

**GRANT OF EASEMENT FOR THE  
DOLLAR CREEK SHARED-USE TRAIL PROJECT**

**Summary:** Staff requests authorization to grant an easement to Placer County (County) for construction, improvements, operations, monitoring, and maintenance associated with implementation of the Dollar Creek Shared-Use Trail Project.

**Location:** The project is located primarily on California Tahoe Conservancy (Conservancy) and North Tahoe Public Utility District (NTPUD) owned properties north of State Route 28 between the intersection of Dollar Drive and State Route 28 (SR 28) and the terminus of Fulton Crescent Drive in Placer County, California (Attachment 1A). The proposed easement would be over Conservancy-owned Placer County Assessor Parcel Numbers (APNs): 092-010-021, 033, 034, 035, and 039, and 092-240-021.

**Fiscal Summary:** Incidental staff costs.

**Recommended Action:** Adopt Resolution 12-12-03 (Attachment 2).

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**Background**

In October 2012, the Placer County Board of Supervisors approved the environmental documents and zoning amendments associated with the Placer County Department of Public Works' Dollar Creek Shared-Use Trail Project (Project). The Project would establish a 2.2-mile-long shared-use trail that would extend the existing bike trail network from Dollar Hill through public lands commonly known as the Dollar and Firestone Properties. When implemented, the Project may include a trailhead parking facility near Dollar Drive and SR 28 for trail users. The proposed project alignment generally follows existing surface trails and roads found on these public parcels and would provide approximately 3,400 linear feet of single-track trail to preserve a valued mountain bike trail connection. Summertime trail use is expected to be 331 one-way bicycle trips and 131 one-way pedestrian trips each day.

The existing paved bicycle trail network in the Tahoe City area consists of the West Shore Bike Trail, a 10-mile trail terminating at Sugar Pine Point State Park, the North Shore Trail, which extends eastward from Tahoe City to the top of Dollar Hill, and the Truckee River Bike Trail, which allows bicyclists to ride separated from State Route 89 all the way to Squaw Valley and the Town of Truckee (Attachment 1B). Within Tahoe City, the trail network includes the recently-completed Lakeside Bike Trail. The Project would also tie to the Tahoe City Transit Center, providing a bicycle connection to transit.

The Conservancy funded \$435,000 towards the County's planning and design of the Project, complementing a \$200,000 project contribution from the North Lake Tahoe Resort Association.

Previous Conservancy planning and acquisition funding was granted to another entity, NTPUD, for the eight-mile-long North Tahoe Bike Trail Project (NTBT), a longer trail that subsumed this Dollar Creek project area. First presented to the Board in May 1987 for conceptual review, the NTBT was envisioned as a Class I trail linking Tahoe Vista to Dollar Hill. In June 1988, the Conservancy authorized a grant of \$1,186,000 to NTPUD for acquisition and planning activities in support of the NTBT. This action was followed by two subsequent authorizations in July 1990 (\$235,000) and July 1996 (\$80,000) to fund additional acquisitions and evaluation of alternative routes for the trail. The acquisition grants funded certain easement purchases for a 30-foot-wide trail right-of-way at the 6,500-foot elevation contour, as well as several full fee purchases of larger parcels, including the Firestone Property.

In 2006, the Conservancy authorized an additional \$976,000 for continued project planning and preparation of a revised environmental document, \$587,892 of which was returned to the Conservancy in 2010 unspent. That May, the NTPUD Board of Directors authorized its General Manager to "turn the task of obtaining environmental documents back to the California Tahoe Conservancy" for the NTBT, while reaffirming that NTPUD remains interested in supervising the construction and operation of the bike trail "if the environmental and funding hurdles for the project can be crossed."

This previous NTBT planning effort resulted in the identification of a preferred trail route alignment that still had potential environmental constraints and issues. These considerations are addressed by the current Project's environmental analysis for the independent trail segment that would connect neighborhoods to the existing trail system's terminus at Dollar Hill.

