

California Tahoe Conservancy  
Agenda Item 9.b.  
June 15, 2017

**ANNUAL PLANNING AUTHORIZATION**

**Recommended Action:** Adopt Resolution 17-06-07 (Attachment 1) authorizing the expenditure of up to \$879,600 in Fiscal Year 2017/18 for purposes that include planning, environmental review, specialized technical support for evaluation of feasibility and conceptual development of projects, and for Lake Tahoe License Plate marketing.

**Location:** Program and project development activities throughout the California side of the Lake Tahoe Basin.

**Fiscal Summary:** The recommended action includes up to \$879,600 from State sources, including \$759,600 in various capital outlay/local assistance funds (Proposition 1, Proposition 84, and Federal Trust Fund) and \$120,000 from Lake Tahoe Conservancy Account support funds.

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**Overview**

**Description of Recommended Action**

Staff recommends Board authorization of up to \$759,600 in program capital fund expenditures for planning, environmental review, and other specialized technical support for evaluation of feasibility and the conceptual development of projects under various California Tahoe Conservancy (Conservancy) focus areas. These activities may include:

- Pre-acquisition activities such as appraisals, title review, site surveys, and environmental assessments;
- Initial project feasibility and conceptual development activities such as consultants, technical expertise, environmental document preparation, monitoring, and other activities necessary for project development and review;

Regional planning efforts related to the Environmental Improvement Program (EIP), climate change, sustainability, and other emerging topics; and

- Planning and monitoring efforts consistent with the Proposition 1 ten percent allocation related to planning and monitoring for projects such as aquatic invasive species, storm water resource plan performance metrics, or the Lake Tahoe West Restoration Partnership.

Staff also recommends Board authorization of \$120,000 to continue outreach and marketing efforts for the Conservancy's Lake Tahoe License Plate. Continuing an active marketing campaign is important in retaining existing plate owners and attracting new ones.

The proposed authorizations for pre-acquisition activities, feasibility analysis, and conceptual development activities are estimates and reflect potential expenditures within these categories based on prior experience. Actual expenditures will depend upon the enactment of the budget, actual need, and relative priorities as established throughout the fiscal year, but will not exceed the total funds requested.

## **History**

This is an annual authorization for expenditures to secure consultant and contract services and resources in support of initial feasibility analysis, conceptual development of new acquisition and site improvement project proposals brought to the Board, and continued marketing efforts for the Lake Tahoe License Plate.

During Fiscal Year (FY) 2016/17, the June 2016 planning authorization was used to fund pre-acquisition activities (i.e., appraisals, site surveys); a public access strategic investment planning process; storm water resource planning; conceptual study for the Lakeview Lookout property; environmental documentation and regulatory framework for the Lake Tahoe West Restoration Partnership; and Lake Tahoe License Plate marketing.

To date, the Lake Tahoe License Plate has generated more than \$21.3 million for the Conservancy. A total of \$1,034,000 in revenues was generated during FY 2015/16; through nine months of the current FY 2016/17 (i.e., through March 2017) another \$823,000 has been collected. The revenue generated through this program funds construction of non-motorized trails and restoration projects.

## Financing

Staff is requesting up to \$879,600 from State sources, including \$759,600 in capital outlay and local assistance funds. Capital outlay funding will come from the Conservancy's new opportunity acquisitions capital outlay line item, and its new conceptual and feasibility studies capital outlay line item, assuming enactment of the Budget Act of 2017 as proposed. These items include funding from Proposition 84 and the Federal Trust Fund. Additional funding will come from the programmatic development and monitoring portion of the Conservancy's Proposition 1 local assistance appropriation from the Budget Act of 2015.

Support budget funds (Lake Tahoe Conservancy Account) of up to \$120,000 will be used for license plate marketing. Vehicle Code section 5075 provides that up to 25 percent of the Lake Tahoe License Plate revenues may be used for marketing activities. The recommended authorization falls within this threshold.

	<b>Support Funds</b>	<b>Capital Funds</b>
Appraisals, title review, site surveys, environmental assessments, and other pre-acquisition activities	\$0	\$40,000
Initial project feasibility and conceptual development	\$0	\$719,600
Subtotal	\$0	\$759,600
Lake Tahoe License Plate Marketing	\$120,000	\$0
<b>Totals</b>	\$120,000	\$759,600

## Authority

### Consistency with the Conservancy's Enabling Legislation

The recommended planning activities are 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.” This applies to pre-acquisition activities. Government Code section 66907.10 authorizes the Conservancy to improve and develop acquired lands for a variety of purposes, including protection of the natural environment. Under Government Code section 66907.9, the Conservancy is authorized to initiate, negotiate, and participate in agreements for the management of land under its ownership and control with local public agencies, state agencies, federal agencies, nonprofit organizations, individuals, corporate entities, or partnerships. Government Code section 66906.8 authorizes the Conservancy to select and hire consultants or contractors to provide services necessary to achieve the purposes of the Conservancy, including protection of the natural environment at Lake Tahoe. This applies to initial project feasibility and conceptual development activities as well as recommended marketing activities.

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

The recommended planning activities will lead to the development and implementation of high priority acquisition and site improvement projects that will further several strategic plan priorities. These include completion of EIP conservation, restoration, and recreation projects and support of basin-wide sustainability and climate change initiatives (Strategies I and II). License plate marketing activities will support continuation of a revenue stream critical to the Conservancy’s ongoing fiscal sustainability (Strategy IV).

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

The recommended action is consistent with the Board’s existing policy direction and will result in development of conceptual project proposals considered under the Conservancy’s various programs.

### **Consistency with External Authorities**

The recommended funds are needed to allow the Conservancy to conduct feasibility and conceptual analysis of project proposals which can fulfill EIP, sustainability, and other Conservancy and statewide resource and environmental objectives.

### **Compliance with the California Environmental Quality Act**

The Annual Planning Authorization does not involve any commitment to any specific activity which has the potential to result in either a direct physical change in the

environment or a reasonably foreseeable indirect physical change in the environment, and is therefore not a “project” within the meaning of California Environmental Quality Act (CEQA). Staff will evaluate individual projects, however, prior to implementation to determine the appropriate level of CEQA review.

**List of Attachments:**

Attachment 1 – Resolution 17-06-07

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