

## **ANNUAL PLANNING AUTHORIZATION**

**Recommended Action:** Adopt Resolution 16-06-04 (Attachment 1) authorizing expenditure of up to \$972,500 in Fiscal Year 2016/17 for purposes that include planning, environmental review, specialized technical support for evaluation of feasibility and conceptual development of projects, and fort 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 \$972,500 from State sources, including \$852,500 in various capital outlay funds and \$120,000 from Lake Tahoe Conservancy Account support funds.

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### **Overview**

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

Staff recommends Board authorization of \$852,500 in program support expenditures for planning, environmental review, and other specialized technical support for evaluation of feasibility and the conceptual development of projects under various 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, and other activities necessary for project development and review
- Regional planning efforts including the Environmental Improvement Program (EIP), climate change, sustainability, and other emerging topics

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 passage of the budget, actual need, and relative priorities as established throughout the fiscal year, but will not exceed the total funds requested.

The Fiscal Year (FY) 2015/16 planning authorization expenditures included: pre-acquisition activities (i.e., appraisal, environmental site assessment) for the Sawmill property acquisition; University of California, Davis data sets and hydrologic flow estimates for use in designing projects such as the Upper Truckee Marsh; and the Lake Tahoe License Plate marketing.

## **History**

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

To date, the Lake Tahoe License Plate has generated more than \$19.5 million for the Conservancy. A total of \$1,081,000 in revenues was generated during FY 2014/15; through nine months of the current FY 2015/16 (i.e., through March 2016) another \$881,000 has been collected. The revenue generated through this program funds construction of non-motorized trails and restoration projects. The annual Lake Tahoe License Plate authorization is important to continue this unique revenue.

## **Financing**

Authorization is requested for up to \$972,500 from State sources, including \$852,500 in capital outlay funds. Capital outlay funding will be consistent with the activities considered, and may include Tahoe Conservancy Fund, Lake Tahoe Science and Lake Improvement Account (SB 630), Habitat Conservation Fund, Lake Tahoe Conservancy Account (LTCA), and various bond funds. Support budget funds (LTCA) 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 revenue may be used for marketing activities. The recommended authorization falls within this threshold.

	Support Funds	Capital Funds
• Appraisals, title review, site surveys, environmental assessments, and other pre-acquisition activities	\$ 0	\$ 72,000
• Initial project feasibility and conceptual development	0	780,500
Subtotal	0	852,500
Lake Tahoe License Plate Marketing	120,000	0
Totals	\$120,000	\$852,500

### **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 (CEQA)**

The Annual Planning Authorization does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and is therefore not a "project" within the meaning of CEQA. Staff will evaluate individual projects, however, prior to implementation to determine the appropriate level of CEQA review.

## **List of Attachments:**

Attachment 1 – Resolution 16-06-04

## **Conservancy Staff Contact:**

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**ATTACHMENT 1**

California Tahoe Conservancy  
Resolution 16-06-04  
Adopted: June 16, 2016

**ANNUAL PLANNING AUTHORIZATION**

Staff recommends that the Conservancy adopt the following resolution pursuant to Government Code sections 66906.8, 66907, 66907.9, and 66907.10:

“Conditioned upon and subject to the passage of the Budget Act of 2016, the California Tahoe Conservancy hereby authorizes Staff to expend up to \$972,500 for the purposes of program and project development, review, and implementation (including planning activities such as initial feasibility analysis, conceptual designs, and environmental document preparation for new acquisition and site improvement projects); to assist in regional planning efforts including the Environmental Improvement Program, climate change, and sustainability; and for marketing of the Lake Tahoe License Plate.”

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 16<sup>th</sup> day of June, 2016

In WITNESS THEREOF, I have hereunto set my hand this 16<sup>th</sup> day of June, 2016.

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Patrick Wright  
Executive Director