



CALIFORNIA
TAHOE
CONSERVANCY

Board Packet
August 21, 2019



MEETING OF THE CALIFORNIA TAHOE CONSERVANCY BOARD

Wednesday, August 21, 2019 at 9:00 a.m.

California Conservation Corps – Tahoe Center Auditorium
1949 Apache Avenue
South Lake Tahoe, CA 96150

Directions to the California Conservation Corps – Tahoe Center:

From CA/NV Stateline

Head southwest on U.S. Highway 50 West toward Stateline Avenue ~ 0.5 mile. Turn left onto Pioneer Trail ~ 8 miles. Turn left onto U.S. Highway 50 West ~ 0.2 mile. Turn left on Apache Avenue and the Tahoe Center will be on the right.

From South Lake Tahoe “Y” at U.S. Highway 50 and State Route 89

Head southwest on U.S. Highway 50 West/Emerald Bay Road ~ 4.2 miles. Turn left on Apache Avenue and the Tahoe Center will be on the right.

BOARD MEMBERS

NATURAL RESOURCES AGENCY
Wade Crowfoot, Secretary
Elizabeth Williamson, Designee

DEPARTMENT OF FINANCE
Keely Bosler, Director
Gayle Miller, Designee

SENATE PUBLIC MEMBER
Lynn Suter, Vice Chair

ASSEMBLY PUBLIC MEMBER
Adam Acosta

CITY OF SOUTH LAKE TAHOE
Brooke Laine, Chair

EL DORADO COUNTY
Sue Novasel

PLACER COUNTY
Cindy Gustafson

U.S. FOREST SERVICE (ex-officio)
Jeff Marsolais

PATRICK WRIGHT
Executive Director

1. Roll Call

The roll will be called at the California Conservation Corps (CCC)–Tahoe Center.

2. Meyers Asset Lands Board Tour

A tour of the Meyers asset lands will commence at the Tahoe Center at approximately 9:00 a.m. The tour will feature the nine asset lands in Meyers. The Board will later consider authorizing staff to conduct due diligence activities on the nine asset lands (Item 6). A Board tour map and directions are attached (Attachment 1). The tour will end at approximately 11:00 a.m. and the meeting will continue at the Tahoe Center.

No Board action will be taken during the tour. Members of the public are invited to attend the tour but must provide their own transportation.

3. Consent Items

a. Approval of Minutes (action) (Resolution 19-08-01)

b. Approval of Board Agenda (action) (Resolution 19-08-02)

4. Executive Director's Report

- Annual Lake Tahoe Summit
- 2070 Lake Tahoe Boulevard Asset Land Update

5. Public Comment on Items Not on the Agenda

6. Authorization to Conduct Due Diligence Activities on Conservancy Asset Lands in Meyers (action): Consideration and possible authorization to expend up to \$200,000 to conduct due diligence activities, such as appraisals, inspections, and initial real estate discussions, on the following parcels in Meyers: El Dorado County Assessment Numbers (ANs) 034-331-015 (~~31313121~~ U.S. Highway 50), 034-331-023 (~~31213131~~ U.S. Highway 50), 035-261-004 (~~no address~~ ~~945 Pomo Street~~), 035-261-005 (~~961 Pomo Street~~ ~~no address~~), 035-261-006 (~~961945~~ Pomo Street), 034-300-025 (no address), 034-300-026 (no address), 034-300-027 (no address), 034-300-028 (no address) (Attachment 1).

CEQA consideration: statutory exemption

(Resolution 19-08-03)

7. Burton Creek State Park Forest Restoration Project (action): Consideration and possible authorization to 1) grant up to \$240,286 to California Department of Parks and Recreation to implement the Burton Creek State Park Forest Restoration Project (Project), and 2) execute agreements as necessary to implement the Project.

CEQA consideration: categorical exemption

(Resolution 19-08-04)

8. Lake Tahoe Basin Forest Action Plan (discussion only): Discuss the Lake Tahoe Basin Forest Action Plan, which presents a comprehensive forestry portfolio that charts a path for Basinwide collaboration across property boundaries to accelerate landscape restoration and community wildfire protection.

9. Draft Conservancy Grant Guidelines (discussion only): Discuss the Conservancy's draft Grant Guidelines, which identify the Conservancy's grant funding priorities, identify considerations the Conservancy will use in evaluating

grant applications, and provide basic information regarding Conservancy grants and grant submittals.

10. Chair's Report

11. Board Member Comment

a. Potential Agenda Items for the October 10 Board Meeting (discussion only): Discuss potential agenda items for the October 10 Board meeting.

12. Public Comment on Items Not on the Agenda

13. Closed Session

The Conservancy will meet in closed session to conduct a performance evaluation of the Executive Director. Authority: Gov. Code, § 11126(a)(1).

14. Adjourn

Schedule/General Meeting Information: Agenda items may be taken out of sequence at the discretion of the Conservancy Board Chair. Items are numbered for identification purposes and will not necessarily be considered in this order. Members of the public intending to comment on agenda and non-agenda items may be asked to use the meeting sign-in sheet before the start of the meeting. The Board Chair may limit the amount of time allocated for public comment on particular issues and for each individual speaker. All Board materials, such as Board books and Board packets, exhibits, PowerPoint presentations, and agenda materials, are hereby made a part of the record for the appropriate item.

Discussion Items: Discussion items or tours involve staff presentations and updates; no Board action will be taken. (Gov. Code, § 11122.)

Consent Items: Consent items are expected to be routine and non-controversial. Recommendations will ordinarily be acted on without discussion. If any Board member, staff member, or other interested party or member of the public requests discussion of a consent item, it may be removed from consent and taken up in the regular agenda order, or in an order determined by the Board Chair.

Staff Reports: Staff reports on individual agenda items requiring Board action may be obtained on [the Conservancy's website](https://www.tahoe.ca.gov) at <https://www.tahoe.ca.gov> or at the Conservancy's office. Staff reports will also be available at the Board meeting.

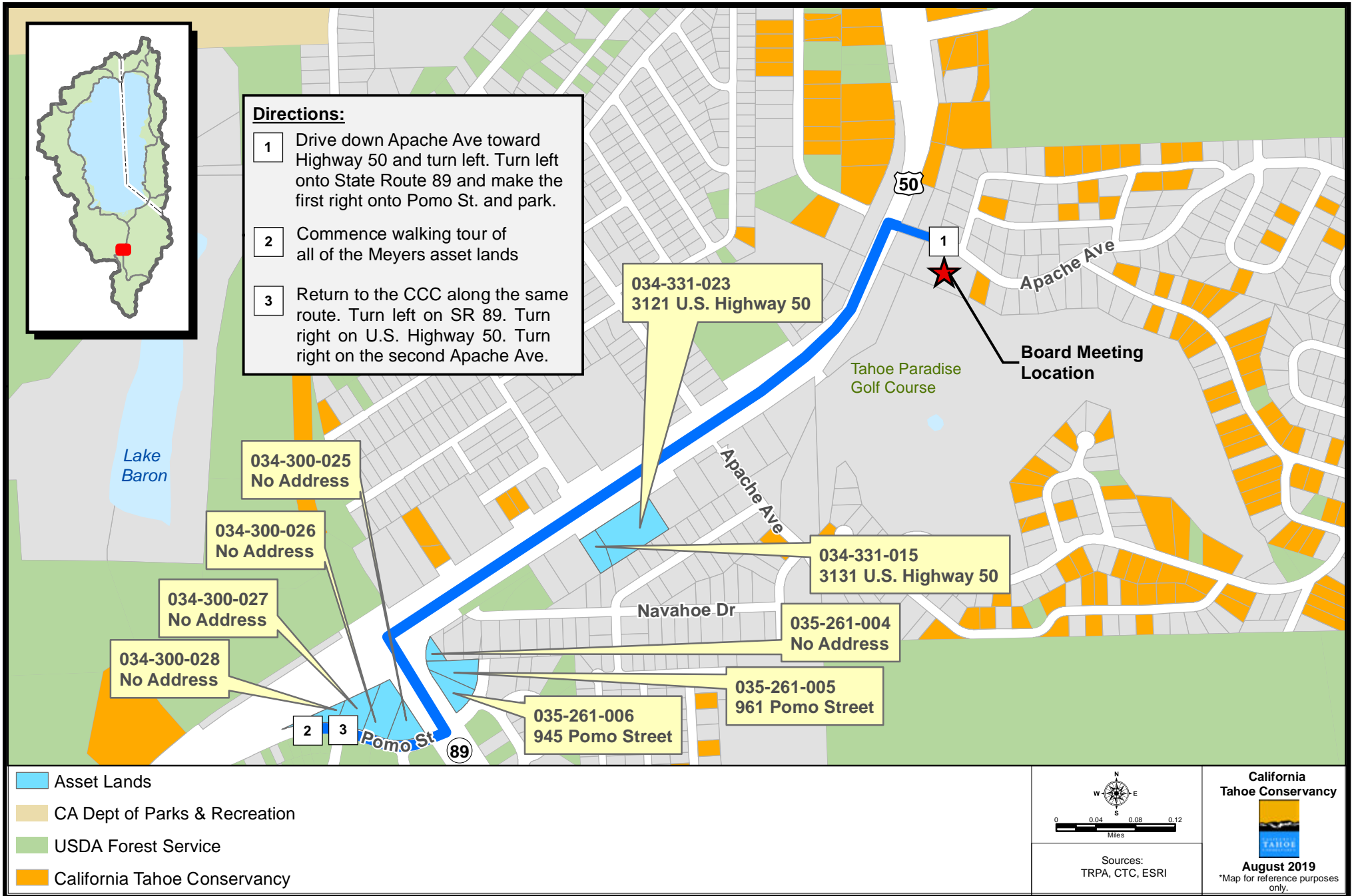
Meeting Information: Please contact Lori Uriz by e-mail at lori.uriz@tahoe.ca.gov, by phone at (530) 542-5580 or (530) 543-6069, or regular mail correspondence to 1061 Third Street, South Lake Tahoe, California 96150.

Accessibility: In accordance with Title II of the Americans with Disabilities Act of 1990, reasonable accommodations are available. Requests for reasonable accommodations should be made at least five working days in advance of the meeting date. To request reasonable accommodations, including documents in alternative formats, please call (530) 542-5580 [California Relay Service (866) 735-0373 or 711].

Use of Electronic Devices: Board members accessing their laptops, phones, or other electronic devices may use the equipment during the meeting to view the meeting materials which are provided in electronic format. Any use of these devices for direct communication employed by a majority of the members of a State body to develop a collective concurrence as to action to be taken on an item is prohibited.

Cover photo taken by Conservancy staff of 2122 Lake Tahoe Boulevard in South Lake Tahoe, a former commercial property the Conservancy acquired in 2014 and later restored.

ATTACHMENT 1
Meyers Asset Lands Tour Map



California Tahoe Conservancy
Agenda Item 3a
August 21, 2019

BOARD MEETING MINUTES
June 20, 2019

June 20, 2019 (9:30 a.m.) Board Meeting

Staff prepared the minutes from the same-day audio recording and transcription by Foothill Transcription Company, which were certified on June 27, 2019.

Agenda Item 1. Roll Call

Chair Laine called the meeting to order with a 9:35 a.m. roll call at the North Tahoe Event Center in Kings Beach, California.

Members Present:

Brooke Laine, Chair, City of South Lake Tahoe
Lynn Suter, Vice Chair, Public Member
Adam Acosta, Public Member
Sue Novasel, El Dorado County
Elizabeth Williamson, California Natural Resources Agency
Cindy Gustafson, Placer County
Karen Finn, California Department of Finance
Jeff Marsolais, USDA Forest Service (ex officio)

Others Present:

Patrick Wright, Executive Director
Jane Freeman, Deputy Director
Mike Steeves, Chief Counsel
Danae Aitchison, Deputy Attorney General

Agenda Item 2. Kings Beach Asset Lands Board Tour

Chair Laine announced the Board and members of the public would begin a tour featuring two asset lands proposed for pre-sale authorization. The asset lands are located on 8602 North Lake Boulevard and 8644 Speckled Avenue in Kings Beach. Chair Laine said the tour will end at approximately 10:30 a.m. and the meeting will continue at

the North Tahoe Event Center.

Agenda Item 3. Consent Items

a. Approval of Minutes (action)

The Board considered the minutes from the June meeting.

b. Approval of Board Agenda (action)

The Board considered the agenda for the day's meeting.

Ms. Novasel moved to approve the two consent items and Vice Chair Suter seconded the motion. Resolutions 19-06-01 and 19-06-02 passed unanimously.

Agenda Item 4. Executive Director's Report

Mr. Wright welcomed Ms. Gustafson to the Board and recognized Ms. Erin Casey for her service as Placer County's representative on the Board. Mr. Wright announced that this was Ms. Finn's last Board meeting and thanked her for many years of service to the State.

Mr. Wright also welcomed several new Conservancy employees, including Mr. Brent Coe, Mr. Joe Harvey, Ms. Caroline Martin, and Mr. Bob Larsen. Mr. Wright acknowledged Mr. Forest Schafer's recent promotion as the Conservancy's Community Forestry Supervisor.

Mr. Wright said the Annual Lake Tahoe Summit (Summit) is scheduled tentatively for August 20 with U.S. Senator Kamala Harris hosting. Mr. Wright said the Conservancy and its partners are finalizing several deliverables for the Summit, including a Lake Tahoe Basin Forest Action Plan, Aquatic Invasive Species Plan, Science-to-Action Plan, and more.

Agenda Item 5. Public Comment on Items Not on the Agenda

Chair Laine invited public comment on items not on the agenda and there were no public comments.