In September 2012, the Conservancy authorized the exchange and transfer of approximately 1,285 acres of Conservancy lands with California Department of Parks and Recreation (DPR) in order to consolidate State ownership and increase management efficiency. That decision incorporated a specific reservation that anticipated construction of this shared-use trail and its land coverage requirements (although the Regional Plan Update may obviate the need for land coverage for this trail). The properties being considered for this grant of easement are part of the lands proposed for transfer to DPR for inclusion in Burton Creek State Park. The 11-parcel Dollar Property and three associated Conservancy parcels proposed for transfer total approximately 998 acres. When written in 2005, DPR's Burton Creek State Park General Plan anticipated this transfer and incorporated the Dollar Property parcels into its boundaries.

### **Project Description**

The County currently seeks to acquire the necessary easement rights from the Conservancy. The action currently being considered involves the grant of a permanent easement to the County for trail construction, monitoring, operation, and maintenance, as well as shorter-term, temporary construction access and staging rights, over six parcels. The 120-foot-wide permanent trail easement would provide for the relocation of a 3,000 linear foot segment of single-track trail. The easement would also accommodate shorter-term construction access and staging (Attachments 3a and 3b). It would affect only those portions of Conservancy parcels needed to efficiently construct and maintain improvements, recognizing that plans are currently developed to the conceptual level, and additional location refinements within the easement area may be necessary as the design progresses. The provision of land coverage needed for project implementation is included; approximately 286 square feet of new land coverage in a Stream Environment Zone would be required to bridge across Dollar Creek on the Dollar Property. Upon adoption of the Regional Plan Update, coverage in high capability land for the new trail is expected to be exempted from land coverage calculations. If the anticipated coverage exemptions cannot be used, then approximately 165,800 square feet of high capability (Capability Classes 4 and 6) land coverage would be required for project implementation across all land ownerships.

### **Project Evaluation**

The granting of a 120-foot-wide easement for the right to construct, operate, and maintain improvements associated with this Project is consistent with the Conservancy's Urban Land Management Program Special Use Guidelines. In this case, the easement granted across Conservancy lands would support both short-term uses

(construction access and staging) and permanent uses (construction, operation, and maintenance of bike trail improvements, including bridge and at-grade features). Implementation of this project also furthers the objectives of the Conservancy's Public Access and Recreation Program. The proposed shared-use trail improvements provide an enhancement to Conservancy- and NTPUD-owned properties consistent with Public Access and Recreation Program objectives for the non-motorized trail network and the purpose of land acquisition.

The proposed shared-use trail alignment traverses primarily through NTPUD and Conservancy ownerships. The majority of these lands were acquired under two key land acquisitions: the Firestone Acquisition and the Dollar Acquisition (Attachment 1).

Firestone Acquisition: In June 1988, the Board authorized an acquisition grant in the amount of \$1,186,000 to NTPUD to acquire the Firestone Property. The purpose of the acquisition was to secure the right-of-way necessary to allow construction of an approximately "12-foot wide paved path" with two-foot-wide shoulders on either side to support bike trail development. Additional conditions of the grant require NTPUD to assume all management, operations, and maintenance costs of this and future projects involving the property. NTPUD now owns and manages the acquired land. Until the trail improvements are installed, NTPUD maintains the property as open space, except as authorized by the Board. No interest in the property can be transferred without the consent of the Board.

Dollar Acquisition and Adjacent Conservancy Land: In May 1989, the Board authorized acquisition of 940 acres of land comprised of 11 parcels known as the Dollar Acquisition. The expenditure of \$3,225,000 not only preserved much of the watershed but also provided opportunities for passive and active recreation uses on the site. The staff recommendation presented to the Board at the time stated,

*"The North Tahoe Bicycle trail acquisition grant funded by the Conservancy in June 1988 identifies the property as possible site for construction of the bike trail....If the bike trail is implemented in this location, the Conservancy could realize cost savings on its grant since the property will already be in State ownership."*

In addition, a 20-acre parcel (APN 092-010-21) was purchased by the Conservancy for wildlife habitat and open space purposes. It is high capability land suitable for development of dispersed recreational facilities such as trails and is also appropriate for temporary project access and staging for the Project.

