

California Tahoe Conservancy  
Agenda Item 7.c.  
September 21, 2017

**STATUS OF PROJECTS AND PARTNERSHIPS WITH EL DORADO COUNTY**

At the January 2017 Board meeting, California Tahoe Conservancy (Conservancy) staff reported on the status of projects and partnerships with the City of South Lake Tahoe (City). The Board found the presentation informative and requested that staff report on the status of projects and agreements with the other two local jurisdictions. At a future Board meeting, staff will present a similar update on the Conservancy partnership with Placer County.

Since 1985, the Conservancy has awarded almost \$50 million in grant funding to El Dorado County for site improvement and acquisition projects while also permitting the construction of El Dorado County-owned infrastructure on Conservancy parcels. El Dorado County is required to operate and maintain the constructed improvements, including site improvement grants, acquisition grants, license agreements, and easements, for a period of 20 years after the completion of project construction. El Dorado County and the Conservancy coordinate to ensure the improvements are maintained. Conservancy grant funds have supported significant public access, recreational, and environmental benefits to the Lake Tahoe Basin (Basin) and the public.

**Site Improvement Grants**

El Dorado County uses Conservancy site improvement grants to further the Environmental Improvement Program (EIP) in the Basin. Conservancy site improvement funding supports the construction of erosion control (EC), stream environment zone (SEZ), wildlife, and recreation and access projects. Conservancy staff determined that the Conservancy has awarded El Dorado County over \$46 million for 39 site improvement projects (Attachment 1). Of this amount, there are 22 active site improvement grant projects that received nearly \$39 million.

El Dorado County has completed EC projects with the support of Conservancy funding, including both large scale and smaller targeted efforts. The Apalachee and Montgomery Estates EC Projects and Christmas Valley EC and SEZ Project are examples that addressed storm water runoff for entire subdivisions. El Dorado County has also completed several smaller scale EC projects, such as the Golden Bear EC Project, which

focus on areas with direct discharges of pollutants to surface waters. These El Dorado County EC projects contribute significant benefits for Lake Tahoe's clarity.

El Dorado County has completed three SEZ and wildlife restoration projects with Conservancy funding. These projects stabilized stream channels, improved fish passage and habitat, and restored floodplains. In addition, Conservancy funding supported El Dorado County's completion of a continuous bike trail network from Meyers to the City, including the Pat Lowe Bike Trail, Sawmill 1 and 2 Bike Trails, and the Lake Tahoe Boulevard Bike Trail.

El Dorado County conducts post project monitoring for a minimum of two years to document project performance, and they complete annual EC project maintenance inspections to comply with Lahontan Regional Water Quality Control Board requirements. El Dorado County submits these annual maintenance reports to the Conservancy to document ongoing compliance with grant requirements. El Dorado County continues to operate and maintain most of the improvements beyond the 20-year contract obligation. For example, they just recently resurfaced the Pat Lowe Memorial Bike Trail that was constructed in 1994.

Conservancy staff also performs monitoring and inspections of site improvement projects both during and after construction. Project visits have proven useful for fulfilling grant requirements, and they have resulted in critical learning opportunities, which improve forthcoming projects. Future technological advances, such as database tracking of site improvement grants, may also assist in enhancement of grant management activities.

### **Acquisition Grants**

The Conservancy has awarded over \$3 million in acquisition grants to El Dorado County (Attachment 2) to acquire 161 interests in real property, including fee titles and easements. Acquisition grants typically complement site improvement grants to provide the property interests necessary to construct the improvements. Conservancy funding supported critical acquisitions of real property interests for the Sawmill 2 Bike Path and EC Project and the Christmas Valley Phase 1 EC and SEZ Enhancement Project.

Conservancy acquisition grants require that the use of the property must remain consistent with the purpose of the grant and the funding source (e.g., bond act) if applicable. The grant agreement does not permit any other use, sale, or disposition of the property that is inconsistent with the purposes of the grant agreement, unless authorized by the Conservancy's Board. To ensure compliance with these grant

requirements, El Dorado County as the grantee, must place deed restrictions on properties purchased with Conservancy grant funds. These deed restrictions require that uses of the properties are consistent with the Conservancy grant.

Conservancy staff has developed a monitoring and data management system to inspect and track all Conservancy acquisition grants. Staff recently completed a baseline inspection of every Conservancy acquisition grant property, which confirmed that the use and improvements of each property are consistent with grant requirements. Staff documents inspections and issue resolution in the Conservancy's Parcel Data Management System, which is the Conservancy's central property database. Staff will coordinate future site visits with El Dorado County to ensure continued protection of investments.

### **License Agreements and Easements**

The Conservancy provides land rights to El Dorado County through license agreements and easements. These Conservancy land rights are important for El Dorado County to complete projects and maximize benefits. Attachment 3 contains a list of active license agreements and easements on 149 Conservancy parcels with El Dorado County. Consistent with the Special Uses Guidelines, license agreements can have varying terms depending on the improvement or activity.

El Dorado County performs routine inspections of their infrastructure, including improvements within Conservancy license agreement areas. El Dorado County performs maintenance within these license areas, as needed, to ensure proper function of the improvements. Conservancy staff also performs inspections of all Conservancy properties on a biannual basis, including inspections of license agreements areas. If the Conservancy property inspector identifies maintenance needs within El Dorado County license agreement areas, staff contacts El Dorado County to work out a solution.

### **Cooperative Management of Conservancy Lands**

El Dorado County and the Conservancy work closely together to address management and storm water quality issues that involve Conservancy lands. One example of this coordination is a collaborative effort by the Conservancy, Tahoe Resource Conservation District (Tahoe RCD), El Dorado County, and the Natural Resources Conservation Service (NRCS) to address erosion in the Montgomery Estates Subdivision. NRCS, with the assistance of El Dorado County, identified areas of erosion on Conservancy lands in the subdivision. El Dorado County staff designed improvements and prepared areas for stabilization with their equipment. Tahoe RCD crews, under the direction of El Dorado County and the Conservancy, installed rock slope protection on Conservancy lands and in the County right of way.

### **Current Projects and Future Coordination**

Presently, El Dorado County is constructing the Meyers SEZ/EC Project and planning to start construction of the Country Club Heights EC Project in 2018. El Dorado County is enhancing Conservancy owned meadows with both of these projects by reintroducing surface water flow to the meadows.

The Conservancy owns several "Asset Lands" in El Dorado County within the boundaries of the Meyers Area Plan. Conservancy staff continues to work with the community and El Dorado County to ensure that the sale of these parcels will help to achieve the goals of the Area Plan, once adopted, and benefit the community.

Some future El Dorado County projects, which may include Conservancy land, are the South Upper Truckee EC Project, the North Upper Truckee SEZ Restoration Project, the San Bernardino Water Quality Project, the Iroquois/Mohican EC Project, and the Chiapa EC Project.

El Dorado County and Conservancy staff work together to successfully manage Conservancy lands and fulfill grant and land use requirements. This partnership, including the various methods used to document grant compliance, has been effective in protecting a variety of State investments. The ongoing coordination of inspection activities has not revealed any substantial issues with El Dorado County grant compliance. Conservancy staff appreciates this ongoing partnership and looks forward to coordinating on both Conservancy and El Dorado County EIP Projects into the future.

### **List of Attachments**

Attachment 1 – Site Improvement Grant Projects

Attachment 2 – Acquisition Grants

Attachment 3 – Active License Agreements

### **Conservancy Staff Contact**

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