Agenda Item 6. Authorization to Conduct Pre-Sale Activities on Conservancy Asset Lands Located in Kings Beach (action)

Ms. Aimee Rutledge, Tahoe Livable Communities Specialist, presented Item 6.

Ms. Novasel asked whether the Conservancy was planning to sell the asset lands or keep the asset lands in Kings Beach and be the developer. Ms. Rutledge responded that the Land Transfer Guidelines allow the Conservancy to work with various partners to help implement area regional plan goals. Ms. Rutledge said the Conservancy could partner with public agencies or adjoining landowners or issue a Request for Proposals for a project with a project partner. Ms. Rutledge said staff would come back to the Board before selling asset lands in Kings Beach.

Ms. Rutledge also discussed another potential partnership with the Department of General Services (DGS) and the Department of Housing and Community Development where the Conservancy would enter into a long-term ground lease.

Ms. Gustafson asked how much time public agencies have to work with the Conservancy before the Conservancy goes with a private developer. Ms. Rutledge responded that staff would start those conversations formally after receiving Board authority for pre-sale activities. Ms. Rutledge said there is no set amount of time specified for public agencies to work with the Conservancy.

Ms. Gustafson said Placer County might not be in a position currently to negotiate effectively because of its own planning and budgetary processes. Ms. Gustafson said Placer County would like the Conservancy to work with local jurisdictions first and allow sufficient time to negotiate before releasing it to private entities.

Mr. Wright explained that the Conservancy has had extensive conversations with the City of South Lake Tahoe (City) and El Dorado County about the asset lands in those jurisdictions. Mr. Wright said the Conservancy would like to partner with local jurisdictions as much as possible, which is why the Conservancy did not move forward with pre-sale activity authorizations for its asset lands until the local jurisdictions finalized their area plans. Mr. Wright said the Conservancy has discussed with DGS potentially transferring some of the asset lands to local jurisdictions. Mr. Wright said the Conservancy is open to those ideas and it is the perfect time to have those conversations.

Ms. Finn asked about the purpose of acquisition for the 8602 North Lake Boulevard parcel. Ms. Rutledge said it was acquired to give the Conservancy greater planning flexibility relative to meeting open space, public access, visitor-serving, and management objectives for the entire Kings Beach project area.

Ms. Finn said she thought Ms. Rutledge said the purpose was to support the Department of Parks and Recreation (DPR) earlier. Ms. Rutledge said the original staff recommendation does refer to helping to support DPR as another purpose of acquisition.

Ms. Finn asked how staff moved from the original purpose, supporting DPR, to what the Conservancy is doing now. Ms. Rutledge said the purpose of acquisition was stated broadly in the staff recommendation to support management objectives for the entire Kings Beach project area.

Ms. Finn asked if staff would bring this item back to the Board for a check-in. Ms. Finn said the staff recommendation is worded in a way that, if approved today, the Board would authorize staff to do everything and would not act again until it is a finalized project. Ms. Rutledge said staff would update the Board about the progress with its asset lands through the Executive Director's Report and discussion items.

Mr. Acosta asked what the next steps are in the process and referenced the proposed schedule in the staff recommendation. Ms. Rutledge said staff would likely come back to the Board, as was done previously for the asset lands in the City, with discussion items at key points when staff has enough information to have a good discussion and receive Board input. Ms. Rutledge said the proposed schedule is slightly presumptuous and will likely change depending on how conversations with Placer County and/or DPR develop.

Vice Chair Suter asked Ms. Rutledge if she was discussing asset lands in the City when she discussed entering into exclusive negotiations with developers. Ms. Rutledge answered affirmatively.

Vice Chair Suter asked whether the conversations with the private entity beside the 8602 North Lake Boulevard parcel were preliminary like conversations with Placer County are preliminary. Ms. Rutledge answered affirmatively and said the private entity contacted the Conservancy directly.

Mr. Wright said much has changed since the Conservancy started this program several years ago. Mr. Wright said only 17 out of 4,700 parcels were designated by the Board as asset lands and that was controversial at the time. Mr. Wright said the pendulum seems to be shifting given the importance that local communities and the Governor are placing on housing. Mr. Wright said people are starting to ask why the Conservancy is only looking at 17 parcels when there are thousands more that arguably are not sensitive.

Mr. Wright said the Conservancy is developing a strong partnership with DGS because of its mandate by the Governor to make State lands available for affordable housing. Mr. Wright said DGS is taking a more active role now than it has previously, and staff will keep the Board abreast as conversations with DGS occur.

Chair Laine asked whether the State will have a discussion to make State land, like the Conservancy's, available for sale at less than fair market value. Mr. Wright said staff is discussing that issue with DGS but it raises complicated legal questions. Mr. Wright

said the Conservancy is looking into transferring the asset lands to deal with some of those issues.

Ms. Gustafson commented that she would like to see the Conservancy exhaust opportunities with local jurisdictions, like Placer County, before starting negotiations with the private sector. Ms. Novasel and Chair Laine agreed.

Chair Laine invited the public to comment.

Mr. Tom Burt, resident of Kings Beach, commented that he lives directly across the street from one of the Asset Land parcels but did not know about this meeting. Mr. Burt said the public needs to be more informed on which parcels the Conservancy is planning to sell. Mr. Burt also said the Conservancy is doing a disservice to the public in selling these parcels. Mr. Burt said the Conservancy originally purchased these parcels to preserve the land, not for redevelopment.

Ms. Cory Ritchie, resident of Incline Village, commented about how two of nine Tahoe Regional Planning Agency (TRPA) thresholds pertain to the 8602 North Lake Boulevard parcel. Ms. Ritchie said one is scenic resources: maintain or improve roadway and shoreline scenic travel route ratings, maintain or improve views of individual scenic resources, and maintain or improve quality of views from our public outdoor recreation areas. Ms. Ritchie said the second is recreation: preserve and enhance high-quality recreational experience, preserve undeveloped shore zone and other natural areas, maintain a fair share of recreational capacity for the general public. Ms. Ritchie commented that she would like to see those thresholds maintained at 8602 North Lake Boulevard.

Ms. Norma Santiago, Board member of the Sierra State Parks Foundation, commented about the 8602 North Lake Boulevard parcel. Ms. Santiago asked why that parcel would not be included in a transfer to DPR given the close proximity to the Kings Beach State Recreation Area (KBSRA). Mr. Wright referenced the map in the presentation and said the Conservancy does intend to transfer the parcels above KBSRA. Mr. Wright said, as Ms. Rutledge discussed earlier, the Asset Land parcel was purchased for different reasons, which provides more flexibility, but that does not mean the Conservancy could not transfer the parcel to DPR, Placer County, or another entity.

Ms. Novasel asked if the next step is having a conversation with DPR. Mr. Wright answered affirmatively that staff has had initial conversations with DPR, Placer County, and adjacent developers. Mr. Wright said staff wanted to get Board approval for pre-sale activities before proceeding with formal conversations and negotiations. Mr. Wright said, given the Board's feedback, the Conservancy would work closely with DPR and Placer County first.

Ms. Gustafson proposed amending the resolution and removing the words “real estate negotiations.” Ms. Rutledge clarified that the Conservancy considers real estate negotiations to include discussions with public agencies.

Mr. Marsolais commented that the USDA Forest Service is learning that the discrete nature of the use that is authorized can have profound effects over transportation and other things. Mr. Marsolais asked staff to take a finer, detailed look at the proposal to see if there are any unintended consequences and bring it back to the Board for further discussion.

Ms. Finn said she would like to see staff come back to the Board and update the Board on what conversations have taken place, and DPR and Placer County’s level of interest in the asset lands before bringing a project proposal to the Board.

Ms. Novasel expressed discomfort with the term “negotiations” in the proposed resolution. Ms. Aitchison said the Board does have the option of adjusting the language and the Board may amend the resolution to “initial real estate discussions” instead of “real estate negotiations.” Ms. Aitchison also said it is the Board’s prerogative to specify additional interim milestones in the resolution as well. Ms. Aitchison said the Board would need to move for those changes and provide the amended language.

Ms. Gustafson said staff should take into consideration Mr. Burt’s comment on additional public notification, especially to surrounding neighbors.

Vice Chair Suter commented that staff did adequately inform the Board at regular intervals about activities involving asset lands in the City. Vice Chair Suter said she did not think specific language in the resolution about coming back to the Board was necessary as long as staff continues with the current procedures.

Mr. Wright said, at a minimum, the Executive Director’s Report would contain a summary of where we are on asset lands at every meeting. Mr. Wright said staff would not complete an actual transaction without Board approval. Mr. Wright also said he was fine with the Board replacing the word “negotiations” with “discussions.”

Ms. Novasel moved to approve the resolution with an amendment to remove the phrase “real estate negotiations” and replace it with “initial real estate discussions.” Ms. Gustafson seconded the motion. Resolution 19-06-03 passed unanimously.

Agenda Item 7. Oflyng Water Quality Project License Agreement (action)

Mr. Stu Roll, Natural Resources Program Supervisor, presented Item 7.

Ms. Novasel thanked the Conservancy for partnering with El Dorado County. Ms.

Novasel said El Dorado County has been proactive in implementing water quality improvements in this watershed and this project is an important part of that process.

There were no public comments.

Ms. Novasel moved to approve the resolution and Vice Chair Suter seconded the motion. Resolution 19-06-04 passed unanimously.

Agenda Item 15. Closed Session

The Board convened in closed session to conduct the Executive Director's performance evaluation. There was no reportable action from the closed session.

While in closed session, staff hosted a lunch at the North Tahoe Event Center plaza. The lunch was an informal gathering where the Board did not discuss official business such as matters which are or potentially may be considered by the Conservancy.

Agenda Item 8. Alta Mira Comprehensive Planning (action)

Mr. Scott Cecchi, Resources and Public Access Program Project Manager, presented Item 8.

Ms. Novasel asked if the Conservancy was proposing to include the 56-acres in the scope of work. Mr. Cecchi said no, the Conservancy would not complete planning for the 56-acres but would evaluate what is being proposed for that property and ensure the two projects complement each other.

Ms. Novasel explained that 56-acres is owned by El Dorado County and the City has a 50-year lease that is ending within the next four years. Ms. Novasel said El Dorado County is discussing with the City about reviewing the master plan for 56-acres.

Ms. Novasel said it would be a good opportunity to start coordinating efforts at Alta Mira and 56-acres now.

Mr. Wright said the Conservancy is planning to look at all the key parcels in the area because there is no way to look at these parcels in isolation. Mr. Wright said the Conservancy and the City have been discussing potentially increasing our investments in this area over the next several years. Mr. Wright said the Conservancy is interested in further engaging and coordinating with the City and El Dorado County about the strategy for this part of town.

Ms. Finn asked whether staff plans to come back to the Board with an update after the draft conceptual plan for Alta Mira is completed. Mr. Cecchi answered affirmatively.

Ms. Novasel reiterated Ms. Finn's comment and said it is important to not just check-in with the Board but that the Board participate in deciding whether the Conservancy moves forward with the proposed project.

Mr. Wright explained that staff should get in the practice of incorporating where they will seek Board input or authorization within the project schedule. Mr. Wright said staff will not wait until the end before we seek Board approval. Mr. Wright said staff would revise the project schedule and incorporate Board input and approvals.

There were no public comments.

Vice Chair Suter moved to approve the resolution and Ms. Williamson seconded the motion. Resolution 19-06-05 passed unanimously.

Agenda Item 9. Good Neighbor Authority Supplemental Project Agreement (action)

Mr. Schafer, Community Forestry Supervisor, presented Item 9.

Ms. Novasel asked whether the Conservancy would be the lead agency and overseeing the work. Mr. Schafer said the Conservancy will oversee the State's side of the agreement and the USDA Forest Service, Lake Tahoe Basin Management Unit (LTBMU) will oversee the federal side of the agreement. Mr. Schafer said it is a cooperative agreement.

Mr. Marsolais discussed the last Board meeting in Sacramento and mentioned that U.S. Department of Agriculture Secretary Perdue is interested in states and the federal government being good neighbors and working together. Mr. Marsolais said the Farm Bill was updated to expand the scope of the existing Good Neighbor Authority.

Mr. Marsolais mentioned that the USDA Forest Service is trying to fund many of the activities under the Lake Tahoe Restoration Act. Mr. Marsolais said he has been working with Mr. Wright to create a nimbleness around a variety of funding streams in the Lake Tahoe Basin (Basin) where the Conservancy and LTBMU have good accountability, oversight of deliverables, and a great relationship. Mr. Marsolais said LTBMU has not secured the \$1.35 million in front of the Board but it is working hard to mobilize those federal resources.

Chair Laine asked if the work is revenue-neutral. Mr. Schafer answered affirmatively.

There were no public comments.

Ms. Gustafson moved to approve the resolution and Vice Chair Suter seconded the motion. Resolution 19-06-06 passed unanimously.

Agenda Item 10. Fiscal Year 2019/20 Annual Program Budget Authorization (action)

Mr. Kevin Prior, Chief Administrative Officer, presented Item 10.

Chair Laine invited the Board and public to comment. There were no comments.

Ms. Finn moved to approve the resolution and Ms. Williamson seconded the motion. Resolution 19-06-07 passed unanimously.

Agenda Item 11. Environmental Improvement Program Update (discussion only)

Mr. Dorian Fougères, Chief of Natural Resources, introduced Ms. Kim Caringer, TRPA Environmental Improvement Program (EIP) Division Manager, who presented Item 11.

Ms. Williamson thanked Ms. Caringer. Ms. Williamson said the EIP is important and encouraged the TRPA to complete the EIP Update for the Summit.

There were no public comments.