As previously discussed, these Conservancy-owned properties have been authorized for future transfer to DPR. In its comment letter to the County regarding the Project,

DPR recognized the possibility of acquiring ownership of the Dollar Property and indicated its support of a legal easement that includes signage and maintenance for the shared-use trail through the property (Attachment 4).

The years-long NTBT project planning funded largely by the Conservancy, including development of potential trail alignments and environmental analyses, concluded that the proposed location provides the best route for the trail extension segment. The trail would provide access to natural areas on public lands, offer a route to scenic vistas, and – perhaps most importantly – provide an alternative transportation corridor that links commercial areas, residential neighborhoods, and recreational facilities in Tahoe’s North Shore. The amount of Conservancy-owned land in the project vicinity limits options for trails that do not cross State property, and the Dollar Property was purchased with the full intent that the trail would traverse it. The new trail design includes a bridge across Dollar Creek, located below Dollar Dam, and would provide an accessible route for recreationists of all abilities, as the Project is designed to meet the American Association of State Highway and Transportation Officials standards.

Because the easement furthers the goals and objectives of the Conservancy’s Public Access and Recreation Program and the purposes of property acquisition, no fee is proposed for this grant of easement.

The proposed project meets the Conservancy’s Public Access and Recreation Program Guidelines and program objectives which were first adopted on December 19, 1986 and modified on May 29, 2009. The project enhances significant regional public access and recreational opportunities by increasing and enhancing access to regionally significant areas and facilities. The Conservancy traditionally seeks to fund projects that would help complete the regional bicycle network. In this case, completion of the trail segment will enhance recreational and transportation opportunities by providing a linked series of bicycle trails from Tahoe City to neighborhoods located east of Dollar Hill. The Project is consistent with the Lake Tahoe Region’s Environmental Improvement Program (portion of EIP Project 761). While the total eight-mile length of NTBT comprises a component of the Tahoe Regional Planning Agency’s Lake Tahoe Regional Bicycle and Pedestrian Master Plan, this shorter project independently has value and bike trail network utility, furthering the region’s transportation goals.

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

The recommended easement is consistent with the Conservancy’s enabling legislation. Specifically, Government Code section 66907.8 authorizes the Conservancy to lease, rent, sell, exchange, or otherwise transfer any interest in real property or interest therein

to local public agencies, individuals, corporate entities, or partnerships for management purposes. 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 or control with local public agencies, State agencies, federal agencies, nonprofit organizations, individuals, corporate entities, or partnerships, and to enter into any other agreements authorized by State or federal law.

### **Compliance with the California Environmental Quality Act (CEQA)**

Placer County, acting as the lead agency, prepared an Initial Study and Mitigated Negative Declaration (IS/MND) for this Project in order to comply with CEQA. The County Board of Supervisors adopted the MND on October 23, 2012, and a Notice of Determination (NOD) was filed with the State Clearinghouse (SCH# 2012062010).

A copy of the IS/MND has been provided to the Board on CD (Attachment 5) and is available for public review at the Conservancy office, 1061 Third Street in South Lake Tahoe, California.

As a responsible agency, the Conservancy must consider the MND prepared by Placer County and reach its own conclusions on whether and how to approve the Project. Staff has reviewed the IS/MND and believes the Project analysis is adequate. Staff has determined that the Project, as proposed, would not cause a significant effect on the environment. The mitigation measures for the Project are located in *Section 3.2.17.2, Environmental Analysis and Mitigation Measures*, of the IS/MND.

Staff recommends the Board review and consider the IS/MND prepared and adopted by Placer County as lead agency, together with any comments received during the public review process; certify that it has independently considered and reached its own conclusions regarding the environmental effects of the of the Project; make the findings as set forth in the Resolution (Attachment 2); and authorize the granting of an easement in support of project implementation. If the Board considers and concurs with the IS/MND and authorizes the actions described above, staff will file a NOD with the State Clearinghouse pursuant to State CEQA Guidelines, section 15096 (Attachment 6).

