

**VAN SICKLE CA/NV BI-STATE PARK  
CALIFORNIA-SIDE DAY USE AREA**

**Summary:** Staff recommends granting authorization for up to \$165,000 to develop the Van Sickle CA/NV Bi-State Park California-side Day Use Area and other minor improvements on the California side of the park.

**Location:** Adjacent to the California-Nevada boundary in South Lake Tahoe and unincorporated El Dorado County, bounded by Nevada Division of State Parks land to the east, U.S. Forest Service lands to the south and west, undeveloped private property to the west, and Montreal Road to the north (El Dorado County Assessor Parcel Numbers 29-260-025, 29-260-32 and 029-441-03). (Attachment 1)

**Fiscal Summary:**

Source of Funds: Proposition 12, 40, or 84 Bond	\$ 165,000
Funds and/or Conservancy Public Access Program – Lake Tahoe Conservancy Account	

Other Potential Funding:	\$ 20,000
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**Recommended Action:** Adopt Resolution 11-01-07 (Attachment 3).

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**Background**

Scheduled to open its gates in 2011, the Van Sickle CA/NV Bi-State Park is the only bi-state park in the United States with a single entrance that provides access to both sides of a state line. The park's unique location, close to the concentration of tourist and residential accommodations near Heavenly Village and the Stateline corridor's urban casinos, provides the opportunity for people to access Tahoe's outdoor environment without having to drive from their accommodations. Nevada's Daggett Summit Spur trail, which connects to the Tahoe Rim Trail, is being constructed down slope from the

park's ridgeline and will connect the park to adjacent public lands and further expand recreational opportunities.

The California Tahoe Conservancy's (Conservancy) involvement in the Van Sickle CA/NV Bi-State Park project began in December 2001 when the Board authorized \$3,821,000 to acquire, through purchase and donation, the 156-acre Van Sickle Property (Property). In response to the joint request of the Nevada Division of State Parks (NDSP) and the California Department of Parks and Recreation (DPR), the Conservancy acquired the Property for environmental restoration and public access purposes, highlighting the opportunity for the creation, development, and management of a bi-state park. The California-side parcel complements NDSP's adjacent 542-acre Henry Van Sickle Unit of Lake Tahoe Nevada State Park, which was donated to NDSP in 1988 by Jack Van Sickle to honor of his grandfather, a historic figure in Nevada's Carson Valley.

In July 2002, the Board authorized a three-party agreement with NDSP and DPR for the development of a resource inventory and general management plan for a bi-state park. The purpose of the agreement was to "facilitate interagency cooperation in a manner that can help achieve mutual objectives for the ultimate establishment of a bi-state park". Under the agreement, NDSP, DPR, and Conservancy staff developed a conceptual master plan addressing both California and Nevada lands and envisioning public day-use activities and trail access, possible future campground uses, interpretive programs, and the ultimate reuse of historic structures.

Budget constraints have prevented DPR from pursuing management of the Property as a unit of California's State Park system. Nevertheless, in March 2007, the Board authorized \$160,000 to stabilize the historic structures located on the Property. DPR completed the stabilization project under an interagency agreement, protecting the Conservancy's investment and National Register of Historic Places eligibility.

In May 2009, the Board authorized modifications to various access easements with NDSP, Heavenly Ski Resort, and the owner(s) of an adjoining property (El Dorado County Assessor Parcel Number 29-441-03) for the proposed park access drive. The Board also allocated up to 18,890 square feet of restoration credit from the Conservancy's Land Bank to the park. In addition, Conservancy staff was authorized to maintain and manage the Conservancy's Property consistent with general property management authorizations, and to execute an operating agreement with NDSP for joint management of the park. In January 2010, the Board authorized two additional utility easements (Edgewood Water Company and Sierra Pacific Power Company).

The State of Nevada appropriated over \$3,000,000 to the park through a Tahoe Environmental Improvement Program bond allocation for project planning and construction. In August 2009, NDSP initiated construction of the park's access drive and utilities, as well as Nevada-side restrooms, picnic sites, trails, and trailhead parking. Project construction concluded at the end of the 2010 building season. However, Nevada has no funding in its NDSP budget to operate the park, potentially jeopardizing its opening in 2011. Nevada State Parks is working with the Tahoe Rim Trail Association, the Tahoe Fund, and others to secure funding and support for park operations. However, no funding for the short- or long-term operations has currently been secured.

Conservancy staff originally anticipated funding and constructing California-side improvements in coordination with NDSP's project construction, but the December 2008 bond freeze prevented authorization of new projects at that time.