Agenda Item 12. Chair's Report

Chair Laine discussed the Conservancy's use of the California Department of Human Resources' (CalHR) Employee Engagement Survey. Chair Laine suggested that the Operations Committee follow the process, participate with staff in the process, and keep the Board apprised of what the results were or what actions staff might be taking to deal with any potential concerns. The Board agreed and there were no questions or comments.

Mr. Wright commented that this is a good way for the Operations Committee and the Board to get some insights into the internal workings of the organization. Mr. Wright said the survey is comprehensive and the results were revealing on where the Conservancy is doing well. Mr. Wright said the Conservancy is off the charts on morale; however more could be done with respect to workload.

Agenda Item 13. Board Member Comment

Ms. Finn announced that this would be her last Board meeting. Ms. Finn thanked the Conservancy and said she has had a wonderful time on the Board.

Chair Laine said, on behalf of the Board, that Ms. Finn would be greatly missed.

Ms. Gustafson said she is thrilled to be a part of the Conservancy after having worked with it for many years and thanked staff for the warm welcome.

a. Potential Agenda Items for the August 21 Board Meeting

Ms. Freeman summarized the potential agenda items for the August 21 Board meeting, including a Meyers Asset Lands Tour, Meyers Asset Lands Pre-Sale Activities, Draft Grant Guidelines, Climate Change Investments Projects, and more.

Chair Laine mentioned that the Board would like to schedule a short, administrative closed session on the Executive Director's performance during the August meeting.

Ms. Gustafson commented that she would like to see a discussion during a future meeting on housing and have the local agencies report on the status of housing efforts as it relates to asset lands. Mr. Wright agreed and said staff would prepare an update with local agencies on housing efforts. Mr. Wright also indicated that staff might look at the Transfer Guidelines and update the Conservancy's process given how much has changed with housing efforts in the State and the new Executive Order. Mr. Wright said the Conservancy wants the asset lands to meet local area plan needs and perhaps staff can do a better job of providing a briefing on the local area plans as they relate to the asset lands.

Agenda Item 14. Public Comment on Items Not on the Agenda

Chair Laine invited public comment on items not on the agenda and there were no public comments.

Agenda Item 16. Adjourn

Chair Laine adjourned the meeting at 3:22 p.m.

California Tahoe Conservancy
Resolution 19-08-01
Adopted: August 21, 2019

APPROVAL OF MINUTES

I hereby certify that the foregoing is a true and correct copy of the minutes of the June 20, 2019 meeting of the California Tahoe Conservancy adopted on August 21, 2019.

IN WITNESS THEREOF, I have hereunto set my hand this 21st day of August, 2019.

Patrick Wright
Executive Director

California Tahoe Conservancy
Agenda Item 3b
Resolution 19-08-02
Adopted: August 21, 2019

APPROVAL OF BOARD AGENDA

I hereby approve the August 21, 2019 Board agenda of the California Tahoe Conservancy adopted on August 21, 2019.

IN WITNESS THEREOF, I have hereunto set my hand this 21st day of August, 2019.

Patrick Wright
Executive Director

California Tahoe Conservancy
Agenda Item 4
August 21, 2019

EXECUTIVE DIRECTOR'S REPORT

A. Budget and Accounting

1. Budget

Fiscal Year 2019/20

The California Tahoe Conservancy (Conservancy) 2019/20 fiscal year appropriations include the following:

- \$26,112,000 for capital outlay and local assistance to fund various programmatic priorities and support the Environmental Improvement Program (EIP) for the Lake Tahoe Basin (Basin), including:
 - \$17,309,000 in bond funds from Propositions 12, 40, 50, 68, and 84;
 - \$2,054,000 from special funds dedicated to the Conservancy (Habitat Conservation Fund, Lake Tahoe License Plate proceeds, Tahoe Conservancy Fund, and Senate Bill 630); and
 - \$6,749,000 in reimbursement authority (i.e., for State and federal grant funding).
- \$12,403,000 for ongoing Conservancy operations including:
 - \$2,825,000 in bond funds from Propositions 12, 40, 50, 68, and 84;
 - \$6,187,000 from special funds dedicated to the Conservancy (Habitat Conservation Fund, Lake Tahoe License Plate proceeds, and Tahoe Conservancy Fund);
 - \$2,891,000 in federal and State reimbursement grants; and
 - \$500,000 in General Funds to address deferred maintenance needs.

B. Cross-Cutting Programs and Projects

1. Forest Restoration

The Conservancy is collaboratively leading several forest restoration projects. The projects described will help build forest and community resilience to disturbances such as wildfire, insects, and disease, while increasing the pace and scale of restoration. Staff recently worked with Basin partners and the Tahoe Fire and Fuels Team (TFFT) to develop the Lake Tahoe Basin Forest Action Plan (FAP). The FAP outlines a comprehensive strategy that builds upon past and present work to protect communities from fire, improve forest health and resilience, build capacity, and leverage technology. The initiatives and forest

restoration efforts highlighted below are key components of the FAP.

Good Neighbor Authority

At its August 2018 meeting, the Board authorized staff to execute a Good Neighbor Authority Supplemental Project Agreement (SPA) with the USDA Forest Service, Lake Tahoe Basin Management Unit (LTBMU), and to accept and expend federal funds for community forestry and fire protection planning activities. In June 2019, the Board authorized staff to accept and expend up to \$1,350,000 in federal funds to plan additional forest and watershed restoration activities for future implementation under the SPA. In July 2019, the Conservancy and LTBMU signed and executed the SPA. Staff have started community forestry and fire protection planning activities, and expect pilot project implementation to begin next year (pending future Board authorization).

Lake Tahoe West Restoration Partnership (LTW)

The Conservancy and five key partners (LTBMU, Tahoe Regional Planning Agency (TRPA), California Department of Parks and Recreation, TFFT, and the National Forest Foundation) form the LTW team. The team will complete a restoration strategy for the entire 60,000-acre landscape by the end of September 2019. The team received stakeholder comments on the first draft of the strategy and is revising it.

Additionally, the U.S. Bureau of Land Management recently awarded a \$2,992,730 Southern Nevada Public Land Management Act (SNPLMA) Round 17 grant to the LTBMU to support LTW. Once available, the funding will allow the LTBMU, Conservancy, and partner agencies to complete a combined California Environmental Quality Act (CEQA), National Environmental Policy Act (NEPA), and TRPA environmental review document. The aforementioned SPA will provide the mechanism for Conservancy staff to implement this work.

Tahoe-Central Sierra Initiative (TCSI)

The 2.4 million-acre TCSI aims to accelerate eight forest landscape restoration projects (including LTW), and develop biomass utilization infrastructure, throughout the Central Sierra. The Sierra Nevada Conservancy (SNC) awarded the Conservancy a \$1.95 million Proposition 68 grant to support the TCSI. The Conservancy Board authorized staff to accept and expend this grant at its April 2019 meeting. Staff is working to hire a project lead under the grant. Additionally, staff is working with the TCSI science team and other partners to identify technologies that can help increase the scale of forest and watershed restoration and maximize operational efficiencies. Core funding for this “technology innovation sprint” will come from the SNC Proposition 68 grant. The aforementioned FAP goes into further detail on the sprint.

Hazardous Fuel Reduction, Forest Health, and Biomass Projects

At its December 2016 meeting, the Board authorized planning and preparing fuels reduction treatments on State and locally owned parcels funded through a SNPLMA Round 16 grant to the Conservancy. The first round of treatments began in September 2017, and subsequent rounds will continue through the 2022 field season. Staff is currently conducting field operations at Van Sickle Bi-State Park and Montgomery Estates in El Dorado County. Staff is also preparing 300 acres for treatment in 2020. Staff will return to the Board for authorization to implement this work in December 2019.

Eagle Rock Peregrine Falcons

Eagle Rock is a Conservancy property on the west shore just north of Homewood. Hikers use a trail to access lake views from the top of the cliff, and rock climbers ascend the face. This year, a pair of Peregrine falcons started nesting on the cliff face. The State of California placed the Peregrine falcon on its Endangered Species List in 1970, when the population had just five pairs. Populations have rebounded dramatically since 1970, but the species remains fully protected. Although hikers do not seem to disturb the pair, some climbing routes directly pass the roosting and nest ledges. To ensure protection of the nesting pair, staff posted a seasonal climbing closure during the nesting period, and continue to monitor the pair. Staff will reopen the cliff to climbing once the chicks have fledged. Hiking remains open along the trail.

2. Climate Adaptation

The Conservancy is leading a collaborative effort to develop a Climate Adaptation Action Plan (CAAP), which identifies specific projects and programs that state agencies in California and Nevada are implementing to adapt to climate change in the Basin. The Science and Engineering Team completed a draft vulnerability assessment for the Basin in June. Staff hosted a stakeholder workshop on June 26, 2019 to review the draft. This workshop was well attended by representatives from public agencies, nonprofits, and research institutes in California and Nevada. Next steps include an analysis of all plans, programs, and projects that address climate vulnerabilities in the Basin to determine if there are any gaps that need to be addressed. Finally, the Conservancy is working with Studio Percolate, a graphic design firm, to translate scientific concepts into visually accessible communications. The infographics produced will be included in the CAAP and social media campaigns.

3. Aquatic Invasive Species (AIS)

The Conservancy and Basin partners are working with the consulting firm Creative Resource Strategies (CRS) to identify a common set of AIS management performance measures, assemble an action plan that provides a systematic approach to AIS management, and develop an investment plan that will optimize

spending on AIS control. CRS has been working closely with the Lake Tahoe AIS committee and several smaller working groups to move this process along. The AIS Action Plan working group developed Basinwide short-term and long-term goals, performance measures, and actions. The working group also completed the draft action plan and discussed it with stakeholder agencies in July. The working group is developing the corresponding investment plan, to be completed in August 2019. The investment plan will complement the AIS Action Plan, together forming a comprehensive road map for AIS control.

4. Greater Upper Truckee River Watershed Partnership (UTP)

The Conservancy has launched the UTP, a new collaborative initiative that will support the variety of existing resource protection and restoration, recreation, and transportation projects within the south side of the Basin. The greater watershed includes the Upper Truckee River and Trout Creek watersheds, as well as smaller adjacent watersheds (Bijou, Bijou Park, Camp Richardson, Taylor, and Tallac). This planning area complements LTW to the northwest.

The initial UTP product will be a concise Synthesis that identifies existing programs and projects, identifies future opportunities and information needs, and provides a vision for a resilient landscape. The two goals of the Synthesis are to:

- 1) Create synergies and efficiencies for implementing ongoing projects, thereby increasing their individual and collective benefits; and
- 2) Provide an opportunity to coordinate implementation timelines and potential grant funding applications.

The Conservancy has invited agencies, stakeholders, and the public to participate in meetings during the Synthesis development. The Conservancy and its consultants facilitated launch meetings in June and July, which provided background information on the existing programs in the greater watershed, solicited feedback on a draft inventory, and initiated an analysis of gaps and needs. Staff will host a second round of agency and public meetings later in 2019 to present results of the first draft of the entire Synthesis, and to solicit additional comments and suggestions. Based on the outcomes of the Synthesis, in future years the UTP may conduct additional scientific analyses, formalize its governance, and collaboratively develop multiple-benefit projects.

C. Land Management Program

1. Special Use Requests

Under delegated authority, the Conservancy granted a short-term (under three years) license to TRPA on July 3, 2019 to place and maintain temporary threshold noise monitoring equipment on several Conservancy parcels.

The Conservancy granted a short-term license to Big Blue Adventure, LLC to host six mountain biking, running, or bike/run combination events on Conservancy parcels between June 13 and October 10, 2019. For each of the six events, the license fee is the greater of \$100 or five percent of the licensee's gross entry receipts per event (pro rated based on the approximate percentage of the course on Conservancy property). The total fee will be no less than \$600.

2. Van Sickle Bi-State Park (Park)

On August 1, there was a small vegetation fire reported on the California side of the Park. The fire occurred near the California/Nevada state line in an area that had recently received a hazardous fuels reduction treatment. Due to the combination of recent work and quick response from local firefighting agencies, the fire was contained to 1/10th of an acre. The cause of the fire is still under investigation.

3. Upper Truckee Marsh (UTM)

Conservancy staff previously met with neighbors of the UTM, City of South Lake Tahoe (City) staff, local law enforcement, and California Highway Patrol (CHP) to better understand complaints related to public use at the UTM. During the Independence Day holiday period, Conservancy staff coordinated with CHP and successfully managed increased use of the UTM. CHP continues to provide law enforcement presence and public outreach regarding inappropriate activities in the UTM. CHP has agreed to add additional resources, specifically late at night, to help address these issues.

D. Major Conservancy Projects Recently Completed or In Progress, El Dorado County

1. Upper Truckee Marsh Restoration

The Conservancy is actively planning restoration activities at the UTM, which will improve water quality and wildlife habitat in the largest wetland in the Basin. Staff is currently pursuing project approvals, and on June 26, 2019, the TRPA Governing Board approved the project permit. Staff is also working closely with State and federal partners to secure the final pieces of project funding; the LTBMU recently notified the Conservancy that up to \$1 million in federal funding is available for the project. The California Department of General Services (DGS) will advertise for construction bids this fall or winter, with restoration activities starting in spring 2020.

2. Tahoe Pines Restoration

In June 2019, the Department of Finance authorized DGS to advertise for construction bids for the project. DGS is working closely with Conservancy staff to start restoration activities in fall 2019, with most of the work likely occurring in 2020.

E. Major Conservancy Projects Recently Completed or In Progress, City of South Lake Tahoe

1. Alta Mira

As described at past Board meetings, extended periods of high lake levels and wave erosion impacted several Conservancy lakefront sites in 2018 and 2019, including Alta Mira and Fremont Overlook. Emergency slope stabilization work continues at these sites to prevent further erosion and ensure public safety and access.

