD, however, in recent letters to Placer County, has taken the position that it must be further compensated for the property, and has proposed that the County or Conservancy purchase the Sun and Sand Motel in Kings Beach (or other equivalent property) and exchange it for the Firestone property. Neither the Conservancy nor the County has expressed interest in paying NTPUD twice for the same property.

Why doesn't the County just accept an easement from NTPUD or the Conservancy to build the trail?

As described in their [Q&A document](#), the County believes that if they are going to take on NTPUD's \$10+ million obligation to build and maintain the trail, they should get more than an easement in return. Owning the land would also give the County more flexibility in building the project and any other related improvements they may want to consider (picnic tables, trailheads, bike concessions, etc.) without having to get permission from NTPUD or the Conservancy. And in the long term, the County may want to consider other uses for the parcel.

Is Placer County considering the Firestone property for its judicial center? Would the Conservancy ever approve such a use?

According to the County's [Q&A document](#), they engaged the services of a consultant to determine whether it would be feasible to include the Firestone property as one of several locations they might

consider for relocating their judicial center and maintenance yard from Burton Creek. The drawing prepared by the consultants shows that it would be possible to relocate these facilities to the Firestone property, but the County is apparently no longer interested in doing so because it doesn't appear to fit their criteria for these facilities, and because they don't want the discussions surrounding the potential uses of the Firestone property to hold up their progress in getting the bike trail built, which is the County's, and the Conservancy's, top priority.

This does not mean that the County does not believe that the Firestone property would be suitable someday for a public facility. Their [Q&A document](#) notes that major portions of the property are zoned for a public facility, so they may at some later date propose development of a facility there, regardless of who owns it. In addition, the Tahoe City PUD has suggested that Pomin field, which sits on an environmentally sensitive area, be moved to the Firestone property. In any case, because the Firestone property is one of the few developable, "high-capability" (non-sensitive) lands on the west/north shore fronting the highway, it is likely to continue to be the focus of development proposals.

NTPUD itself asked the Conservancy in 2003 to consider approval of a recreation center complex on the property, which was later defeated by local voters. In its response to NTPUD, the Conservancy said that it would consider such a proposal only if it were compensated for any future use inconsistent with the previous Board authorizations related to acquisition and planning for the bike trail project. If the property were ever leased or sold, the Conservancy would then reinvest the revenue received in new acquisitions to protect sensitive land or to provide public access to Lake Tahoe and other public lands.

Why wouldn't the Conservancy put a conservation easement on the property to permanently protect it as open space? Wouldn't this be consistent with the Conservancy's primary mission?

It is highly unlikely that the Conservancy Board would agree to place a conservation easement on the property, except for the small area in the northeastern section that is sensitive, for several reasons. First, our primary focus has always been on acquiring and protecting sensitive land, not high capability or developable land, although we have also have occasionally acquired developable parcels for coverage, for other purposes, such as public access, or through bulk acquisitions from a single seller.

Second, local jurisdictions and the business community have long supported Conservancy acquisitions because we have agreed not to acquire and remove the development potential of non-sensitive parcels, which would take them off the tax rolls or prevent public facilities from being built. In fact, we have had informal agreements with the Tahoe Sierra Board of Realtors and others for more than two decades that we would not seek to acquire and permanently protect developable residential parcels. Third, permanently protecting Firestone and other developable parcels would prevent us from seeking to transfer developments on sensitive parcels, such as Pomin field, to less sensitive parcels such as Firestone. And finally, major portions of the Firestone parcel are zoned for public facilities, and we generally seek to respect local land use designations.

How is the property zoned?

According to the current TRPA Plan Area Statement, the permissible uses of the Firestone property include residential, public service, recreation, and resource management purposes and facilities. In addition, major portions of the property are designated as *Special Area #1*, which allows for "publicly owned assembly and entertainment, regional public health and safety, and government offices."

So what's likely to happen now?

One possible scenario is that NTPUD will agree to the County's offer to accept the Firestone property in return for the County agreeing to take on NTPUD's obligation to the Conservancy to build and maintain the bike trail. This scenario would ensure that the bike trail moves forward in summer 2015, and would avoid the risk of losing the federal funding secured for the trail. A second possible outcome is that the County and NTPUD fail to reach agreement, in which case the Conservancy may be forced to take title to the parcel, as we noted in [our letter](#).

What's the bottom line? Is the Firestone property threatened with development?

The bottom line is that there is no immediate threat to the Firestone property, and that any development proposals would require an extensive alternatives analysis under CEQA and a lengthy public process. On the other hand, the property is likely to continue to be the focus of development proposals because it's large, flat, almost all non-sensitive, and adjacent to the highway. Therefore, the local community should work closely with the County as the area plan is being developed to determine the most appropriate uses for the property. The Conservancy will make every effort to respect the outcome of local land use decision making processes.