**List of Attachments:**

- Attachment 1A – Dollar Creek Shared-Use Trail Project Location Map
- Attachment 1B – Regional Bike Trail Network
- Attachment 2 – Resolution 12-12-03
- Attachment 3A – Project Temporary Access
- Attachment 3B – Project Staging Area
- Attachment 4 – Comment letter to Placer County from DPR
- Attachment 5 – Placer County Initial Study/Mitigated Negative Declaration (on CD)
- Attachment 6 – Notice of Determination

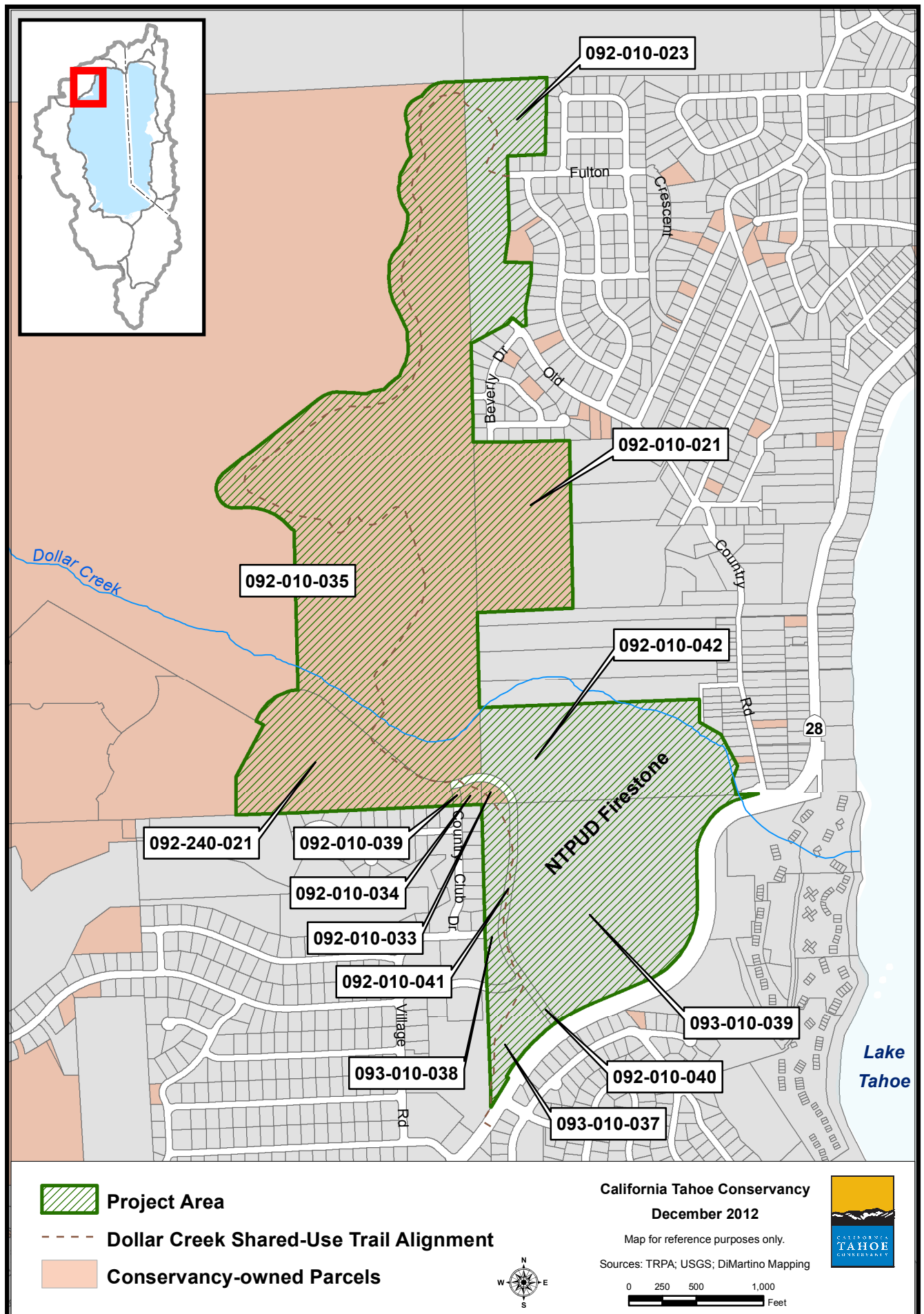
**Conservancy Staff Contact:**

Lisa O'Daly

(530) 543-6037

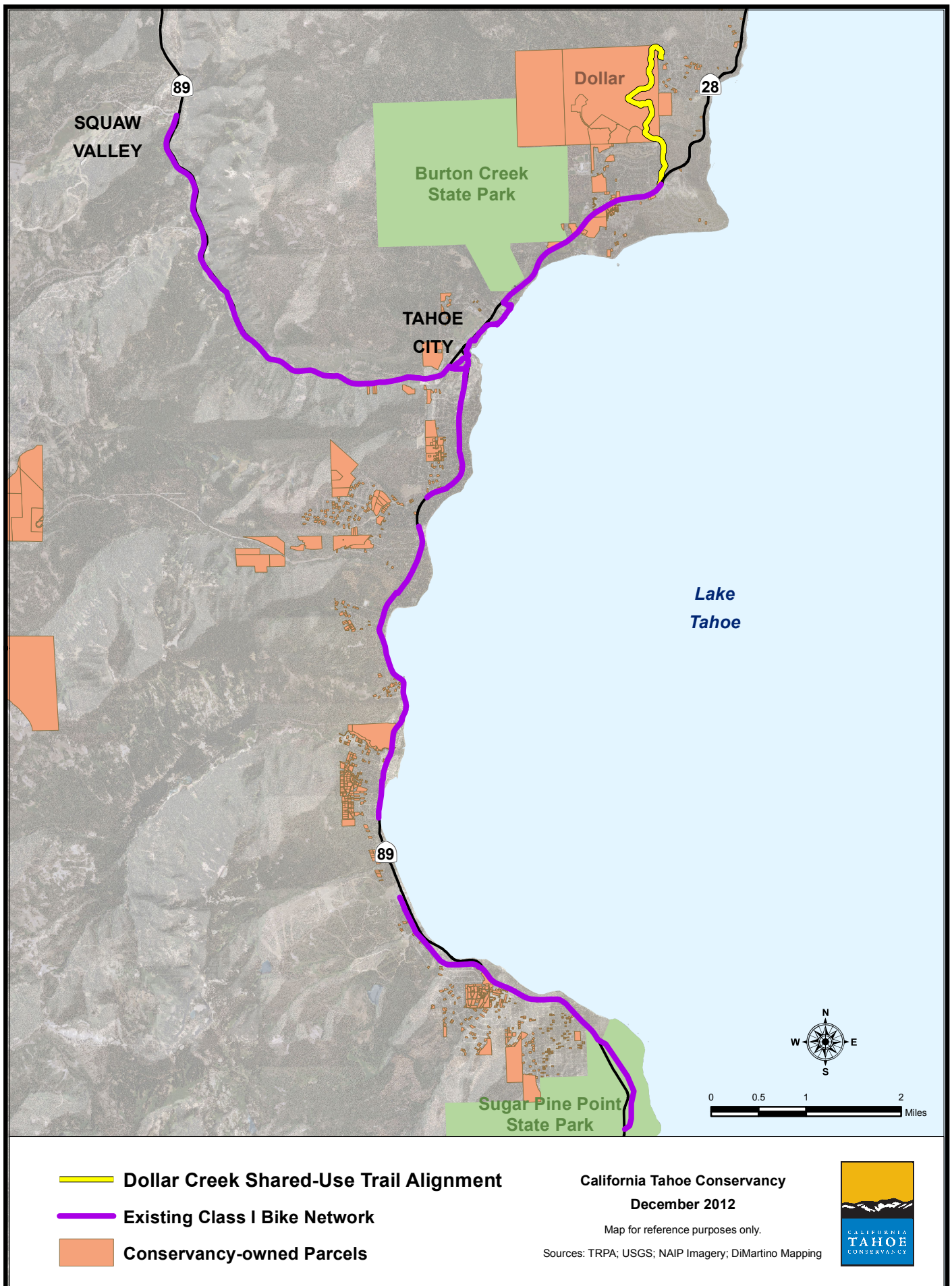
[lodaly@tahoe.ca.gov](mailto:lodaly@tahoe.ca.gov)