### **Project Description**

Staff recommends authorization of up to \$165,000 to construct the California-side day use area in the vicinity of the historic barn with a small gravel parking lot, paved disabled-accessible parking, a picnic area, trails, and a restroom (Attachment 2). In addition, the installation of gates for regulating park operations and the marking of the California-Nevada state line will complete the short-term improvements to facilitate park opening. Annual operating costs will be absorbed within the annual Conservancy Urban Land Management Program operating budget and with the assistance of the Conservancy's volunteer site host program. Upon park opening, the site host's role will be expanded to provide maintenance services in addition to their 24-hour presence, which helps to protect sensitive resources. Finally, there may be an opportunity to partner with the Tahoe Fund to initiate a more robust interpretive program on the Property.

### **Project Budget**

The proposed budget for implementing this project is shown on the following page. The category amounts shown are estimates and reflect actual bids and staff's prior experience. Actual expenditures may vary but will not exceed the total funds requested.

Site Improvements and Restroom	\$96,000
Labor	18,200
Materials	13,800
Signage and Interpretation, Safety Features, and Stateline Demarcation	13,000
Contingency	<u>24,000</u>
<b>Total:</b>	<b>\$165,000</b>
Potential Third Party Donation for Other Amenities and Interpretive Features	<b>\$20,000</b>

### **Project Implementation**

Day use improvements will be constructed by a combination of private contractors and Conservancy work crews. Private contractors will install the largest site features, including a prefabricated restroom and freeze-proof yard pump, water and sewer line extensions, and parking improvements. Project implementation by the Conservancy crews will involve site cleanup, installation of safety features, fence construction, fabrication and development of basic signs and interpretive materials, placement of gravel on the existing parking lot, construction of a compacted decomposed granite trail around the parking lot, placement of picnic tables and vehicle barriers, installation of site features such as rocks, minor trail construction and delineation, assessment and hand treatment of any noxious weeds, revegetation; and minor site work. If needed, additional labor through the California Conservation Corps or volunteer groups may be used.

In the vicinity of the day use area, the site will be evaluated for hazards and safety features will be installed where necessary to preclude public access to unsafe areas. No features that contribute to the site's National Register eligibility will be disturbed. However, certain features, such as the unstable, non-historic hitching post, will be temporarily removed and stored for potential reuse when the site is further developed in the future.

Project implementation is scheduled to begin in spring 2011, as soon as snow conditions allow. All site grading will wait until May 1 to begin. The Tahoe Regional Planning Agency and Lahontan Regional Water Quality Control Board's permits for the park address all of the elements of the California-side Day Use Area, which were described and analyzed in the project's CEQA documents (Attachment 4). No further state

approvals are required because the project's anticipated cost is below the threshold requiring either Department of General Services or State Public Works Board approval.

### **Project Evaluation**

The Conservancy's acquisition of the Property placed the Conservancy in the role of landowner of the lynchpin property for connecting the South Shore's most urban area to its adjacent public lands. The Property's strategic location near the largest bed base in the Lake Tahoe Basin and adjacent to Nevada's Henry Van Sickle Unit provides opportunities for public access and environmental restoration.

The recommended project is consistent and compatible with long-term Conservancy objectives for the property. The Day Use Area Project will increase and enhance regional public access and recreational opportunities to a regionally significant natural area which can accommodate visitor use, consistent with the Lake Tahoe Environmental Improvement Program. The project furthers the public access purposes of the Conservancy's 2001 acquisition and is consistent with the Conservancy's Public Access and Recreation Program.

This bi-state park complements the nearby and Conservancy-funded Explore Tahoe Urban Trailhead, affording visitors to the area the opportunity to walk from their hotel rooms to short day- outings, long hikes, and cultural elements which showcase both Nevada's and California's heritage. The historic structures located around the proposed day use area add to the park's amenities as the primary features of interest and will be the central draw for interpretive purposes.

The park provides a cutting-edge example of interagency cooperation and creates a new public asset, incorporating amenities like the day use area that benefit California and Nevada residents and visitors.

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

The day use area project and recommended management activities are consistent with the Conservancy's enabling legislation. Under Government Code section 66907.10, the Conservancy is authorized to improve and develop acquired lands for a variety of purposes, including providing public access or public recreational facilities. Under Government Code section 66906.8, the Conservancy is authorized to select and hire private consultants or contractors as necessary to achieve these purposes.

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

The Conservancy, acting as the Lead Agency, prepared an Initial Study, Negative Declaration (IS/ND), and Addendum to the IS/ND to comply with CEQA. The Conservancy adopted the IS/ND and Addendum on May 29, 2009, and a Notice of Determination (NOD) was filed on June 4, 2009.

