

ENVIRONMENTALLY SENSITIVE LAND ACQUISITION – TIMBERLAND TRACT PARCEL

Recommended Action: Adopt Resolution 21-11-02 (Attachment 1) authorizing the acquisition of 975 Chicadee Lane (Placer County Assessment Number (AN) 084-032-022) for up to \$25,000.

Executive Summary: The California Tahoe Conservancy (Conservancy) recommends acquiring a 0.79-acre environmentally sensitive parcel in the roadless portion of the Timberland Tract subdivision (Timberland Tract), which is south of Tahoe City in Placer County. The purpose of this acquisition is to preserve open space and wildlife habitat and protect water quality. This acquisition supports the Conservancy's Strategic Plan Goal 4 to acquire environmentally sensitive lands and 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 and other required steps to close escrow and acquire the parcel.

Location: The parcel is located at 975 Chicadee Lane in Placer County (AN 084-032-022), which is located within the roadless portion of the Timberland Tract subdivision, south of Tahoe City in Placer County (Attachments 2 and 3).

Fiscal Summary: The purchase price for acquiring the parcel is up to \$25,000 and will be funded by excess coverage mitigation fees collected by the Tahoe Regional Planning Agency (TRPA) or Proposition 68 funds, if needed.

Overview

History

The Conservancy and USDA Forest Service, Lake Tahoe Basin Management Unit (LTBMU) began acquiring land in the Timberland Tract from willing sellers in the mid-1980s. Environmentally sensitive parcels located within roadless subdivisions qualify for acquisition under both agencies' environmentally sensitive lands programs due to both the environmentally sensitive land capability of such parcels, the lack of paved roads, and lack of direct utility access. In July 2021, the Conservancy made an offer, contingent on Board approval of the transaction, to the current property owner at the approved fair market value of \$25,000, which was accepted.

Detailed Description of Recommended Action

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

The Conservancy proposes to acquire Placer County AN 084-032-022 (Attachment 2). This 0.79-acre parcel is located in the Timberland Tract subdivision near Tahoe City in Placer County. Staff assessed the benefits of the parcel and found that the parcel:

1. Contains environmentally sensitive land in a roadless portion of a subdivision;
2. Contains sensitive potential land coverage (Class 1a, consisting of shallow soils on steep mountainous land) that will be retired upon acquisition in support of the Lake Tahoe Environmental Improvement Program (EIP) and Lake Tahoe Regional Plan; and
3. Presents no unusual natural resource or management challenges.

Upon Board approval, Conservancy staff will complete the transaction to purchase the parcel. Since the seller has accepted an offer for the purchase price of \$25,000, the next steps will be to perform the necessary due diligence activities to close escrow and acquire the parcel. If applicable, the seller will be required to pay any encumbrances such as taxes, judgements, liens, or deeds of trust prior to escrow closure. Subject to Board approval, as part of its offer to purchase the parcel, the Conservancy will pay escrow fees, title insurance, and other related closing costs. Staff has obtained and reviewed a title report and will update the report as necessary prior to closure. The Conservancy will also complete a survey of the property lines, estimated to cost up to \$2,500, prior to closing.

2. Overall Context and Benefits

The recommended action supports the Conservancy's Strategic Plan Goal 4 to prevent future development by acquiring remaining private properties in Lake Tahoe's roadless subdivisions. The parcel contains sensitive lands of shallow soils on steep mountainous land with a mixed forest consisting of white fir, Jeffrey pine, and an understory of scattered brush species. Acquisition of the parcel will also preserve public open space and wildlife habitat, and will support the protection of water quality in Lake Tahoe.

3. Schedule for the Recommended Action

Upon Board authorization, Conservancy staff will complete the necessary due diligence activities to ensure the closure of escrow, including conducting a survey of the property lines. Escrow is anticipated to close in spring 2022.

Financing

The Conservancy will spend up to \$25,000 to acquire the parcel. The acquisition will be funded by excess coverage mitigation fees collected by the TRPA or Proposition 68 funds if needed. Staff time, escrow fees, survey costs, title insurance, and other related closing costs are covered within the Conservancy Lands Division budget as part of the Annual Program Budget Authorization.

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.

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) by supporting acquisition of environmentally sensitive lands and preventing future development by acquiring remaining private properties in Lake Tahoe's undeveloped subdivisions.

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 EIP and Lake Tahoe Regional Plan because it contributes to the implementation of EIP project #01.02.04.0001 – Acquiring Environmentally Sensitive Land and retires potential coverage (Class 1a) on 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 the acquisition of land to preserve the existing natural conditions, including plant and animal habitats. Staff has prepared a notice of exemption (NOE) 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 21-11-02
- Attachment 2 – Acquisition Location Map
- Attachment 3 – Acquisition Project Map
- Attachment 4 – NOE
 - Exhibit A – NOE Map

Conservancy Staff Contact

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