In July 2019, staff worked with the Tahoe Resource Conservation District (Tahoe RCD) and California Conservation Corps crews to complete an interim slope protection project that limits additional erosion of the slope. Recently, DGS awarded a construction contract for additional slope stabilization work that includes rock toe protection and slope grading during fall 2019. This work will fully stabilize the site until the Conservancy and DGS construct permanent recreation improvements in the future.

Concurrently, staff is developing conceptual designs to evaluate the potential for expanded public access and recreation opportunities, permanent slope stabilization, and storm water treatment in this area. Staff is coordinating closely with the California State Lands Commission, DGS, the City, and the Basin's Shoreline Working Group, which includes relevant federal and state regulatory agencies.

2. South Tahoe Greenway Shared Use Trail

El Dorado County is on schedule to construct the South Tahoe Greenway (Greenway) Phases 1b and 2 in 2020, which will provide critical trail connections in South Lake Tahoe. The TRPA and Tahoe Metropolitan Planning Organization (TMPO) recently programmed an additional \$399,000 to support construction. El Dorado County has completed the engineering and is seeking final approvals for construction. They plan to advertise the project for construction bids in November 2019, and plan to complete construction in 2020.

TRPA and TMPO also anticipate programming funding for the Tahoe RCD to initiate planning of the Greenway – Upper Truckee River Trail Bridge. This future trail and bridge project will connect Greenway Phase 2 in Sierra Tract, along with informal Meyers community trails, to the Tahoe Valley Greenbelt at the South Tahoe "Y."

3. Asset Lands in the Tahoe Valley Area Plan

833 Emerald Bay Road, Assessment Number (AN) 023-171-009

On November 16, 2018, the Conservancy released a request for proposals for the

purchase and development of the Conservancy's asset land at 833 Emerald Bay Road. The Conservancy received a proposal in March 2019 and is currently completing negotiations to enter into an exclusive negotiating agreement (ENA) with Dinsmore Sierra.

2070 Lake Tahoe Boulevard, ANs 023-381-001 and 023-231-003

The Conservancy entered into an ENA with the adjacent landowner, Sutter Capital Group (SCG), in June 2018 and attended pre-application meetings at both the City and TRPA with SCG in fall 2018.

SCG has now entered into a joint venture with Alpine Corporation (joint venture), an affordable housing developer. In July 2019, the joint venture submitted a revised site plan to the Conservancy. The site plan includes workforce housing eligible for TRPA deed-restricted residential bonus units, a commercial building on U.S. Highway 50, and a portion of the City's planned Greenbelt project. Additionally, the site plan contains public plaza areas, bike and pedestrian paths, and a transit stop connecting the property to plazas on SCG's adjacent property, known as "The Crossing." Next steps may include entering into an updated ENA with the joint venture and preparing documents required for a project application submittal to the City and TRPA in winter 2019. All project approvals and environmental review must be completed prior to any future Conservancy Board action.

1860 Lake Tahoe Boulevard and 1029 Tata Lane, ANs 032-291-028 and 032-291-031

The Conservancy continues to coordinate with DGS on both economic consultant expertise and real estate documents to implement a master plan and eventual project on both parcels.

**AUTHORIZATION TO CONDUCT DUE DILIGENCE ACTIVITIES ON CONSERVANCY
ASSET LANDS IN MEYERS**

Recommended Action: Adopt Resolution 19-08-03 (Attachment 1) authorizing the expenditure of up to \$200,000 to conduct asset land due diligence activities, such as appraisals, inspections, and initial real estate discussions on the following parcels in Meyers at El Dorado County Assessment Numbers (ANs): 034-331-015 (3131 U.S. Highway 50), 034-311-023 (3121 U.S. Highway 50), 034-300-025 (no address), 034-300-026 (no address), 034-300-027 (no address), 034-300-028 (no address), 035-261-004 (no address), 035-261-005 (961 Pomo Street), and 035-261-006 (945 Pomo Street).

Executive Summary:

California Tahoe Conservancy (Conservancy) staff recommends due diligence activities for nine Conservancy asset land parcels in Meyers. The recommended action implements the Conservancy's Tahoe Livable Communities (TLC) Program by potentially using nine of seventeen designated asset lands near town centers to achieve Conservancy, statewide, regional, and area plan goals. Conservancy staff will undertake due diligence activities, consistent with the Conservancy's Land Transfer Guidelines. Due diligence activities may include but are not limited to appraisals, inspections, initial real estate discussions, and entering into potential partnerships with other public agencies. The due diligence activities are consistent with Strategic Plan Goal 4 (Foster Basinwide Climate Change Adaptation and Sustainable Communities), Strategy C (Expand the TLC program to revitalize the Lake Tahoe Basin's (Basin) town centers, protect sensitive lands, and meet the goals of the Lake Tahoe Sustainability Action Plan (Sustainability Action Plan), Lake Tahoe Regional Plan (Regional Plan), and local area plans).

Location: In Meyers in the community center, recreation, and industrial zones of the town center of the Meyers Area Plan (Area Plan) (Attachments 2 and 3).

Fiscal Summary: Staff requests authorization to expend up to \$200,000 in support funds (Environmental and Lake Tahoe license plate funds) for due diligence activities.

Overview

History

In March 2014, the Conservancy Board identified seventeen developable parcels in three urbanized areas (City of South Lake Tahoe, Meyers, and Kings Beach) that could

support sustainable compact development consistent with local area or town center plans. These “asset lands” are generally parcels that were acquired by the Conservancy to obtain land coverage, facilitate Environmental Improvement Program (EIP) projects that are no longer planned, or as part of a “bulk acquisition” of both sensitive and non-sensitive developable parcels from a single seller. The nine Meyers parcels designated as asset lands are located in the town center of the recently adopted Meyers Area Plan (Area Plan) (Attachments 2 and 3).

The Conservancy Board authorized staff to conduct due diligence activities for six asset land parcels located in the City of South Lake Tahoe in March 2014 and September 2016, and for two asset lands located in Kings Beach in June 2019.

Asset Land Due Diligence Authorization Parcel Summary

The nine Meyers asset lands could help implement various elements of the Area Plan, including housing, mixed-use development, bike, pedestrian, and transit circulation, and placement of permanent conservation easements over sensitive and public open space areas. The Conservancy originally acquired the nine parcels for potential construction of a new visitor center including expansion of the existing USDA Forest Service (USFS) visitor center on U.S. Highway 50. Over time, the USFS budget has not allowed continued operations of the existing USFS visitor center. Efforts to fund the construction and operation of a new visitor center were unsuccessful. Below is more detailed information on the parcels.

Community Center Parcels at 3131 and 3121 U.S. Highway 50 (ANs 034-331-015 and 034-331-023), total 2.12 acres

The Conservancy acquired these parcels in 1991 and 1992 for \$27,900 and \$99,000, respectively, with Lake Tahoe Acquisition Bond Act funds under the Conservancy’s Recreation and Access Program. These buildable parcels can support compact development consistent with the Area Plan. The Area Plan designates this area of Meyers as “Community Center,” which allows for various types of commercial and residential (mixed use). See Attachments 2-4 for more information.

Meyers SW Corner U.S. Highway 50, State Route 89 Parcels, also fronting on Pomo Street (no current address) (ANs 034-300-025, 034-300-026, 034-300-027, and 034-300-028), total 2.47 acres

The Conservancy acquired these parcels in 1991 and 1992 with Lake Tahoe Acquisition Bond Act funds at various purchase prices (ranging from approximately \$23,000 to \$43,000, totaling \$140,000 for all four parcels) under the Conservancy’s Recreation and Access Program. These buildable parcels can support compact development consistent with the Area Plan. The Area Plan designates this area of Meyers as “Recreation,” which allows for various types of recreational uses, including employee housing related to allowed recreation uses (with a conditional use permit). See Attachments 2-4 for more information.

Meyers SE Corner U.S. Highway 50, State Route 89 (no current address, 961 Pomo Street, and 945 Pomo Street) (ANs 035-261-004, 035-261-005, and 035-261-006), total 1.02 acres

The Conservancy acquired these parcels in 1989 and 1990 with Lake Tahoe Acquisition Bond Act funds for approximately \$30,000 (AN 035-261-006) and \$44,000 (ANs 035-261-004 and 035-261-005 bulk purchase), totaling \$74,000 for all three parcels, under the Conservancy's Recreation and Access Program. These buildable parcels can support compact development consistent with the Area Plan. The Area Plan designates part of this area of Meyers as "Industrial" (ANs 035-261-005 and 035-261-006), which allows for various types of industrial and commercial uses and part of this area as "Community Center" (AN 035-261-004), which allows for various types of commercial and residential (mixed use). See Attachments 2-4 for more information.

Detailed Description of Recommended Action

1. Major Elements and/or Steps of the Recommended Action

Conservancy staff requests Board authorization to expend up to \$200,000 to conduct asset land due diligence activities. Due diligence activities may include appraisals, inspections, and initial real estate discussions, including drafting a request for proposals from potential buyers, exclusive negotiations with uniquely qualified partners, or other transfer strategies.

As described in the Conservancy Land Transfer Guidelines, two separate Conservancy Board authorizations are required when considering the transfer of asset lands. The first Board authorization is for due diligence activities and the second authorization is for the transfer of the asset lands. Both authorizations are required to ensure sufficient public input and review of any potential private sales of the parcels. All Board actions require appropriate public noticing and California Environmental Quality Act (CEQA) compliance.

Based on Board feedback from the June 2019 meeting, the Conservancy will prioritize talking with local agencies and community groups first during the initial real estate discussions phase. In addition, Conservancy staff will update the Board on progress throughout the due diligence process and prior to releasing any requests for proposals or entering into any other agreements related to the properties. See below Proposed Schedule for more information.

In advance of seeking Board authorization for the proposed due diligence activities, Conservancy staff completed the following community noticing efforts:

- News release to local media outlets.
- Email notifications to local community groups such as the Lake Tahoe Bicycle Coalition, the League to Save Lake Tahoe, and the Sierra Club, and to local governments.
- Public notices placed on the properties and in the newspaper.

- Direct mail notice sent to property owners both within 500 feet of the properties and in the general surrounding area.
- A Conservancy Board tour of the properties, held prior to the Board meeting.
- Posting on the Conservancy website and social media.
- Coordination with El Dorado County, Meyers Community Foundation, and Meyers Advisory Council.

2. Benefits of the Recommended Action

Due diligence activities leading to potential projects on the Meyers asset lands will help implement the Conservancy’s TLC Program, the Regional Plan, and Sustainability Action Plan (required by Senate Bill 375). Proposed project requirements for the asset lands may include mixed-use development, housing, and public open space.

Proposed Schedule

Staff welcomes Board feedback on the proposed schedule below.

Proposed Milestones	Milestone Date
Initial real estate due diligence (appraisals, title review, initial partner discussions)	Fall 2019
Report back to Board with update on progress	Spring 2020
Release RFP, pursue partner agreement, or exclusive negotiations	Spring 2020
Report back to Board with update on progress	Summer 2020
Project applications (permitting and environmental review)	Winter 2020
Board authorization of disposition agreements	Spring 2021

Financing

The asset land due diligence activities will be funded with up to \$200,000 from the Environmental and Lake Tahoe license plate funds.

Appraisals	\$25,000
Tahoe Regional Planning Agency & El Dorado County coordination, permits, surveys, and/or CEQA review	\$125,000
Staff time	\$50,000
Total	\$200,000

Conservancy staff will coordinate with the Department of Finance to ensure proposed changes to use on asset lands are consistent with land acquisition funding sources. Additionally, Conservancy staff will record and appropriate any future proceeds from asset land transfers through the State budgeting process.

Authority

Consistency with the Conservancy's Enabling Legislation

The recommended action is consistent with the Conservancy's enabling legislation. Pursuant to Government Code section 66907.8, subdivision (a):

[n]otwithstanding any other provisions of law...the [C]onservancy may lease, rent, sell, exchange, or otherwise transfer any real property or interest therein, or option acquired under this title to local public agencies, state agencies, federal agencies, nonprofit organizations, individuals, corporate entities, or partnerships to fulfill the purposes of this title and to promote the state's planning priorities, consistent with subdivision (i) of Section 79707 of the Water Code.

Consistency with the Conservancy's Strategic Plan

The recommended action is consistent with Strategic Plan Goal 4 (Foster Basinwide Climate Change Adaptation and Sustainable Communities), Strategy C (Expand the TLC program to revitalize the Basin's town centers, protect sensitive lands, and meet the goals of the Sustainability Action Plan, Regional Plan, and local area plans.)

Consistency with the Conservancy's Program Guidelines

The recommended action helps accomplish the goals of the Tahoe Livable Communities Program, which focuses on revitalizing the Basin's town centers.

Consistency with External Authorities

The recommended action is consistent with the Regional Plan, Area Plan, the EIP, and the Sustainability Action Plan in compliance with Government Code section 65080, and with State planning priorities in Government Code section 65041.1.

Compliance with the California Environmental Quality Act

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 of the California Natural Resources Agency to have no significant effect on the environment. Staff has evaluated this Project, and has found it to be exempt under CEQA. This Project qualifies for a statutory exemption under State CEQA Guidelines section 15262, Feasibility and Planning Studies. A notice of exemption (NOE) has been prepared for the Project (Attachment 5). If the Board approves the Project, staff will file the NOE with the State Clearinghouse pursuant to State CEQA Guidelines section 15062.