Copies of the IS/ND and Addendum are being provided to the Board under separate cover and are available for public review at the Conservancy office, 1061 Third St., South Lake Tahoe, California 96150 (Attachment 4).

Staff has reviewed the IS/ND and Addendum and believes that the improvements proposed have been adequately analyzed in these documents. Since completion of the IS/ND and Addendum, and adoption of the environmental findings by the Conservancy on May 29, 2009, there is no new information, substantial changes to the proposed project, or changes to project implementation which would involve any new significant effects that were not analyzed in the IS/ND and Addendum. As a result, no new mitigation measures are needed to find that the project would have no significant environmental impacts.

Staff recommends that the Conservancy review the IS/ND and the Addendum and make the findings as set forth in the attached resolution. If the Board authorizes the Day Use Area Project, staff will file a NOD (Attachment 5) with the State Clearinghouse pursuant to Section 15096 of the CEQA Guidelines.

### **List of Attachments:**

Attachment 1 – Project Map

Attachment 2 – Day Use Improvement Site Plan

Attachment 3 – Resolution 11-01-07

Attachment 4 – Initial Study, Negative Declaration, Addendum, and Response to Comments (on attached CD)

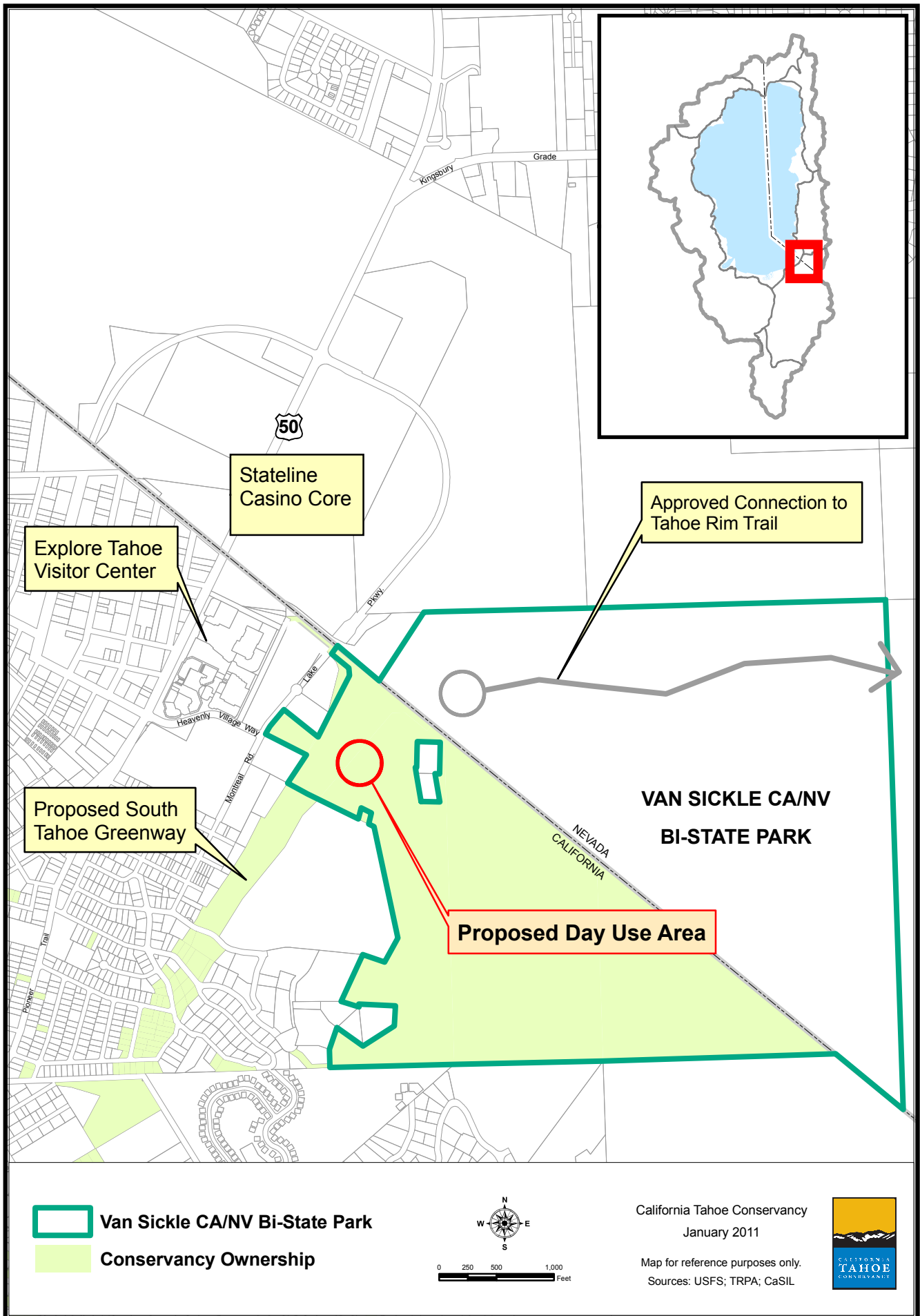
Attachment 5 – Notice of Determination

### **Conservancy Staff Contact:**

Lisa O'Daly

Phone: (530) 543-6037

**ATTACHMENT 1**  
**Project Location Map**





## ATTACHMENT 2 Day Use Improvement Site Plan





### **ATTACHMENT 3**

California Tahoe Conservancy

Resolution

11-01-07

Adopted: January 20, 2011

#### **VAN SICKLE CA/NV BI-STATE PARK PROJECT, CALIFORNIA-SIDE DAY USE AREA**

Staff recommends the California Tahoe Conservancy make the following finding based on the accompanying staff report 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, Addendum, and Response to Comments for the Van Sickle CA/NV Bi-State Park Project (Project). The Conservancy previously found on the basis of the whole record before it that there is no substantial evidence that the Project would have a significant effect on the environment and that the Negative Declaration reflects the Conservancy's independent judgment and analysis. Additionally, the Conservancy finds that the improvements now proposed have been adequately analyzed in the Initial Study and Negative Declaration filed with the State Clearinghouse on April 6, 2009. The Conservancy further finds that no substantial changes are proposed in the Project, and no substantial changes have occurred with respect to the circumstances under which the Project is undertaken that would involve any new significant environmental effects or significantly increase the severity of any previously identified impacts. The Conservancy adopted the Negative Declaration for the Van Sickle Bi-State Park Project on May 29, 2009 and now directs staff to file a Notice of Determination (NOD) with the State Clearinghouse for the specific project components associated with the California-side Day Use Area."

