

Opinion: Conservancy turning public land into paychecks

Publisher's note: *The following was read into the record June 20 at the California Tahoe Conservancy meeting by Tahoe Vista resident Ellie Waller and was subsequently submitted to Lake Tahoe News.*

From a recent email from [CTC worker] Bruce Eisner [it] stated, "A small number of Conservancy's 'asset lands' are in residential areas...."

Of particular concern on just the North and West Shore:

1.47 acres 8644 Speckled, Kings Beach

1.38 acres 359 Chipmunk St., Kings Beach

9.21 acres off Ward Creek, West Shore

And what I'm personally concerned about, as I live in Tahoe Vista (as do you [board Chairman] Larry [Sevinson]) are 5.76 acres on Queens Way and 14.56 acres above Estates Drive (my actual neighborhood) adjacent to the North Tahoe Regional Park. This 15-acre property is public lands accessible and utilized all year-round for hiking, biking, cross county and skate skiing and access to the balance of the North Tahoe Regional Park and Forest Service lands. CTC staff stated, "In the case of the 14 acre parcel, 15,000 sq. ft. of potential land coverage remains to support construction of a home in the event the parcel is ever marketed and sold under the Asset Lands Program Guidelines."

From the guidelines: "Managing the Conservancy's properties is a complex task. Aside from their sheer numbers and small sizes – most are no bigger than 1/3 of an acre – parcels are often scattered throughout already-developed areas, creating the

potential for conflicts between open space and residential uses. The Conservancy's Property Management Program was adopted in September 1986 and guides land management of Conservancy-owned lands. In contrast, these Program Guidelines will provide direction regarding the circumstances and considerations for land that is considered for transfer from Conservancy ownership."

Where is the 15,000 square feet potential for building on this lot located as not to conflict with the open space and public accessibility?

Any future potential sale similar to the parcels you are currently offering for sale (Sherman/Glenwood) would limit the public's existing access. How is limiting this public access justified? The 9.21 acres off Ward Creek (West Shore) – the public heavily uses this parcel for hiking, ski skating, cross country skiing and access to the balance Forest Service lands. How is limiting this public access justified?

If these properties are sold as an individual ownership one house, one guest house, will they be restricted from fencing in the property for public access? These properties are beautiful forested lands that should be maintained for public access as the original CTC mission used to state.

This leads me to the program itself. It doesn't seem to be very well thought out. Easements are not in the same category as the other lots and would be better served by Conservancy ownership and more cost effective than full fee title ownership. The public has been led to believe the Conservancy lots are just that – lots to be maintained in perpetuity as open space. The Queens Way 6-acre lot is a prime example of why homeowners purchased in that neighborhood having a large open forested area across from their homes.

The program needs to be re-visited. At the very least, homeowners in the vicinity of the proposed properties for sale

should be noticed several months before, not just 10 days before the potential sale and should have the right to comment about your proposed sales activities.

In a recent article by the executive director it stated: "Under the guidelines, we will consider selling parcels only where they are not needed to achieve our conservation or recreation goals, or where state ownership is no longer necessary to achieve the goals of the original acquisition. The Conservancy may also consider selling a small number of other parcels in South Shore, including several parcels along U.S. Highway 50 in the Meyers commercial core area that we purchased for a visitor center that is no longer planned, and a couple of highly urbanized parcels at the "Y."

"Sales of these commercially-zoned parcels would not only provide revenue to the Conservancy to invest in high priority projects and programs, but would support the development of sustainable, walkable and bikeable town centers. In the west and north shore, the Conservancy has purchased several developable parcels to acquire land coverage for mitigation purposes or for bike trails or other projects. At this time, we have no plans to sell or exchange any of these parcels. In any future sales or exchanges, any sensitive areas on these parcels would also be permanently protected."

"We also acquired a parcel at the corner of Coon Street and State Route 28 in Kings Beach for the sole purpose of generating revenue to support ongoing maintenance of Conservancy parkland adjacent to Kings Beach State Recreation Area".

These comments should be fully discussed and vetted at a public hearing.

From the asset land guidelines: Consistency with Conservancy's Enabling Legislation

These Program Guidelines for Conservancy Asset Lands are

consistent with the Conservancy's enabling legislation.

- The Conservancy is authorized under Government Code Section 66907 to “select and acquire real property or interests therein in the name of and on behalf of the State, for the purposes of protecting the natural environment.”
- Pursuant to Government Code Section 66907.1, “the Conservancy may acquire interests in land by means of land exchanges.”
- Government Code Section 66907.2 provides for the Conservancy to “accept and hold real property or any interest herein acquired through gift, exchange, donation or dedication.”
- Pursuant to Government Code Section 66907.8, “notwithstanding any other provision of law, the Conservancy may . . . 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 for management purposes pursuant to terms and conditions approved by the Conservancy.”

Please explain “management purposes” versus building in town centers and recreation areas.