List of Attachments

- Attachment 1 – Resolution 19-08-03
- Attachment 2 – Meyers Asset Lands Map
- Attachment 3 – Meyers Area Plan Zones Map
- Attachment 4 – Meyers Area Plan
- Attachment 5 – Notice of Exemption

Conservancy Staff Contacts

Aimee Rutledge, Tahoe Livable Communities
Kevin Prior, Chief Administrative Officer

aimee.rutledge@tahoe.ca.gov
kevin.prior@tahoe.ca.gov

ATTACHMENT 1

California Tahoe Conservancy
Resolution
19-08-03
Adopted: August 21, 2019

AUTHORIZATION TO CONDUCT DUE DILIGENCE ACTIVITIES ON CONSERVANCY ASSET LANDS IN MEYERS

Staff recommends that the California Tahoe Conservancy (Conservancy) adopt the following resolution pursuant to Government Code section 66907.8:

“The Conservancy hereby authorizes staff to expend up to \$200,000 to conduct asset land due diligence activities, such as appraisals, inspections, and initial real estate discussions on the following parcels in Meyers at El Dorado County Assessment Numbers: 034-331-015 (3131 U.S. Highway 50), 034-311-023 (3121 U.S. Highway 50), 034-300-025 (no address), 034-300-026 (no address), 034-300-027 (no address), 034-300-028 (no address), 035-261-004 (no address), 035-261-005 (961 Pomo Street), and 035-261-006 (945 Pomo Street).

I hereby certify that the foregoing is a true and correct copy of the resolution duly and regularly adopted by the Conservancy at a meeting thereof held on the 21st day of August, 2019.

In WITNESS THEREOF, I have hereunto set my hand this 21st day of August, 2019.

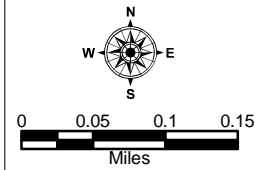
Patrick Wright
Executive Director

ATTACHMENT 2
Meyers Asset Lands Location Map



Ownership

- California Tahoe Conservancy
- CA Dept of Parks & Recreation
- USDA Forest Service
- Asset Lands



Sources:
TRPA, CTC, ESRI

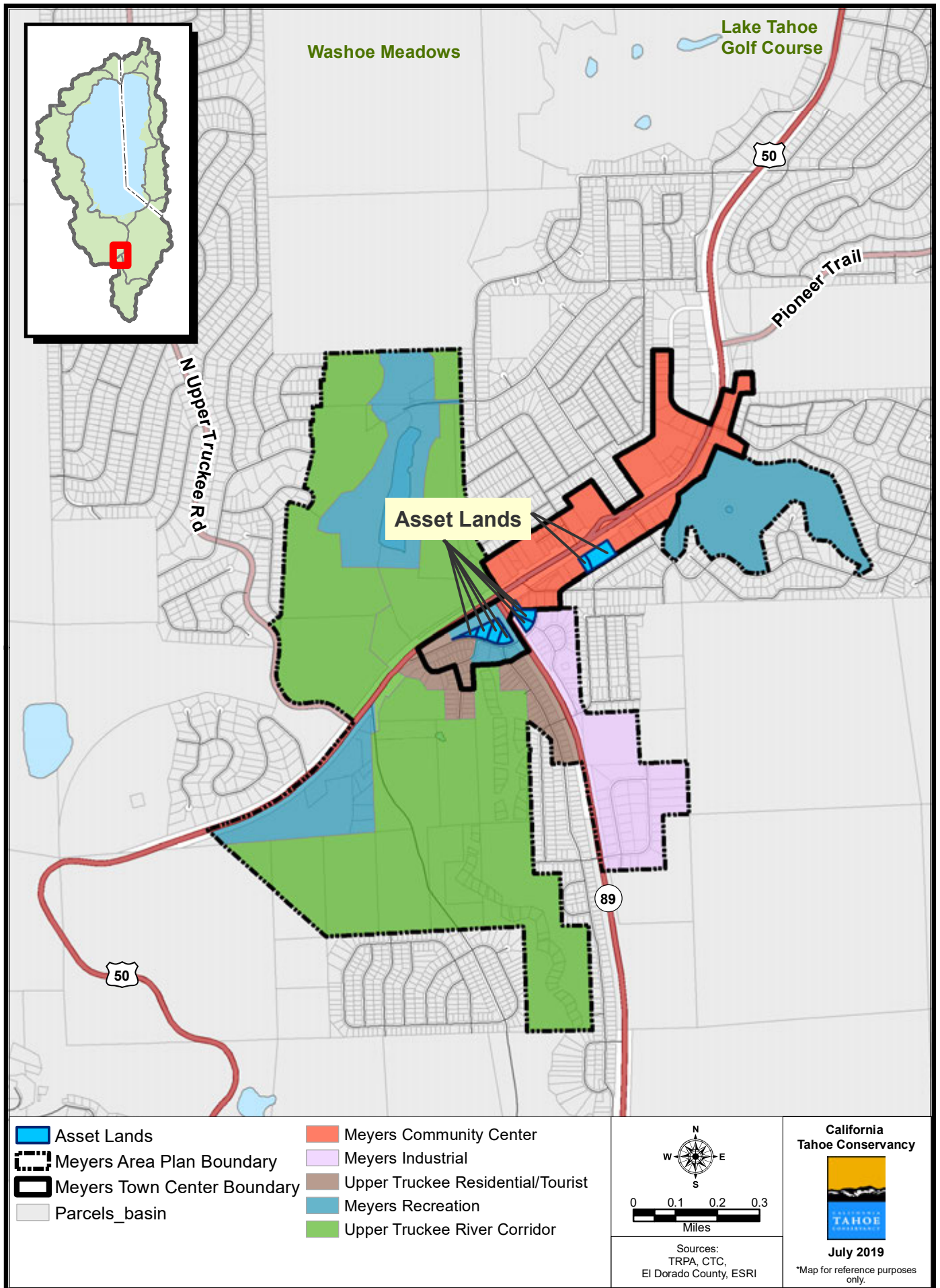
California
Tahoe Conservancy



July 2019

*Map for reference purposes only.

ATTACHMENT 3 Meyers Area Plan Location Map



ATTACHMENT 4

MEYERS AREA PLAN

El Dorado County's Meyers Area Plan and related documents can be found on [El Dorado County's website](https://www.edcgov.us/meyers) at <https://www.edcgov.us/meyers>.

ATTACHMENT 5

NOTICE OF EXEMPTION

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

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

Project Title:

Authorization to Conduct Due Diligence Activities on Conservancy Asset Lands in Meyers

Project Location – Specific:

Parcels located in Meyers in the community center, recreation, and industrial areas within the Meyers Area Plan in El Dorado County (two parcels at 3131 and 3121 U.S. Highway 50, four parcels with no current address on the corner of U.S. Highway 50 and State Route 89/Luther Pass Road and Pomo Street, and one parcel with no current address and two parcels at 961 and 945 Pomo Street – Assessment Numbers 034-331-015, 034-331-023, 034-300-025, 034-300-026, 034-300-027, 034-300-028, 035-261-004, 035-261-005, and 035-261-006) (Exhibit A).

Project Location – City:

N/A

Project Location – County:

El Dorado County

Description of Nature, Purpose, and Beneficiaries of Project:

Due diligence activities for potential project sites, which may include appraisals, inspections, and initial real estate discussions.

Name of Public Agency Approving Project:

California Tahoe Conservancy (Conservancy meeting of 8/21/2019) (Agenda Item 6)

Name of Person or Agency Carrying Out Project:

California Tahoe Conservancy

Exempt Status:

- Statutory Exemption (Pub. Resources Code, § 21102; Cal. Code Regs., tit. 14 § 15262) (Feasibility and Planning Studies)

Reasons Why Project is Exempt:

The project consists of planning and feasibility studies for possible future actions.

Contact Person:

Aimee Rutledge

Telephone Number:

(530) 307-3380

Date Received for Filing:

Patrick Wright
Executive Director

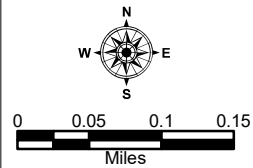
EXHIBIT A

Meyers Asset Lands Location Map



Ownership

- California Tahoe Conservancy
- CA Dept of Parks & Recreation
- USDA Forest Service
- Asset Lands



Sources:
TRPA, CTC, ESRI

California
Tahoe Conservancy



July 2019

*Map for reference purposes only.

Burton Creek State Park Forest Restoration Project

Recommended Action: Adopt Resolution 19-08-04 (Attachment 1) authorizing 1) a grant of up to \$240,286 to California Department of Parks and Recreation (DPR) to implement the Burton Creek State Park Forest Restoration Project (Project), and 2) the execution of any agreements as necessary to implement the Project.

Executive Summary: The Project is the first to be undertaken as part of a Forest Health grant to the Conservancy from the California Department of Forestry and Fire Protection (CAL FIRE) using Greenhouse Gas Reduction Funds (GGRF). The grant's overarching purpose is to proactively restore forest health to reduce greenhouse gases, promote the long-term storage of carbon in forest trees and soils, and minimize the loss of forest carbon from large, intense wildfires. The grant will reduce Lake Tahoe Basin (Basin) greenhouse gas emissions by 147,994 metric tons. Through a follow-on grant from the Conservancy to DPR, the Project will improve forest health in Burton Creek State Park. The Project involves manual thinning and prescribed understory burning on 132 acres in the wildland-urban interface, within a Very High Fire Hazard Severity Zone. DPR staff will implement the Project. The Project advances Conservancy Strategic Plan Goal 1 (Steward Conservancy Lands and Protect Basin Communities from Wildfire) and Goal 2 (Restore the Resilience of Basin Forests and Watersheds).

Location: The Project will take place in Burton Creek State Park in Placer County (Attachment 2).

Fiscal Summary: The Conservancy will provide DPR with up to \$240,286 from a CAL FIRE GGRF grant. Funds are reimbursable resulting in no fiscal impact to the State.

Overview

History

In July 2018, CAL FIRE awarded to the Conservancy a Forest Health grant that uses GGRF. Conservancy staff received Board approval in October 2018 to accept the grant funds and to expend up to \$775,906 for project planning, monitoring and assessment, research, and related direct and indirect costs, with the understanding that staff will return to the Board for authorization for specific activities.

The grant from CAL FIRE provides funding for forest thinning, prescribed fire, and biomass utilization in the Basin. Conservancy staff has identified two projects (this Project and Dollar Creek Forest Restoration Project) to accomplish the goals of this grant, along with a third grant component focused on biomass utilization associated with other ongoing forest health projects, which are subject to Board approval.

Detailed Description of Recommended Action

Staff recommends that the Board authorize a grant to DPR of up to \$240,286 for 132 acres of combined manual thinning, pile burning, and prescribed understory burning at Burton Creek State Park. DPR has planned the first prescribed burn to occur in fall 2019.

1. Overall Context and Benefits

The Project proactively restores forest health to reduce greenhouse gases, promotes the long-term storage of carbon in forest trees and soils, and minimizes the loss of forest carbon from large, intense wildfires on State lands in the Basin. Further, the Project lies within the Very High Fire Hazard Severity Zone and is included in the Lake Tahoe Basin Community Wildfire Protection Plan (CWPP) as a priority for fuel hazard reduction. The Project complements other forestry-related efforts on federal and non-federal lands in the Basin to decrease the potential for high-intensity wildfires and better protect at-risk communities. When entirely completed, the overarching CAL FIRE grant to the Conservancy will reduce carbon dioxide-equivalent emissions in the Basin by an estimated 147,994 metric tons.

2. Schedule for the Recommended Action

Project Timeline

Task	Expected Implementation
Prescribed Burning	Fall 2019, fall 2020, and fall 2021
Forest Thinning	Fall 2019, summer/fall 2020, Summer/fall 2021
Pile Burning	Fall/winter/spring, 2020-2022

Financing

Subject to Board approval, the Conservancy will provide a grant to DPR of up to \$240,286 to carry out work during the 2019/20, 2020/21, and 2021/22 fiscal years.

Authority

Consistency with the Conservancy's Enabling Legislation

Implementation of this Project is consistent with the Conservancy's enabling legislation. Specifically, Government Code section 66907.7 authorizes the Conservancy to award grants to state agencies for purposes consistent with its mission.

Consistency with the Conservancy's Strategic Plan

The recommended action advances Conservancy Strategic Plan Goal 1 (Steward Conservancy Lands and Protect Basin Communities from Wildfire) and Goal 2 (Restore the Resilience of Basin Forests and Watersheds).

Consistency with the Conservancy's Program Guidelines

The recommended action is consistent with the Conservancy's Forest Improvement Program Guidelines because it will reduce the risk of property and forest loss from catastrophic wildfire and increase the health and vigor of the retained trees. Healthy forests are better equipped to deal with the effects of climate change, sequester carbon, increase visual appeal, and provide improved wildlife habitat.

Consistency with External Authorities

The recommended action is consistent with the Environmental Improvement Program (EIP) because it facilitates the implementation of EIP projects in the Forest Ecosystem Health and Hazardous Fuels Reduction Program. This action is also consistent with both the Lake Tahoe Basin Multi-Jurisdictional Fuel Reduction and Wildfire Prevention Strategy, as amended, and the CWPP.

Compliance with the California Environmental Quality Act

Pursuant to the State California Environmental Quality Act (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 of the California Natural Resources Agency to have no significant effect on the environment. Staff has evaluated this Project, and has found it to be exempt under CEQA. This Project qualifies for a categorical exemption under State CEQA Guidelines section 15304 (Minor Alterations to Land). A notice of exemption (NOE) has been prepared for the Project (Attachment 3). If the Board approves the Project, staff will file the NOE with the State Clearinghouse pursuant to State CEQA Guidelines, section 15062.