**ATTACHMENT 1A**  
**Dollar Creek Shared-Use Trail Project Location Map**





**ATTACHMENT 1B**  
**Regional Bike Trail Network**



## **ATTACHMENT 2**

California Tahoe Conservancy

Resolution

12-12-03

Adopted: December 14, 2012

### **GRANT OF EASEMENT FOR THE DOLLAR CREEK SHARED-USE TRAIL PROJECT**

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

"The California Tahoe Conservancy, in its role as a responsible agency under the California Environmental Quality Act, has reviewed and considered the Initial Study and Mitigated Negative Declaration (IS/MND) certified by Placer County on October 23, 2012. The Conservancy certifies that it has independently considered and reached its own conclusions regarding the environmental effects of the proposed project and 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 incorporates the mitigation measures described in the MND as a condition for approval of the project. The Conservancy hereby 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 66907.8 and 66907.9:

"The California Tahoe Conservancy hereby authorizes staff to grant an easement to Placer County, over portions of Placer County Assessor Parcel Numbers 092-010-021, 033, 034, 035, and 039, and 092-240-021, for construction and maintenance of improvements, as well as operations and monitoring, of the Dollar Creek Shared-Use Trail Project, and authorizes staff to take all other necessary steps consistent with the accompanying staff recommendation."

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 14<sup>th</sup> day of December 2012.

In WITNESS THEREOF, I have hereunto set my hand this 14<sup>th</sup> day of December 2012.

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Patrick Wright  
Executive Director