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 expend up to \$165,000 to develop the California/Nevada Van Sickle Bi-State Park California-side Day Use Area, including trails and other minor improvements, and take all other necessary steps, consistent with the accompanying staff recommendation, in order to implement the Project."

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 20<sup>th</sup> day of January, 2011.

In WITNESS THEREOF, I have hereunto set my hand this 20<sup>th</sup> day of January, 2011.

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Patrick Wright  
Executive Director

## **ATTACHMENT 4**

Van Sickle CA/NV Bi-State Park,  
California-side Day Use Area  
Initial Study, Negative Declaration, Addendum,  
and Response to Comments  
(on attached CD)

## ATTACHMENT 5

### 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:***

Authorization to develop the Van Sickle CA/NV Bi-State Park California-side Day Use Area.

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***Project Title:***

Van Sickle CA/NV Bi-State Park – California-side Day Use Area

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***State Clearinghouse Number:***

2009042033

***Contact Person:***

Lisa O'Daly

***Telephone Number:***

(530) 543-6037

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***Project Location:***

El Dorado County (El Dorado County Assessor's Parcel Numbers 28-021-02, 28-021-03, 29-260-19, 29-260-25, 29-260-32, 29-320-11 and 29-441-20, easement portion of 29-441-03)

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***Project Description:***

A day-use area in the California portion of the Van Sickle Bi-State Park located at the historic Van Sickle Barn site, including installation of a sewerred restroom facility and picnic area with water service, as well as installation of Best Management Practices and gravel and concrete surfacing for designation of 14 parking spaces (1 accessible) within the existing native surface parking area.

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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 January 20, 2011 and has made the following determinations regarding the above described project:

1. The project will not have a significant effect on the environment.
2. An Initial Study, Negative Declaration (IS/ND), and Addendum to IS/ND for the project was prepared and approved by the California Tahoe Conservancy on May 29, 2009 and a Notice of Determination was filed on June 4, 2009. The Notice of Determination, Initial Study, Negative Declaration, Addendum to IS/ND, and record of project approval may be examined at 1061 Third Street, South Lake Tahoe, CA.
3. Mitigation Measures were not made a condition of the approval of the project.
4. The Conservancy finds that no substantial changes are proposed in the project, and no substantial changes have occurred with respect to the circumstances under which the project is taken that would affect any potentially significant environmental effects. Furthermore, there are no changes regarding the project that would require new mitigation measures.

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Fish and Game Fees: N/A; paid June 4, 2009

***Date Received for Filing:***

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Patrick Wright  
Executive Director