List of Attachments

Attachment 1 – Resolution 19-08-04

Attachment 2 – Burton Creek State Park Forest Restoration Project Map

Attachment 3 – Notice of Exemption

Conservancy Staff Contact

Joseph Harvey, Forest Operations Specialist

joseph.harvey@tahoe.ca.gov

ATTACHMENT 1

California Tahoe Conservancy
Resolution
19-08-04
Adopted: August 21, 2019

BURTON CREEK STATE PARK FOREST RESTORATION PROJECT

Staff recommends that the California Tahoe Conservancy (Conservancy) adopt the following resolution pursuant to Government Code section 66907.7:

“The Conservancy hereby authorizes staff to 1) grant up to \$240,286 to California Department of Parks and Recreation to implement the Burton Creek State Park Forest Restoration Project (Project), and 2) execute agreements as necessary to implement the Project.”

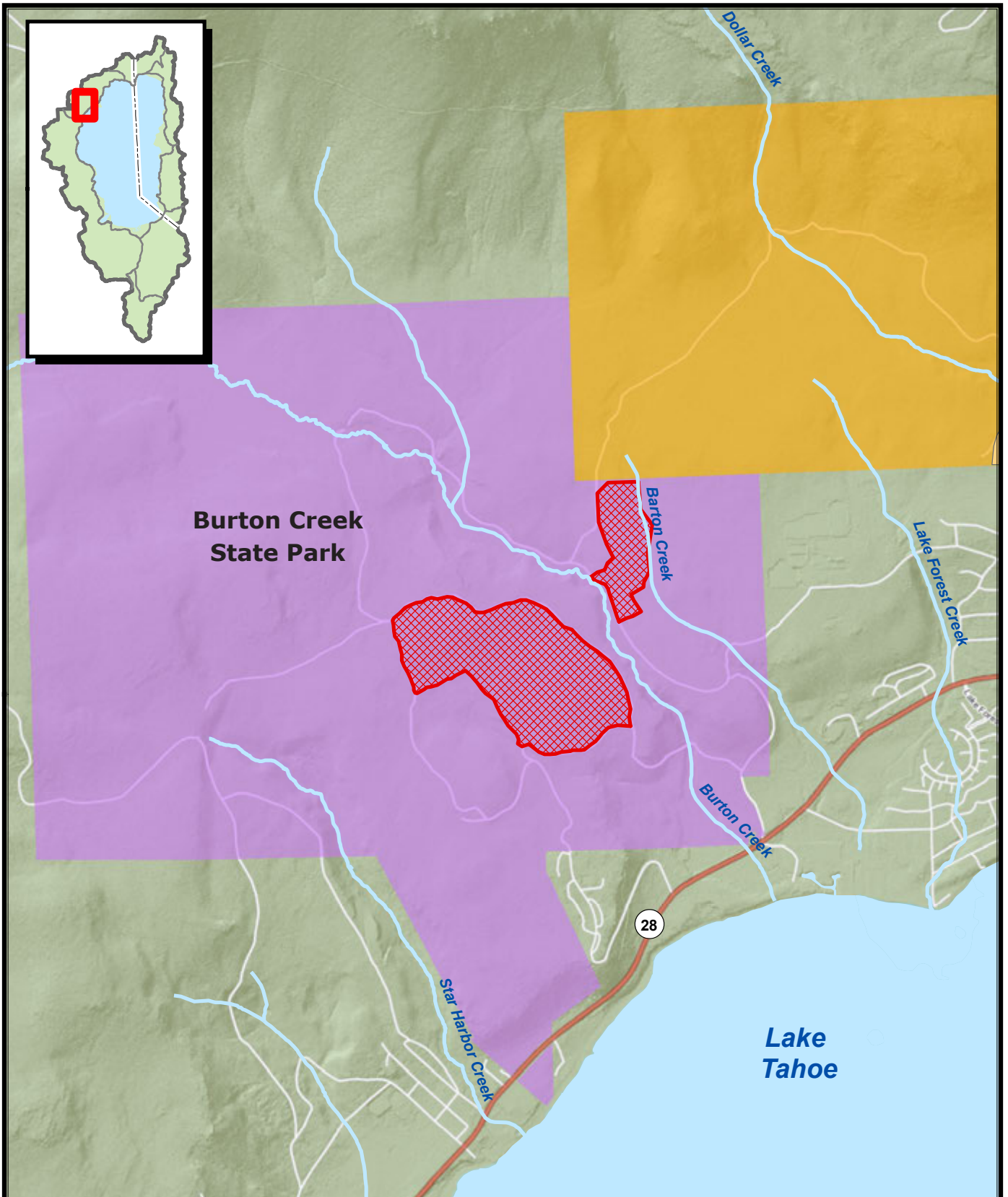
I hereby certify that the foregoing is a true and correct copy of the resolution duly and regularly adopted by the Conservancy at a meeting thereof held on the 21st day of August, 2019.




In WITNESS THEREOF, I have hereunto set my hand this 21st day of August, 2019.

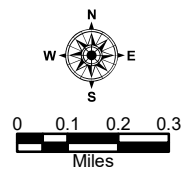
Patrick Wright
Executive Director

Attachment 2

Burton Creek State Park Forest Restoration Project



-  CA Tahoe Conservancy
-  CA Dept of Parks and Recreation
-  Project Area



Sources:
CTC, TRPA, ESRI

California
Tahoe Conservancy



August 2019

*Map for reference purposes only.

ATTACHMENT 3

NOTICE OF EXEMPTION

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

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

Project Title:

Burton Creek State Park Forest Restoration Project (Project)

Project Location – Specific:

The Project will take place in Burton Creek State Park in Placer County (Exhibit A).

Project Location – City:

Tahoe City

Project Location – County:

Placer County

Description of Nature, Purpose, and Beneficiaries of Project:

The Project will result in the treatment of 132 acres of forest fuel reduction through manual thinning, pile burning, and prescribed burning in Burton Creek State Park. The goal of the Project is to improve forest health and habitat while decreasing the potential for catastrophic stand replacement fire.

Name of Public Agency Approving Project:

California Tahoe Conservancy (Conservancy meeting of 8/21/2019) (Agenda Item 7 [Click here to enter text.](#))

Name of Person or Agency Carrying Out Project:

California Department of Parks and Recreation

Exempt Status:

- Ministerial (§ 15268)
- Declared Emergency (§ 15269(a))
- Emergency Project (§ 15269(b)(c))
- Categorical Exemption – Class 4, § 15304. (See also Cal. Code Regs., tit. 14, § 12102.4.)

Reasons Why Project is Exempt:

The Project consists of minor alterations to vegetation, reducing the dense understory trees and shrubs, and will not result in a significant change in land use or intensity of use. The Project will be conducted by hand crews with no use of heavy machinery.

Contact Person:

Joseph Harvey

Telephone Number:

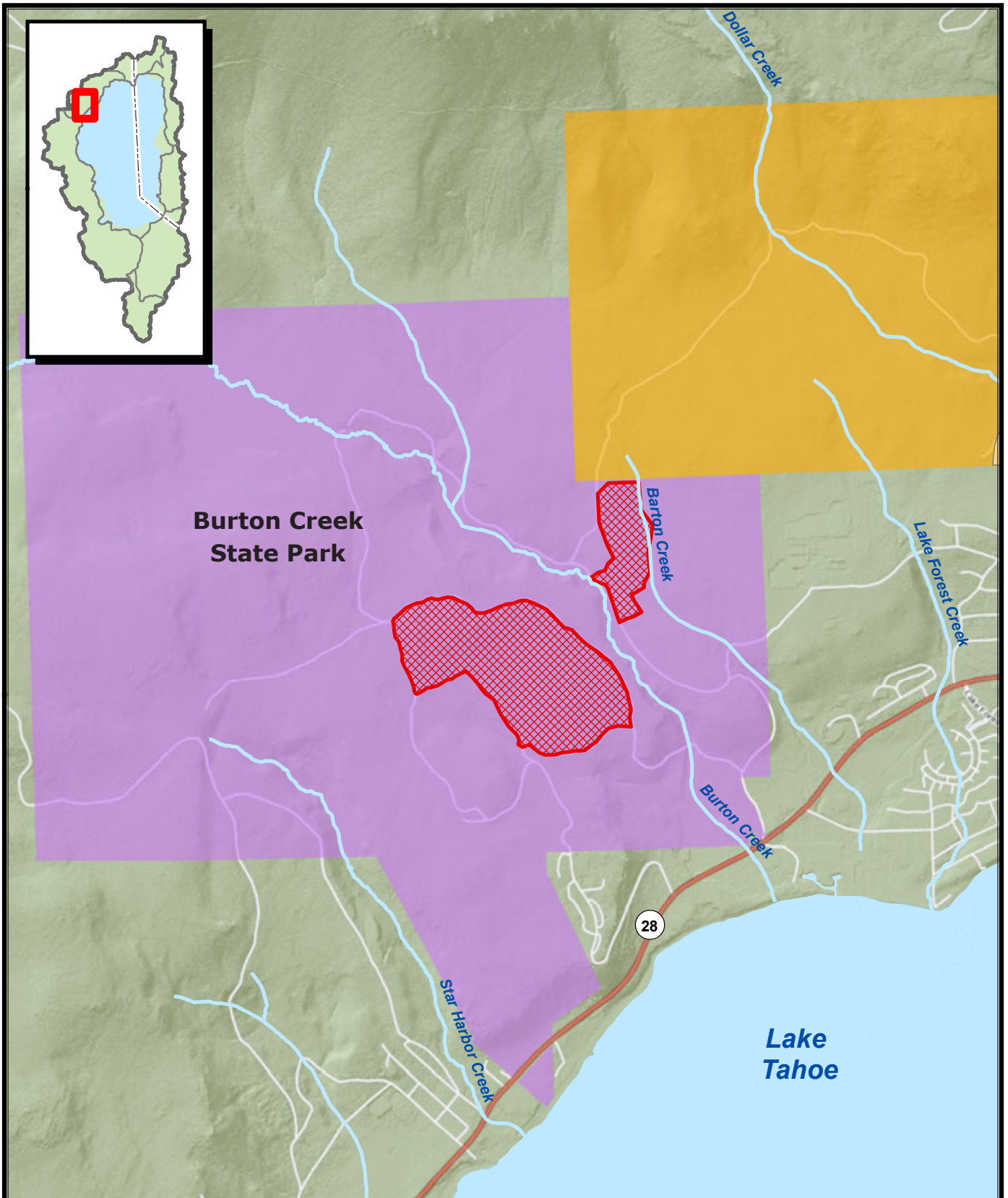
(530) 543-6008

Date Received for Filing:

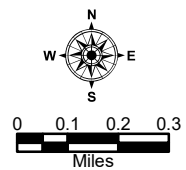
Patrick Wright
Executive Director

Exhibit A

Burton Creek State Park Forest Restoration Project



- CA Tahoe Conservancy
- CA Dept of Parks and Recreation
- Project Area



Sources:
CTC, TRPA, ESRI

California
Tahoe Conservancy



August 2019

*Map for reference purposes only.

California Tahoe Conservancy
Agenda Item 8
August 21, 2019

LAKE TAHOE BASIN FOREST ACTION PLAN

Wildfire, drought, and a potential bark beetle epidemic threaten the communities of the Lake Tahoe Basin (Basin) and the treasured forests and waters that 24 million visitors enjoy every year. Responding to these increasing threats, the California Tahoe Conservancy, USDA Forest Service, and other partner organizations of the Tahoe Fire and Fuels Team (TFFT) developed the Lake Tahoe Basin Forest Action Plan (Plan) to proactively minimize the growing risks. To create the Plan, partners compiled information on existing initiatives and priority projects, identified supplemental actions, and developed a narrative linking all the pieces.

The Plan charts a path for collaboration across property boundaries to accelerate landscape restoration and community wildfire protection. It contains a brief history of forests and fire in the Basin, a summary of accomplishments, and estimated investments needed to meet the Plan's targets. The Plan describes three overarching strategies:

1. **Scale Up** to match the scale of the solution to the scale of the threat.
2. **Build Capacity** for all phases of the forest landscape management cycle.
3. **Leverage Technology** for rapid, large-scale, more efficient implementation.

TFFT partners will use the Plan to guide future funding requests, as well as to aid communication and coordination with elected officials, stakeholders, the public, and peer agencies.

List of Attachments

Attachment 1 – Lake Tahoe Basin Forest Action Plan – The document will be available on [the Conservancy's website](https://tahoe.ca.gov/forest-action-plan) at <https://tahoe.ca.gov/forest-action-plan> by August 16.

Conservancy Staff Contact

Forest Schafer, Community Forestry Supervisor

forest.schafer@tahoe.ca.gov

California Tahoe Conservancy
Agenda Item 9
August 21, 2019

DRAFT CONSERVANCY GRANT GUIDELINES

California Tahoe Conservancy (Conservancy) staff has prepared draft Grant Guidelines (Guidelines) that identify the Conservancy's grant funding priorities, and the considerations that the Conservancy will use to evaluate whether to fund specific activities. The Guidelines also provide basic information regarding all Conservancy grants and grant submittals, such as eligible applicants and eligible costs. The Guidelines provide foundational information as well as accountability to Lake Tahoe Basin partners and the citizens of California. The Guidelines apply to any future Conservancy grants, including the use Proposition 68 funding. Individual funding sources may have or require additional guidelines per statute (for example, the Conservancy has existing Proposition 1 Guidelines).

At today's meeting, staff will present the draft Guidelines for Board review and feedback. Staff will then revise the Guidelines as necessary, and provide the Board with a revised version for potential adoption.

