

**PRE-ACQUISITION PLANNING AUGMENTATION
FISCAL YEAR 2013/14**

Summary: Staff recommends authorization to expend up to an additional \$120,000 in Fiscal Year 2013/14 for pre-acquisition expenses related to the potential purchase of the Alta Mira property (El Dorado County Assessor Parcel Number 027-010-016) and other properties.

Location: Pre-acquisition activities throughout the California side of the Lake Tahoe Basin.

Fiscal Summary: Up to \$120,000 from State capital outlay funds

Recommended Action: Adopt Resolution 14-03-10 (Attachment 1).

Background

The requested authorization will provide sufficient funding during the remainder of the current fiscal year for staff to arrange for the delivery of supplementary consultant services and other resources during the remainder of fiscal year 2013/14 in support of land acquisition projects. The Board previously authorized \$25,000 for such activities in June 2013.

If the Board approves this authorization request, staff will arrange, pursuant to State contracting procedures, to obtain the necessary specialized expertise and resources to further program and project development. Arrangements will be made with a variety of public or private sources, including other public agencies and private contractors.

Project Description

Staff recommends the allocation of \$120,000 in additional funds to enable staff to contract for necessary relocation assistance expertise and environmental site assessment update in support of the Alta Mira Lakefront acquisition, for which the Conservancy

authorized an option to acquire in March 2012 and for which staff anticipates Board consideration to exercise the option and acquire the property at the upcoming May 2014 meeting, and for the initial feasibility analysis and conceptual development of new acquisition project proposals consistent with the Conservancy's adopted Strategic Plan. Such work includes but is not limited to contracting for appraisals, appraisal reviews, environmental site assessments, preliminary title reports, property surveys and related due diligence, and required relocation assistance services in advance of a possible acquisition.

Consistency with the Conservancy's Enabling Legislation

The recommended pre-acquisition planning activities are consistent with the Conservancy's enabling legislation. Government Code section 66906.8 provides for the Conservancy to select and hire private contractors as necessary to achieve statutory purposes, including the acquisition of land for the protection of the natural environment, provision of public access or recreational facilities, preservation of wildlife habitat areas, or providing access to or management of acquired lands. In addition, Government Code section 66907.3 provides for the Conservancy to enter into agreements with any public agency to provide real estate services

Compliance with the California Environmental Quality Act (CEQA)

The Conservancy, acting as the lead agency, prepared an Initial Study and Negative Declaration (IS/ND) and filed a Notice of Determination (NOD) to comply with CEQA at the time the Conservancy authorized the purchase of an 18-month option to acquire the Alta Mira property on March 15, 2012 (Attachment 2). The project was assigned State Clearinghouse Number 2012022047.

Staff has reviewed the IS/ND and believes that the current project proposal to expend funds for required pre-acquisition expenses involving legally-mandated relocation assistance obligations related to the potential purchase of the Alta Mira property, as proposed, is similar to the project analyzed two years ago. Staff has determined that the project, as proposed, would not cause a significant effect on the environment. Since completion of the IS/ND, there is no new information, substantial changes to the proposed project, or changes to implementation which would involve any new significant effects which were not previously analyzed.

Staff recommends that the Board review the IS/ND, make the findings as set forth in the attached resolution, and authorize the project as described above. If the Board adopts the IS/ND and authorizes the project, Staff will file an NOD with the State

Clearinghouse pursuant to CEQA Guidelines, section 15075. Attachment 3 contains the Conservancy's proposed NOD.

The Conservancy previously paid the \$2,101.50 filing fee with the California Department of Fish and Wildlife as part of the California Environmental Quality Act process.

List of Attachments:

Attachment 1 – Resolution 14-03-07

Attachment 2 – Alta Mira Initial Study/Negative Declaration and Filed Notice of Determination (on attached cd)

Attachment 3 – Proposed Notice of Determination

Conservancy Staff Contact:

Bruce Eisner

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ATTACHMENT 1

California Tahoe Conservancy

Resolution

14-03-07

Adopted: March 20, 2014

PRE-ACQUISITION PLANNING AUGMENTATION FISCAL YEAR 2013/14

Staff recommends that the California Tahoe Conservancy (Conservancy) adopt the following finding based on the accompanying staff report, and pursuant to Public Resources Code section 21000 et seq.:

"The Conservancy, in its capacity as the lead agency, independently prepared the Initial Study and Negative Declaration and Response to Comments for the Alta Mira Public Access Acquisition Project. The Conservancy finds on the basis of the whole record before it that there is no substantial evidence that the Project will have a significant effect on the environment. The Conservancy finds that since completion of the IS/ND, there is no new information, substantial changes to the proposed Project, or changes to implementation which would involve any new significant effects which were not previously analyzed. The Negative Declaration reflects the Conservancy's independent judgment and analysis. The Conservancy hereby adopts the Negative Declaration and directs staff to file a Notice of Determination with the State Clearinghouse for this Project."

Staff further recommends that the Conservancy adopt the following resolution pursuant to Government Code sections 66906.8 and 66907.3:

"The California Tahoe Conservancy hereby authorizes Staff to expend up to \$120,000 for necessary relocation assistance expertise in support of the Alta Mira Lakefront acquisition and for initial feasibility analysis and conceptual development of new acquisition project proposals consistent with the Conservancy's adopted Strategic Plan."

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 20th day of March 2014.

In WITNESS THEREOF, I have hereunto set my hand this 20th day of March 2014.

Patrick Wright
Executive Director

ATTACHMENT 2

**PRE-ACQUISITION PLANNING AUGMENTATION
FISCAL YEAR 2013/14**

Initial Study
and Mitigated Negative Declaration

(On attached CD)

ATTACHMENT 3

NOTICE OF DETERMINATION

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

Subject:

Filing of Notice of Determination in compliance with section 21108 of the Public Resources Code

Project Title:

Alta Mira Public Access Acquisition Project

State Clearinghouse Number:

Contact Person:

Telephone Number:

Bruce Eisner

(530) 543-6043

Project Location:

The project is in the City of South Lake Tahoe at 3339 Lake Tahoe Boulevard, El Dorado County APN 027-010-16.

Project Description:

The California Tahoe Conservancy proposes to expend funds on necessary relocation assistance expenses in support of the previously acquired 18-month option for the acquisition of the fee interest in a 0.55 acre parcel commonly known as the Alta Mira property (3339 Lake Tahoe Boulevard (U.S. Highway 50), South Lake Tahoe, CA). If the option is exercised the sellers would deliver the property to the Conservancy at the close of escrow in a condition that immediately affords visual access to Lake Tahoe by removing all visible improvements and personal property.

This is to advise that the California Tahoe Conservancy, acting as the lead agency, has approved the above described project on March 20, 2014 and has made the following determinations regarding the above described project:

1. The project will not have a significant effect on the environment.
2. A Negative Declaration was adopted for this project pursuant to the provisions of CEQA.
3. Mitigation measures were not made a condition of the project approval, and no mitigation monitoring plan was adopted.
4. The Negative Declaration may be examined at 1061 Third Street, South Lake Tahoe, CA 96150.

Fish and Wildlife Fees: A California Department of Fish and Wildlife Environmental Filing Fee was paid for this project. A copy of the receipt will be filed with this notice.

Date Received for Filing:

Patrick Wright
Executive Director
California Tahoe Conservancy