

## **ENVIRONMENTALLY SENSITIVE LAND ACQUISITION**

**Recommended Action:** Adopt Resolution 16-12-03 (Attachment 1) authorizing staff to expend up to \$30,000 and take all other actions necessary to acquire fee or less than fee interest in Placer County Assessor's Parcel Number (APN) 090-104-043.

**Location:** The property is located in Kings Beach, California at the corner of Coon Street and Loch Levon Avenue (Placer County APN 090-104-043) (Attachment 2).

**Fiscal Summary:** The recommended action includes expenditures of up to \$30,000 (Proposition 84 Fund) for the acquisition of the parcel (\$25,000) and related transaction and closing costs (\$5,000).

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### **Overview**

#### **Description of Recommended Action**

Staff recommends the Board authorize the acquisition of Placer County APN 090-104-043. The purpose of the acquisition is to preserve open space in its natural condition, protect a portion of Brockway Creek containing stream environment zone (SEZ), and achieve Environmental Improvement Program (EIP) threshold attainment. The 0.14 acre parcel is non-buildable. The development right and potential coverage will be retired. The parcel contains a portion of Brockway Creek that can serve future water quality purposes. The owner is a willing seller at the appraised value of \$25,000.

#### **History**

The Conservancy has traditionally purchased undeveloped parcels under the Environmentally Sensitive Land Acquisition Program containing SEZs, substandard utilities, man modifications, or non-buildable parcel scores. This parcel is undeveloped with a non-buildable parcel score and contains SEZ.

The Conservancy previously granted Placer County funds in September 2010 to acquire various parcels in Kings Beach for water quality improvement projects—this parcel was included as eligible, but there was not a willing seller at that time.

Staff conducted site inspections of the proposed parcel to identify potential problems related to physical condition. Additionally, Placer County has conducted a boundary line survey of the parcel. The parcel contains a minor fence encroachment that will be removed prior to acquisition. The owner is capable of transferring clear title and any monetary encumbrances are paid from sellers' proceeds prior to the close of escrow. Traditionally, the Conservancy pays for escrow fees, title insurance, and other related closing costs.

### **Financing**

This action will authorize expenditures of up to \$30,000 (Proposition 84 Fund) for the acquisition of the parcel (\$25,000) and related transaction and closing costs (\$5,000).

### **Authority**

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

This acquisition is consistent with the Conservancy's enabling legislation. Government Code section 66907 authorizes the Conservancy to acquire land for the purpose of protecting the natural environment.

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

The recommended action is consistent with Strategic Plan Strategy II. E "Acquire Strategic Parcels" by acquiring a parcel with SEZ on a creek where future water quality projects may be implemented.

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

The recommended action is consistent with the Conservancy's Land Acquisition Program Guidelines under the Environmentally Sensitive Lands Acquisition criteria, which allow for the acquisition of undeveloped parcels with non-buildable parcel scores containing SEZ.

## **Consistency with External Authorities**

The Environmentally Sensitive Lands parcel recommended action is consistent with the Environmental Improvement Program (EIP) because it contributes to the implementation of EIP project #01.02.04.0001.

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

Pursuant to the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), certain classes of activities are statutorily exempt from CEQA or are exempt because they have been determined by the Secretary for Natural Resources to have no significant effect on the environment. Pursuant to Public Resources Code sections 21001(f) and 21082, the Conservancy has also adopted regulations to implement, interpret, and make specific the provisions of CEQA. (Cal. Code Regs., title 14, § 12100 et seq.). Staff has evaluated this action, and has found it to be exempt under CEQA. This action qualifies for a categorical exemption under CEQA Guidelines section 15325 (transfer in ownership of land to preserve existing natural conditions), and the Conservancy's CEQA regulations, section 12102.25. A Notice of Exemption (NOE) has been prepared for the project (Attachment 3). If the Board approves the acquisition, staff will file the NOE with the State Clearinghouse pursuant to State CEQA Guidelines, section 15062.

## **List of Attachments:**

Attachment 1 – Resolution 16-12-03  
Attachment 2 – Project Map  
Attachment 3 – Notice of Exemption

## **Conservancy Staff Contact:**

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