# ATTACHMENT 3A Temporary Access



30% SUBMITTAL  
PRELIMINARY  
FOR REVIEW ONLY  
NOT FOR CONSTRUCTION  
DATE: 08-01-2012

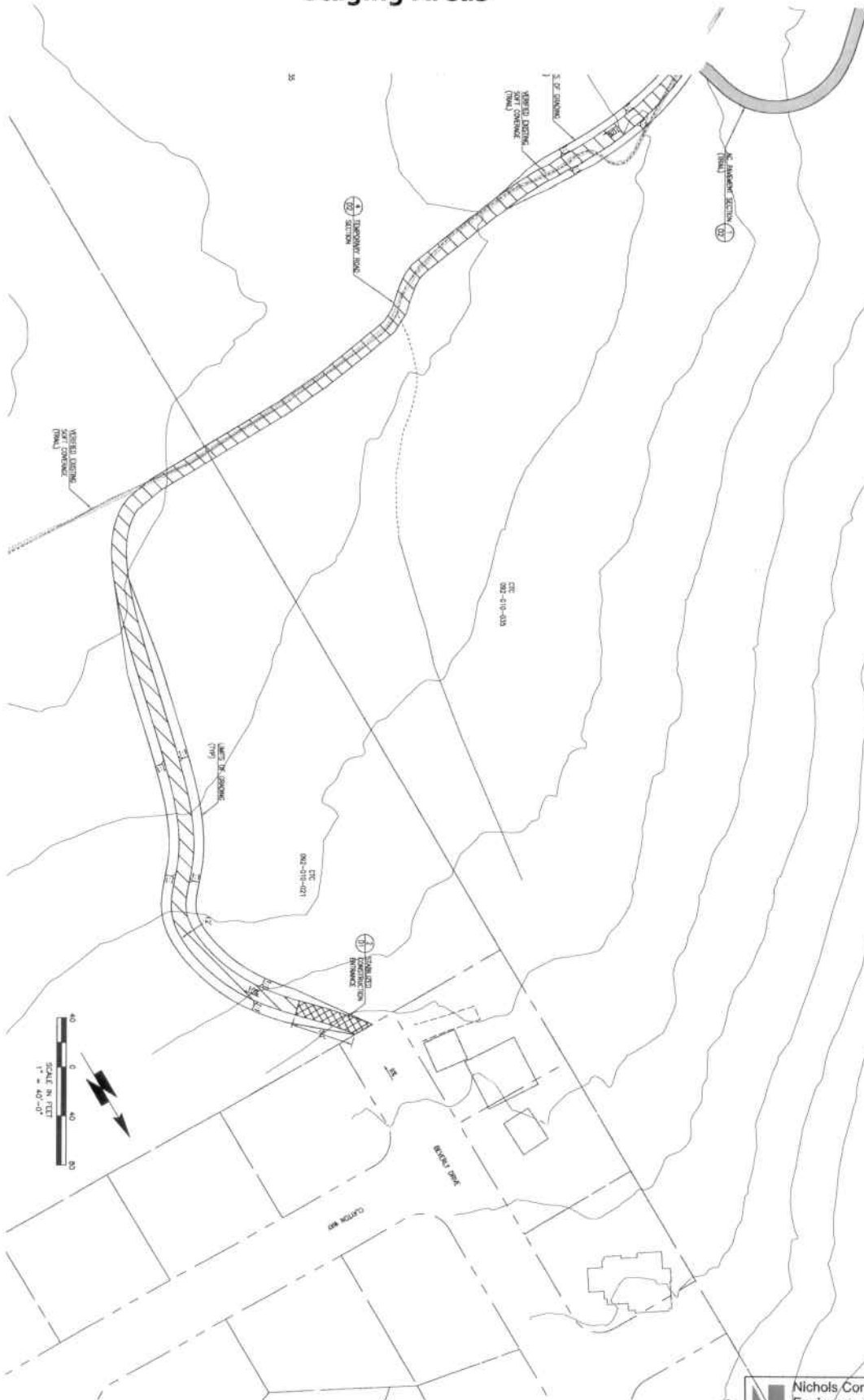


**Nichols Consulting  
Engineers, Chtd.**  
P.O. Box 1750  
Zephyr Cove, NV 89448  
(775) 588-2506 Fax (775) 588-2607

SHEET NO. C14 of 27	PROJECT NO. 4639.0114	CONTRACT NO. ---	COUNTY OF PLACER DEPARTMENT OF PUBLIC WORKS TAHOE ENGINEERING DIVISION	PO BOX 336, 7717 N. LAKE BLVD (SR 28) KINGS BEACH, CA 96143 (530) 581-6236 (530) 581-6239 (FAX)		DESIGNED BY: CS	DATE: 06/01/2012	REVISION #	DESCRIPTION AND SHEET NO.	APPROVED BY: [Signature]	DATE:
						DRAWN BY: CHC	DATE: 06/01/2012				

# ATTACHMENT 3B

## Staging Areas



30% SUBMITTAL  
PRELIMINARY  
FOR REVIEW ONLY  
NOT FOR CONSTRUCTION  
DATE: 08/01/2012



**Nichols Consulting Engineers, Chtd.**  
P.O. Box 1760  
Zephyr Cove, NV 89448  
(775) 588-2505 Fax (775) 588-2607

COUNTY OF PLACER DEPARTMENT OF PUBLIC WORKS TAHOE ENGINEERING DIVISION  P.O. BOX 336, 7717 N. LAKE BLVD (SR 28) KINGS BEACH, CA 96143 (530) 581-6238 (530) 581-8239 (FAX)	DESIGNED BY: CS DATE: 05/21/2012 DRAWN BY: CMC DATE: 05/21/2012 CHECKED BY: MS DATE: 03/28/2012	REVISION #      DESCRIPTION AND SHEET NO.      APPROVED BY      DATE																															
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PROJECT NO. A639.01.14 CONTRACT NO. --- SHEET NO. C15 OF 27	DOLLAR CREEK SHARED-USE TRAIL STAGING & ACCESS PLAN																																

**ATTACHMENT 4**

**GRANT OF EASEMENT FOR THE  
DOLLAR CREEK SHARED-USE TRAIL PROJECT**

Comment letter to Placer County from DPR





DEPARTMENT OF PARKS AND RECREATION

Ruth Coleman, Director

Sierra District  
P.O. Box 266  
Tahoma, CA 96142-0266  
530/525-7232

July 2, 2012

Peter Kraatz  
County of Placer  
Tahoe Engineering Division  
P.O. Box 336  
Kings Beach, CA 96143  
[pkraatz@placer.ca.gov](mailto:pkraatz@placer.ca.gov)