List of Attachments

Attachment 1 – Draft Grant Guidelines

Conservancy Staff Contact

Dorian Fougères, Chief of Natural Resources

dorian.fougeres@tahoe.ca.gov

ATTACHMENT 1

Draft
Grant Guidelines
California Tahoe Conservancy
August 21, 2019

Contents

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I. Background and Purpose

1. California Tahoe Conservancy

The California Tahoe Conservancy (Conservancy) is a State agency that leads California's efforts to restore and enhance the extraordinary natural and recreational resources of the Lake Tahoe Basin (Basin). As the only State agency focused entirely on the Basin, the Conservancy works collaboratively with its federal, tribal, state, local, and private partners to achieve this mission. Since its establishment in 1985, the Conservancy has invested more than half a billion dollars in conservation and recreation programs and projects on the California side of the Basin. This includes substantial investment in the Lake Tahoe Environmental Improvement Program (EIP), a partnership established in 1997 to coordinate the funding and implementation of high priority restoration and protection projects. The Conservancy will continue to advance the EIP, which aligns closely with the Conservancy's recently updated Strategic Plan.

The Conservancy's Strategic Plan is available on [its website](https://tahoe.ca.gov) at <https://tahoe.ca.gov>. This document establishes five strategic goals that will advance statewide, Basinwide, and Sierra Nevada regional mandates and initiatives. The goals include:

1. Steward Conservancy Lands and Protect Basin Communities from Wildfire
2. Restore the Resilience of Basin Forests and Watersheds
3. Provide Public Access and Outdoor Recreation for All Communities
4. Foster Basinwide Climate Change Adaptation and Sustainable Communities
5. Strive for Organizational Learning and Excellence

The Strategic Plan provides a valuable source of information for understanding the programs, projects, and initiatives that the Conservancy will advance over the next five years.

2. Scope of these Guidelines

The Conservancy uses available funding to accomplish its mission and Strategic Plan through providing local assistance grants for land acquisition, planning, implementation, and monitoring, as well as technical assistance grants.

These guidelines provide foundational information as well as accountability to partners and the citizens of California. The guidelines identify the Conservancy's grant funding priorities, and the considerations that the Conservancy will use to evaluate whether to fund specific activities. Individual funding sources may require additional guidelines per

statute. The guidelines also provide basic information regarding all Conservancy grants and grant submittals.

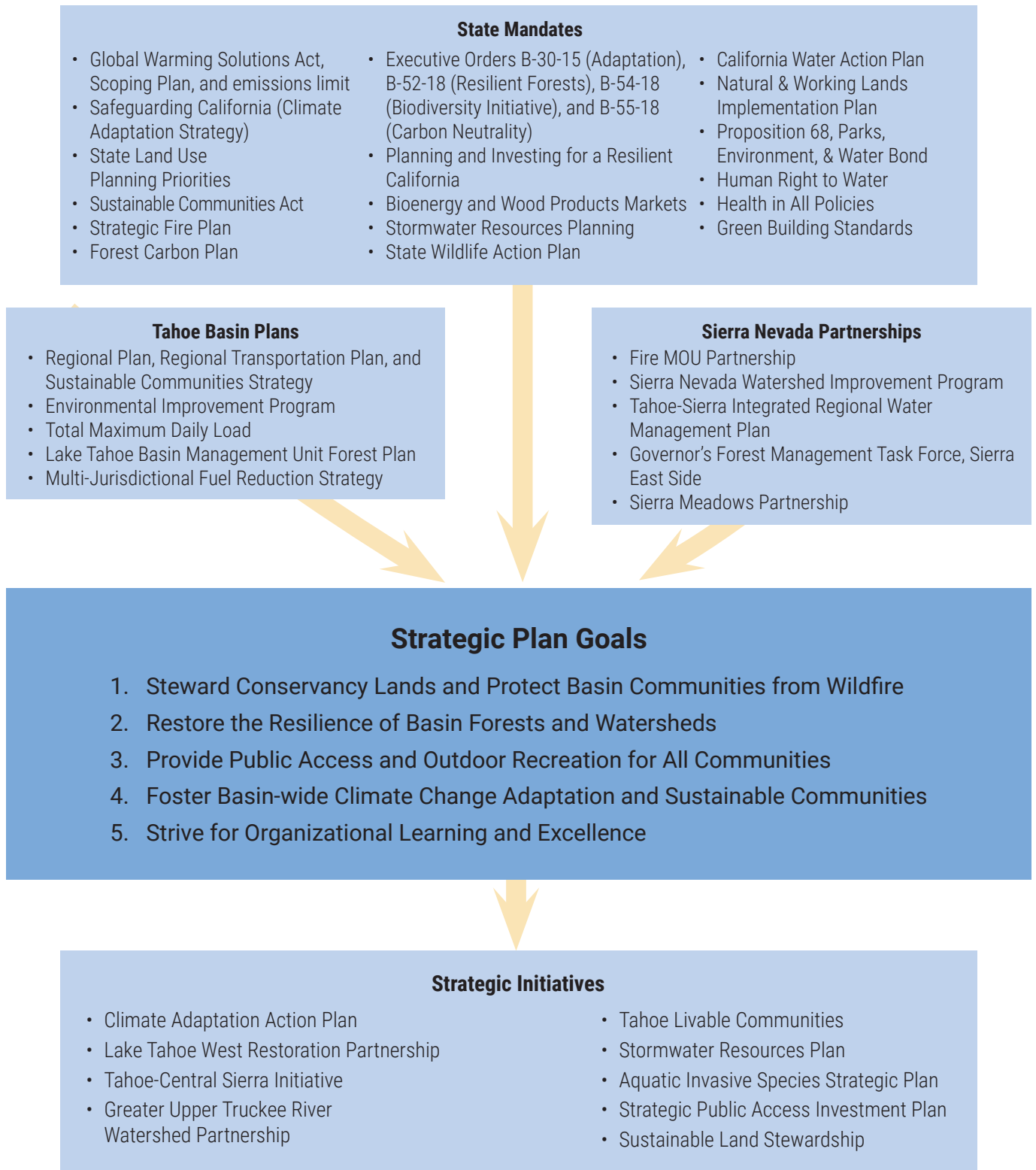
II. Funding Priorities

The Conservancy will use its funding to accomplish its mission and Strategic Plan, including projects that the Conservancy undertakes directly. The Strategic Plan goals advance State priorities as set forth in legislation, executive orders, and guidance; and Basin priorities as set forth in the EIP and topic-specific plans, such as the Multi-jurisdictional Fuel Reduction and Wildfire Prevention Strategy (MJFS). (See Figure 1.)

As applicable, the Conservancy will also advance directives tied to specific funding sources, such as Proposition 68 directives on diversity and inclusion. (See Funding-Specific Guidance.)

Any activities consistent with the Conservancy's mission and Strategic Plan are eligible for funding (subject to constraints specific to a given funding source).

Figure 1. Strategic Plan Context



Goal 1. Steward Conservancy Lands and Protect Basin Communities from Wildfire

The Conservancy has a primary responsibility to steward its lands, including environmentally sensitive lands and open space, and to help protect Basin communities from wildfire.

Goal 2. Restore the Resilience of Basin Forests and Watersheds

The Conservancy is working with partners to restore the health and resilience of Basin forests and watersheds, both at the landscape-scale and through high-priority, site-specific projects. As an integral part of this work, the Conservancy continues to promote lake clarity and native species through storm water, erosion control, aquatic invasive species, and nearshore protection projects.

Goal 3. Provide Public Access and Outdoor Recreation for All Communities

Providing equitable public access to open space and recreational facilities is a central part of the Conservancy's mission. This goal also has strong connections to Proposition 68 directives on diversity and inclusion, including serving the disadvantaged communities of South Lake Tahoe and Kings Beach.

Goal 4. Foster Basinwide Climate Change Adaptation and Sustainable Communities

Climate change has already impacted Conservancy lands, facilities, and restoration projects, and will continue to shape how the Conservancy implements its mission far into the future. In the past 15 years, the State has also issued directives on climate change associated with resilience, adaptation, wildfire, biodiversity, forest carbon, carbon neutrality, water supply, land use, and transportation.

In addition to adaptation, the Tahoe Livable Communities (TLC) program serves as the Conservancy's primary mechanism for reducing greenhouse gas emissions (i.e., mitigation), while simultaneously restoring sensitive lands and revitalizing town centers.

For more background and details on each of the goals, see the [Conservancy's Strategic Plan online](https://tahoe.ca.gov/about-us/strategic-plan/) at <https://tahoe.ca.gov/about-us/strategic-plan/>.

III. Funding Considerations

Generally, the Conservancy considers the following topics when evaluating whether to make a grant. The Conservancy may identify additional considerations based on the funding source or other factors.

1. Multiple benefit creation

Activities should maximize the use of State funding by generating multiple benefits for Conservancy and/or Basin lands and resources.

2. Cost-sharing

Activities should leverage other financial contributions, whether public or private, to multiply the value of the Conservancy's investment, and expand the total resources available.

3. High quality project design

Activities should have a compelling rationale, clear goals, a rigorous methodology, and explicit deliverables accompanied by a detailed work plan, timeline, and budget.

4. Consistency with existing plans and guidance

Activities should be consistent with relevant existing plans and guidance from the State of California and Basin agencies. State documents include but are not limited to the Safeguarding California Plan, Adaptation Planning Guide, Planning and Investing for a Resilient California, and Defining Vulnerable Communities in the Context of Climate Adaptation. Basin documents include but are not limited to the Lake Tahoe Regional Plan and Sustainable Communities Strategy, area plans, Lake Tahoe Basin Management Unit Forest Plan, Lake Tahoe Basin Total Maximum Daily Load, conservation strategies, management plans, and Multi-Jurisdictional Fuel Reduction and Wildfire Prevention Strategy.

5. Accounting for climate change in planning and investment

Executive Order B-30-15 directed State agencies to account for climate change in planning and investment. The State's guidebook, Planning and Investing for a Resilient California, provides several principles to implement this mandate, including (1) prioritizing actions that build climate preparedness as well as reduce emissions; (2) prioritizing natural infrastructure solutions; (3) managing uncertainty by using flexible

and adaptive approaches; and (4) protecting the State's most vulnerable populations. Activities should apply these principles.

6. Innovation and transformative change

Activities should pioneer new approaches to planning and implementation. This may involve, for example, revising analytical approaches, using emerging technologies, engaging communities in novel ways, or experimenting with new authorities. Activities should also promote transformative change (i.e., change that manifests at a large geographic, ecological, financial, and/or demographic scale).

7. Use of California Conservations Corps services

Founded in 1976, the California Conservation Corps (CCC) provides young men and women ages 18 to 25 with a year of paid service to the State, during which they implement environmental projects and respond to disasters as part of their career development. Community conservations corps serve as locally-organized analogs to the CCC. The CCC's Tahoe Center provides a major contribution to the Basin's workforce, and partners with the Conservancy to implement forest fuels treatments on State lands. When possible, proponents should use CCC services.

8. Long-term sustainability

To ensure the long-term benefits intended by general obligation bonds, as applicable, activities should plan for and describe how they will fund long-term operations, maintenance, and monitoring.

9. Professional qualifications and past performance

Proponents should demonstrate that they possess the requisite skills and expertise necessary to manage risks and successfully complete the work. Proponents should have a track record of similar, high quality work or equivalent experience.

10. Community, stakeholder, and/or political support

Proponents should demonstrate broad-based support because this increases the likelihood that the activities will create significant public benefit. Supporters may include, but are not limited to, community groups or homeowner associations; advocates, professionals, businesspersons, or investors that work on similar issues; and elected officials, public agency leaders, or tribal government leaders.

IV. Grant Information

This section provides basic information that applies to all Conservancy grants.

1. Grant Categories

The Conservancy awards grants in five categories:

Acquisition Grants for the purchase of land and interests in land. Acquisitions must be from willing sellers and at fair market value, as typically confirmed by a Department of General Services (DGS)-approved appraisal. Acquisition grants to eligible nonprofit organizations are subject to the Conservancy's statutory definition of eligible nonprofits, per Government Code, section 66905.9.

Planning Grants for planning that will lead to successful project implementation. Planning may involve project-specific activities such as preliminary design and environmental review, as well as supporting activities such as scientific studies, stakeholder processes, and program development and guidance. Planning grants are intended to support projects that are likely to qualify for future implementation funding.

Implementation Grants for the final design and implementation of projects. They support projects that have advanced to the stage where planning, land tenure, and engineering are largely completed.

Monitoring Grants to document, analyze, and assess the condition, changes, or use of natural resources, the built environment, and/or social and economic conditions. Monitoring should be consistent with existing Basin monitoring programs, such as the EIP, Regional Stormwater Monitoring Program, or Lake Tahoe Interagency Monitoring Program.

Technical Assistance Grants to help partners conduct technical analyses that advance projects. This may include scientific, engineering, economic, or other studies; grant application writing and facilitation as well as grant administration training.

2. Eligible Applicants

Unless the funding source specifies otherwise, eligible applicants include:

- Public agencies including cities, counties, special districts, joint powers authorities, state agencies or departments, the Tahoe Transportation District, and other political subdivisions of the State of California.
- Federally recognized Native American tribes.
- Eligible nonprofit organizations, per Government Code, section 66905.9: “any private, nonprofit organization which qualifies for exempt status under section 501(c)(3) of the United States Internal Revenue Code of 1986, and has among its principal charitable purposes the preservation of land for scientific, historic, educational, recreational, scenic, or open-space opportunities, or protection of the natural environment or preservation or enhancement of wildlife.”

