

## ENVIRONMENTALLY SENSITIVE LAND ACQUISITION

**Recommended Action:** Adopt Resolution 20-06-03 (Attachment 1) authorizing the acquisition of one parcel located at El Dorado County Assessment Number (AN) 032-050-055 for up to \$40,000.

**Executive Summary:** The California Tahoe Conservancy (Conservancy) recommends the acquisition of a 1.11 acre, environmentally sensitive parcel in a roadless subdivision to preserve open space and wildlife habitat and to protect water quality. The acquisition supports the Conservancy's Strategic Plan Goal 4, to prevent future development by acquiring remaining private properties in Lake Tahoe's undeveloped subdivisions. Upon Board authorization, Conservancy staff will perform the necessary due diligence activities to acquire the parcel.

**Location:** The parcel is located near Tahoe Mountain Road in an unnamed subdivision on the south shore of Lake Tahoe, in El Dorado County (AN 032-050-055) (Attachments 2 and 3).

**Fiscal Summary:** The purchase price is up to \$40,000 for the parcel (from Propositions 12, 50, and 68 funds).

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### Overview

#### History

The Conservancy and USDA Forest Service began acquiring land in this roadless subdivision from willing sellers in the mid-1980s. These types of parcels qualify for acquisition under both agencies' environmentally sensitive lands programs because they lack road and utility access. To date, both agencies own almost all vacant parcels within this subdivision. Four privately owned non-developed parcels remain in this roadless subdivision.

#### Detailed Description of Recommended Action

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

The Conservancy proposes to acquire El Dorado County AN 032-050-055. This 1.11 acre environmentally sensitive parcel has no management issues that would preclude acquisition. The parcel contains four surveyed property corners and no identified cultural sites. This parcel is in the vicinity of two special status wildlife species with historical goshawk and spotted owl nesting and protected activity locations.

The parcel is environmentally sensitive and non-buildable due to the steepness of the land. The parcel was verified by the Tahoe Regional Planning Agency (TRPA) as Bailey Land Capability Classes 1a and 3, which is considered environmentally sensitive land. It contains a mixed forest consisting of white fir, incense cedar, jeffrey pine, and an understory of scattered brush species. The parcel is surrounded by land owned by the Conservancy and USDA Forest Service. If the Conservancy acquires the parcel, staff could better manage and protect public land located within this roadless subdivision.

The seller has agreed to the appraised fair market value of \$40,000. If applicable, the seller must pay any encumbrances such as taxes, judgements, liens, or deeds of trust prior to escrow closure. The Conservancy pays for escrow fees, title insurance, and other related closing costs. Conservancy staff will obtain and review an updated title report.

## 2. Overall Context and Benefits

This acquisition supports the Conservancy's Strategic Plan Goal 4 to prevent future development by acquiring remaining private properties in Lake Tahoe's roadless subdivisions.

## 3. Schedule for the Recommended Action

Pending Board authorization, staff hopes to close escrow during fall 2020.

## **Financing**

If authorized, the Conservancy will expend up to \$40,000 of Propositions 12, 50, and 68 funds.

## **Authority**

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

Implementation of this acquisition is consistent with the Conservancy's enabling legislation. Specifically, Government Code section 66907 authorizes the Conservancy to select and acquire real property for the purposes of protecting the natural environment, providing public access or public recreational facilities, preserving wildlife habitat areas, or providing access to or management of acquired lands.

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

This acquisition is consistent with the Conservancy's Strategic Plan Goal 4 (Foster Basinwide Climate Change Adaptation and Sustainable Communities).

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

The recommended action is consistent with the Conservancy's Land Acquisition Program Guidelines. The landowner indicated a willingness to sell. This parcel is located in a subdivision lacking roads and utilities. Acquisition would provide public access, and protect wildlife habitat and the natural environment.

### **Consistency with External Authorities**

The recommended action is consistent with the Environmental Improvement Program (EIP) because it completes the implementation of EIP project #01.02.04.0001 – Acquiring Environmentally Sensitive Land.

### **Compliance with the California Environmental Quality Act**

Pursuant to the 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. Pursuant to Public Resources Code sections 21001(f) and 21082, the Conservancy has also adopted regulations to implement, interpret, and make specific the provisions of CEQA. (Cal. Code Regs., tit. 14, § 12100 et seq.) Staff has evaluated this action and has found it to be categorically exempt under CEQA Guidelines, section 15325, Transfers of Ownership in Land to Preserve Existing Natural Conditions and Historical Resources, and the Conservancy's CEQA regulations, section 12102.25. The action qualifies for this exemption because it involves land acquisition for access to public land, wildlife habitat, and to preserve land in its natural condition. A notice of exemption (NOE) has been prepared for this acquisition (Attachment 4). If the Board approves the acquisition, staff will file the NOE with the State Clearinghouse pursuant to CEQA Guidelines, section 15062.

### **List of Attachments**

- Attachment 1 – [Resolution 20-06-03](#)
- Attachment 2 – [Environmentally Sensitive Lands Acquisition Location Map](#)
- Attachment 3 – [Tahoe Mountain Parcel Map](#)
- Attachment 4 – [Notice of Exemption](#)

### **Conservancy Staff Contact**

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