Subject: Dollar Creek Shared-Use Trail Project, Mitigated Negative Declaration,  
SCH#2012062010

Dear Mr. Kraatz,

The California Department of Parks and Recreation (CDPR) appreciates the opportunity to comment on the Mitigated Negative Declaration for Dollar Creek Shared-Use Trail Project. Adjacent to the Dollar Property is Burton Creek State Park (SP), a park unit within CDPR.

Based on CDPR mission statement and policies, CDPR is responsible for 1) the health of the natural and cultural resources that are contained within park properties; 2) ensure the health and safety of the public (park visitors, park employees, and park residents); and also 3) for the creation and maintenance of outdoor recreation for the state's visitors and residents. The following comments reflect these internal policies and directives of the CDPR.

The California Department of Parks and Recreation may take ownership of the Dollar property in the future as a result of land exchange between the California Tahoe Conservancy and CDPR. CDPR supports a legal easement that includes signage and maintenance for the shared-use trail through the Dollar property between the California Tahoe Conservancy and the North Tahoe Public Utility District.

Thank you for considering our comment. If you need clarification or additional information, please do not hesitate to contact me.

Sincerely,

Tamara Sasaki  
Sr. Environmental Scientist

cc: Marilyn Linkem

**ATTACHMENT 5**

**GRANT OF EASEMENT FOR THE  
DOLLAR CREEK SHARED-USE TRAIL PROJECT**

Placer County Initial Study and  
Mitigated Negative Declaration

On attached CD



## ATTACHMENT 6

### NOTICE OF DETERMINATION

TO: Office of Planning and Research  
1400 10<sup>th</sup> Street, Room 121  
Sacramento, CA 95814

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

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***Subject:***

Filing of Notice of Determination in compliance with sections 21108 and 21152 of the Public Resources Code.

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***Project Title:***

Grant of easement to Placer County for the Dollar Creek Shared-Use Trail Project.

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***State Clearinghouse Number:***

2012062010

***Contact Person:***

Lisa O'Daly

***Telephone Number:***

(530) 543-6037

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***Project Location:***

Conservancy owned parcels, Placer County Assessor's Parcel Numbers 092-010-021, 092-010-033, 092-010-034, 092-010-035, 092-010-039, and 092-240-021, north of State Route 28 between the intersection of Dollar Drive and State Route 28 (North Lake Boulevard) and the terminus of Fulton Crescent Drive in North Lake Tahoe, CA.

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***Project Description:***

Placer County proposes to develop a 2.2-mile-long shared-use trail (with at-grade and bridge elements) that extends the existing bike trail network through public lands commonly known as the Dollar and Firestone Properties. When implemented, the Project may optionally include a trailhead parking facility near Dollar Drive and SR 28 to support trail users. The Conservancy proposes to grant the necessary easement to enable construction, operations, and maintenance activities for the improvements to proceed.

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This is to advise that the California Tahoe Conservancy, acting as a responsible agency, has approved the above described project on December 14, 2012 and has made the following determinations:

1. The project will not have a significant effect on the environment.
2. A Mitigated Negative Declaration (MND) for the project was prepared and approved by Placer County on October 23, 2012, and a Notice of Determination was filed on October 23, 2012. The California Tahoe Conservancy reviewed and considered the MND prior to project approval. The Notice of Determination, MND, and record of project approval may be examined at Placer County Department of Public Works, 7717 North Lake Boulevard, Tahoe Vista, CA 96148.
3. Mitigation measures were made a condition of the approval of the project by Placer County and the Conservancy and are located in *Section 3.2.17.2, Environmental Analysis and Mitigation Measures*, of the IS/MND.

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Fish and Game Fees: A California Department of Fish and Game Environmental Filing Fee was paid for this

project. A copy of the receipt will be filed with this notice.

***Date Received for Filing:***

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Patrick Wright  
Executive Director