

ENVIRONMENTALLY SENSITIVE LAND ACQUISITION

Recommended Action: Adopt Resolution 21-06-05 (Attachment 1) authorizing the acquisition of a parcel located at El Dorado County Assessment Number (AN) 033-223-006 for up to \$35,000.

Executive Summary: The California Tahoe Conservancy (Conservancy) recommends the acquisition of a 3.3-acre environmentally sensitive parcel at 1450 Boca Raton Drive in El Dorado County. The parcel is located in the Upper Truckee River floodplain, contains mountain meadow and wetland habitat, and is completely surrounded by other Conservancy-owned land. This acquisition will allow Conservancy staff to preserve this parcel in its natural and open space condition, and protect its scenic and watershed resources. The acquisition supports the Conservancy's Strategic Plan Goals 2 and 4, to advance multiple-benefit water quality protections and acquire environmentally sensitive lands. Upon Conservancy Board (Board) authorization, Conservancy staff will perform the necessary due diligence activities to acquire the parcel.

Location: The parcel is located at 1450 Boca Raton Drive in El Dorado County (AN 033-223-006) (Attachment 2).

Fiscal Summary: The purchase price for acquiring the parcel is up to \$35,000 and will be funded by excess coverage mitigation fees collected by the Tahoe Regional Planning Agency (TRPA) or Proposition 68 funds.

Overview

History

Since its inception, the Conservancy has acquired environmentally sensitive parcels in priority watersheds throughout the California side of the Lake Tahoe Basin (Basin) to facilitate floodplain, wetland, and mountain meadow protection. The Conservancy owns the land in the Upper Truckee River watershed area surrounding this parcel. The acquisition of this parcel will complete contiguous Conservancy ownership in this area. The landowner initially contacted the Conservancy in July 2018 and expressed interest to possibly sell this parcel. In 2020, the Conservancy made an offer at fair market value that the owner declined. In March 2021, the owner accepted the offer.

Detailed Description of Recommended Action

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

The Conservancy proposes to acquire El Dorado County AN 033-223-006 (Attachment 2). This 3.3-acre sensitive parcel is located by the Upper Truckee River crossing of U.S. Highway 50 near Elks Club Drive in El Dorado County. The undeveloped parcel contains mountain meadow habitat and stream environment zone and is surrounded by undeveloped Conservancy parcels. Staff assessed the benefits of the parcel and found that the parcel:

1. Contains environmentally sensitive land in the Upper Truckee River watershed that floods frequently;
2. Contains sensitive potential land coverage (Class 1B), subject to future verification by the TRPA;
3. Protects scenic resources along U.S. Highway 50; and
4. Presents no unusual natural resource or management challenges.

Upon Board approval, Conservancy staff will take the necessary steps to complete the transaction. The current property owner reviewed the appraised fair market value of \$35,000 and is a willing seller. If applicable, the seller must pay any encumbrances such as taxes, judgements, liens, or deeds of trust prior to escrow closure. The Conservancy will pay for escrow fees, title insurance, and other related closing costs. Staff has obtained and reviewed a title report and will update the report prior to closure. The Conservancy completed a survey of the property in December 2019.

2. Overall Context and Benefits

The recommended action supports the Conservancy's Strategic Plan Goals 2 and 4, to advance multiple-benefit water quality protections and to acquire environmentally sensitive lands. The parcel floods frequently and is surrounded by other Conservancy parcels in the Upper Truckee River floodplain. The Upper Truckee River watershed ranks as the highest priority for stream restoration in the Basin, providing the largest inflow and sediment load to Lake Tahoe. The acquisition provides environmental benefits by preserving mountain meadow habitat and environmentally sensitive land in the Upper Truckee River floodplain. The acquisition also protects scenic resources along U.S. Highway 50.

3. Schedule for the Recommended Action

Pending Board authorization, Conservancy staff will complete the necessary due diligence activities and will close escrow during summer 2021.

Financing

The purchase price for acquiring the parcel is up to \$35,000 and will be funded by excess coverage mitigation fees collected by the TRPA or Proposition 68 funds.

Authority

Consistency with the Conservancy's Enabling Legislation

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 2 (Restore the Resilience of Basin Forests and Watersheds) by advancing multiple-benefit water quality protections. This acquisition is also consistent with Strategic Plan Goal 4 (Foster Basinwide Climate Change Adaptation and Sustainable Communities) by supporting the acquisition of environmentally sensitive lands.

Consistency with the Conservancy's Program Guidelines

The recommended action is consistent with the Conservancy's Land Acquisition Program Guidelines.

Consistency with External Authorities

The recommended action is consistent with the Lake Tahoe Environmental Improvement Program (EIP) because it contributes to 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, Transfer 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 to preserve land in its natural and open space condition. Staff has prepared a notice of exemption (NOE) for this acquisition (Attachment 3). 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 21-06-05

Attachment 2 – Environmentally Sensitive Land Acquisition Location Map

Attachment 3 – NOE

- Exhibit A – NOE Map

Conservancy Staff Contact

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