3. Ineligible Projects

Projects funded by bonds must be spent consistent with the General Obligation Bond Law, Government Code, section 16720 et seq. Additional factors may make some projects ineligible, including:

- Projects dictated by a legal settlement or mandated to address a violation of, or an order to comply with, a law or regulation.
- Projects that fund acquisitions of land by eminent domain.
- Projects that include acquisition of property that cannot be purchased at fair market value.
- Projects that will not be completed in the allotted timelines.
- Operations and maintenance of existing structures, including roads.
- Projects that are intended to correct problems caused by inadequate maintenance.
- Projects that would be used to fulfill mitigation requirements imposed by law (Pub. Resources Code, § 80020).
- Projects that would be used to fulfill compliance requirements.

4. Grant Proposal Submittals

Generally, the Conservancy solicits grant applications after extensive discussion with individual partners or interagency EIP work groups, which play a critical role in identifying high priority projects. (Work groups typically develop and maintain priority project lists.) Unless required by the funding source, the Conservancy does not typically administer competitive grant programs. In addition to the aforementioned funding

considerations, the Conservancy carefully evaluates its funding to ensure an equitable distribution over time with regard to geography, local jurisdictions, and priorities.

Proposals should provide the following information:

- A. Project description and justification, including relevant background and goals, and alignment with the Conservancy's Strategic Plan.
- B. Work plan including list of tasks, corresponding descriptions and deliverables, schedule, and location. This also includes necessary project graphics, including maps and design plans.
- C. Budget and justification, including (if applicable) indirect/administrative costs, and/or contingencies.
 - o The budget should include a line item for each task identified in the work plan, including total cost, amount requested from the Conservancy, and the amount that will be provided by other funding sources.
 - o Please show any State of California matching funds separately from other matching funds. In-kind contributions of staff time and/or bargain sales may be included.
 - o For other matching funds, please include the total amount by source. If other grants are expected, please indicate the expected date of award.
- D. Operations and maintenance plan including funding source.
- E. Monitoring plan including performance measures, operations and maintenance, and reporting thereof.
- F. Organizational capacity and staffing.
- G. Community, stakeholder, and/or public support.

Proposals subject to Conservancy Board approval must meet Assembly Bill (AB) 434 State web accessibility requirements. For more information see the [California Department of Rehabilitation website](https://www.dor.ca.gov/Home/AB434) at <https://www.dor.ca.gov/Home/AB434>.

5. California Environmental Quality Act Compliance

Grantees are responsible for complying with all laws and regulations applicable to their projects, including the California Environmental Quality Act (CEQA). If the grant is subject to CEQA, the Conservancy Board must consider the environmental document prior to approval of the grant. Applicants should consult with Conservancy staff as early as possible because CEQA compliance will vary significantly depending upon the proposed project activities and potential environmental impacts.

AB 52 promotes involvement of California Native American Tribes in the CEQA environmental review and decision-making process. AB 52 requires consideration of a project's potential to significantly impact a tribal cultural resource and requires early notice of projects and, if requested by a Tribe, consultation with the requesting Tribe to inform the CEQA process. Applicants must meet all AB 52 requirements.

Applicants should visit the [California Natural Resources Agency website](http://resources.ca.gov/ceqa/) at <http://resources.ca.gov/ceqa/> for information on CEQA compliance and the [Native American Heritage Commission website](http://nahc.ca.gov/2015/06/implementation-of-ab-52-ceqa-tribal-consultation-information/) at <http://nahc.ca.gov/2015/06/implementation-of-ab-52-ceqa-tribal-consultation-information/> for information on AB 52.

6. Land Acquisition Instructions

With regard to acquisition grants, applications must typically meet the following requirements.

Estimated fair market value of land and improvements: The State Department of General Services (DGS) must approve the appraised fair market value of the proposed acquisition. State funding is limited to the value approved by DGS.

Willing seller: Applicants must provide evidence that the landowner is a willing participant in any proposed real property transaction.

Relocation costs: Applicants must provide a parcel-by-parcel analysis of the extent of any relocation assistance required by the State Relocation Act Requirements (Government Code, § 7260 et seq.).

Land tenure: Applicants must certify that they have adequate control of, and tenure to, properties to be improved. Adequate control includes, but is not limited to, ownership, lease, easement, joint-powers agreement, or other long-term interest in the property, or have a satisfactory agreement with the legal owner/administering agency. The Conservancy recognizes that specific activities may change over time; however, the property must remain available for compatible public use. Generally, the grantee and/or landowner will be expected to:

1. Maintain and operate the property funded for a period of at least 20 years (from the completion of construction, as applicable).

2. Use the property in perpetuity only for the purpose for which the grant was made, and make no other use or sale or disposition of the property. With Conservancy approval, the grantee or grantee's successor may transfer the responsibility to maintain and operate the property in accordance with this section. A lease or other short-term agreement cannot be revocable at will by the lessor.

7. Eligible and Ineligible Costs

For costs to be eligible for reimbursement, the costs must be within the scope of the project, supported by appropriate documentation, and completed by the required deadline as identified in the grant agreement. Costs related to project-specific performance measures and project reporting are eligible, and if requested, must be included in the project budget.

Eligible project costs may include but are not limited to the following:

1. Preliminary costs incurred after a contract has been fully executed. For example, include CEQA/National Environmental Policy Act compliance, construction plans, permits/appraisals, and acquisition documents.
2. Personnel or employee services. For example, wages and benefits, or work performed by another section/department in the organization.
3. Consultant services.
4. Construction activities and management. For example, site preparation, oversight, and inspections.
5. Construction equipment, including rented, leased, or purchased.
6. Fixed equipment. For example, bollards or benches.
7. Construction tools, supplies, and materials.
8. Relocation costs (see Chapter 16, Section 7260, Government Code).
9. Acquisition costs. For example, appraisals/purchase price, title/escrow fees, or surveying.
10. Reasonable administrative indirect/overhead costs.
11. Restoration/rehabilitation costs. For example, removal of invasive species, soil improvements, or vegetation removal.
12. Best management practices. For example, erosion control measures.
13. Education infrastructure. For example, signs, interpretive aids, or kiosks.
14. Communications expenses.

In the event of an audit, projects with budgets that include administrative costs must be able to document the appropriateness of these expenses through formal accounting plans that calculate and document the method for recovering overhead costs.

Ineligible project costs typically include but are not limited to the following:

1. Operations and maintenance costs.
2. Mitigation costs.
3. Publicity and marketing expenses.
4. Food and beverages.
5. Ineligible travel.
6. Lobbying or fundraising.
7. Eminent domain actions.
8. Property acquisition costs in excess of fair market value.

Questions associated with eligible or ineligible costs should be directed to the grant program administrative contact prior to submittal of an application or budget.

8. Funding, Legal, Administrative, and Accounting Requirements

Following Conservancy Board authorization of a grant (if applicable), Conservancy staff will prepare a detailed grant agreement, including funding, legal, administrative, and accounting requirements. The Board may impose additional requirements. All grant activities shall be implemented in accordance with the requirements of the Board authorization and staff recommendation (if applicable), and the terms and conditions of the grant agreement.

Funding is typically available for two to five years. However, in some cases the Conservancy requires grantee commitment to operations and maintenance for the useful life of the project. The term of an implementation grant agreement may therefore extend from the completion of construction through the useful life period.

9. Withholding

Conservancy grants are distributed on a reimbursement basis, with a standard 5 percent withheld from each payment for grants to nonprofit organizations. Large construction grants and contracts may have up to 10 percent withheld. The full withholding is released upon satisfactory completion of the grant project.

10. Audit

Projects are subject to audit by the State for three years following the most recent payment including the final payment of grant funds. The purpose of the audit is to verify that project expenditures were made in accord with the respective bond act(s) and grant agreement, and were properly documented. Grantees should maintain an accounting system that provides good audit trails.

If a project is selected for audit, the grantee will be contacted at least 30 days in advance. The audit will include all books, papers, accounts, documents, or other records of the grantee, as related to the project for which Conservancy funds were granted. The grantee must make the project records, including the source documents and cancelled warrants, readily available to the State. The grantee must also provide an employee having knowledge of the project and the accounting procedure or system to assist the State's auditor. All project records must be retained for at least five years following an audit or final disputed audit findings.

Grantees are recommended to have a record retention policy that includes bond funded projects and their respective expenditures. These types of expenditures should be retained for the life of the bond (generally 20-25 years).

11. Project Monitoring and Reporting

Typically, implementation grant applications must include a monitoring and reporting component that explains how the implementation and effectiveness of the project will be measured and reported. The Conservancy can help grantees to develop appropriate monitoring and reporting templates and procedures following an award.

Monitoring should be consistent with existing Basin monitoring programs, such as the aforementioned EIP, Regional Stormwater Monitoring Program, or Lake Tahoe Interagency Monitoring Program. Detailed information on EIP performance measures can be found [on the EIP website at https://eip.laketahoeinfo.org/EIPPerformanceMeasure/Index](https://eip.laketahoeinfo.org/EIPPerformanceMeasure/Index).

Generally, grantees are required to submit regular progress reports on an active project per the schedule specified in the grant agreement.

12. Insurance

Grantees are required to maintain insurance against claims for injuries to persons and damage to property that may arise from or in connection with project-related activities of the grantees or its agents. The grantee shall maintain all required insurance from the effective date through the completion date.

Insurance requirements vary according to a project's purpose and needs. Typically, the grantee shall maintain coverage limits no less than:

- A. General liability (including operations, products, and completed operations, as applicable): \$2,000,000 per occurrence for bodily injury, personal injury, and property damage. If Commercial General Liability insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the activities under this agreement, or the general aggregate limit shall be twice the required occurrence limit.
- B. Automobile liability: \$1,000,000 per accident for bodily injury and property damage.
- C. Course of construction: Completed value of the project with no coinsurance penalty provisions.
- D. Property insurance: 90 percent of full replacement cost of the facilities or structures.

13. Acknowledgment and Signage

All grantees are required to acknowledge Conservancy support, typically through a sign and social media. Grant agreements provide general signage requirements, acknowledgement guidelines, and logo use information. Specific acknowledgment plans are designed by the grantee in consultation with their Conservancy project manager, and are included in the overall work program. Costs to implement the acknowledgment plan can be included in the grant budget.

V. Funding-Specific Guidance

In addition to the Conservancy's Strategic Plan, several documents provide additional guidance for Conservancy funding. These include but are not limited to relevant statutes and regulations, the State Administrative Manual, State Contracting Manual, the EIP, and

requirements specific to a funding source. This section includes two instances of such funding-specific guidance.

1. Proposition 68 Directives

California voters approved Proposition 68, the Parks, Environment, and Water Bond, on June 5, 2018. The measure authorizes \$4 billion in general obligation bonds to finance a drought, water, parks, climate, coastal protection, and outdoor access for all program. Per Public Resources Code section 80110, subdivision (b), the bond allocates \$27 million to the Conservancy for the purposes set forth in the Conservancy's governing statutes.

The Conservancy will adhere to the various directives that the measure attaches to the bond funding. In particular, it encourages conservancies to partner with cities, counties, nonprofit organizations, joint-powers authorities, and nongovernmental organizations to acquire open space and create urban greenway corridors. Additionally, public agencies that receive funds must consider a range of project actions that, to the extent possible, increase the diversity and inclusion of communities that benefit from the bond funding. These include, but are not limited to, the following:

- A. Conducting active outreach to diverse populations, particularly minority, low-income, and disabled populations and tribal communities, to increase awareness within those communities and the public generally about specific programs and opportunities.
- B. Mentoring new environmental, outdoor recreation, and conservation leaders to increase diverse representation across these areas.
- C. Creating new partnerships with state, local, tribal, private, and nonprofit organizations to expand access for diverse populations.
- D. Identifying and implementing improvements to existing programs to increase visitation and access by diverse populations, particularly minority, low-income, and disabled populations and tribal communities.
- E. Expanding the use of multilingual and culturally appropriate materials in public communications and educational strategies, including through social media strategies, as appropriate, that target diverse populations.
- F. Developing or expanding coordinated efforts to promote youth engagement and empowerment, including fostering new partnerships with diversity-serving and youth-serving organizations, urban areas, and programs.
- G. Identifying possible staff liaisons to diverse populations.

Finally, projects that receive funding will, to the extent possible, provide workforce education and training, contractor, and job opportunities for disadvantaged communities.

The services of the CCC or local conservation corps certified by the CCC shall be used whenever feasible (Pub. Resources Code, § 80016). With regard to grant-making, Proposition 68 requires giving preference to projects that involve CCC or community conservation corps services. Applicants should consult with representatives of both the CCC and community conservation corps prior to application submission to determine the feasibility of their participation.

2. Proposition 1 Grant Guidelines

The Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1) authorizes \$7.545 billion in general obligation bonds to fund ecosystems and watershed protection and restoration, water supply infrastructure projects, including surface and groundwater storage, and drinking water protection.

The Conservancy prepared grant guidelines specific to Proposition 1. The guidelines are available [on the Conservancy website](https://tahoe.ca.gov/conservancys-proposition-1-grant-program/) at <https://tahoe.ca.gov/conservancys-proposition-1-grant-program/>.

California Tahoe Conservancy
Agenda Item 11a
August 21, 2019

POTENTIAL AGENDA ITEMS FOR THE OCTOBER 10 BOARD MEETING

Staff is seeking input from the Board regarding the agenda items for the October 10, 2019 Board meeting.

A tentative list of agenda items beyond the normal standing items includes:

- Board Tour on South Shore (discussion only)
- Final Conservancy Grant Guidelines (action)
- Connolly Beach Easement (action)
- Dollar Creek Forest Restoration Project (action)
- Annual Lake Tahoe Summit Outcomes (discussion only)
- Tahoe Pines Construction Update (discussion only)

Conservancy Staff Contacts

Patrick Wright, Executive Director
Jane Freeman, Deputy Director

patrick.wright@tahoe.ca.gov
jane.freeman@tahoe.ca.gov