

APPENDIX E

U.S. Forest Service Letter



United States
Department of
Agriculture

Forest
Service

Lake Tahoe Basin Management
Unit

35 College Drive
South Lake Tahoe, CA 96150
(530) 543-2600

File Code: 5420

Date: October 23, 2006

Ms. Gail A. Jaquish
Sierra Colina, LLC
P.O. Box 129
Lake Tahoe, NV 89448

Dear Gail:

In our recent telephone conversation, you informed me that on September 27, 2006, a local citizen (not an employee of the USDA Forest Service) spoke during the public comment period of the TRPA Governing Board meeting about your 18-acre Sierra Colina parcel (referenced above), and made statements (and submitted a document to the TRPA Governing Board) which could lead to misunderstandings about the Forest Service position with regard to your private property. This letter responds to your request that the Forest Service describe the meetings and discussions we've had with you during the past year regarding your 18-acre parcel which shares its eastern boundary with National Forest land.

Your first meeting with the Forest Service regarding your property took place in March 2006. You met with Tyrone Kelley and Bob Rodman to inform us of the status of your property. You advised us that you envision creating a neighborhood of old Tahoe style homes (some of which will be moderate income deed-restricted) and multiple other public benefits to the neighborhood and surrounding community (e.g., public recreation trails linking existing Douglas County trails and facilities, BMP and water treatment facilities exceeding code minimums, a possible EIP project involving the County's Lake Village Drive, and a charitable donation of land for a conservation easement or land conveyance of sensitive lands to a public entity for the purpose of preserving open spaces and protecting the small portion of Burke Creek on your land). You offered to keep the Forest Service informed about your imminent project application to the TRPA and your interest in conducting a fully scoped Environmental Impact Statement (EIS).

At that first meeting in March 2006, you inquired as to whether the Forest Service has current acquisition interest in your property. We explained to you that while we may in the past have had interest in acquiring the property, it is not on our current Basin acquisition list, nor is your parcel on our current program of work for any other purpose. In addition, all acquisition funds are committed elsewhere, and there is no future plan to try to acquire your parcel. We explained to you that the Forest Service pursues acquisition of private property only when the Seller is a "willing seller" and the Forest Service is a "willing buyer". If funding was available and there was a willing seller, we would still consider the parcel for purchase.

Furthermore, due to the nature of your project proposal (i.e., several linear public facilities, public access, BMP/water treatment facilities easements and charitable conveyance restrictions that you are proposing encumber the land for the benefit of the community and the environment),



Forest Service procedures and regulations under the Santini Burton Act make it infeasible for the Forest Service to be a recipient of a charitable donation of this land.

In May 2006, I met with you at your request. You advised me that you are continuing discussions with Douglas County concerning the prospect of the County becoming the recipient of the charitable conveyance of sensitive land on your property and the County's role regarding the various linear public facilities you have proposed. Specifically, with respect to Easement #2 on the southeast corner of Sierra Colina, the Forest Service expressed interest in the prospect of Douglas County creating and maintaining a class one trail that would link the existing Round Hill bike path (on Forest Service land) with the Kahle Community & Recreation Center through Sierra Colina and Forest Service land, if agreeable to all the parties. With that goal in mind we had another meeting at your property.

In June 2006, I met with you and Scott Morgan, Douglas County Director of Community Parks and Recreation. We all walked the Sierra Colina property to evaluate the trail prospects concerning your proposed public recreation trail, Easement #2. We agreed to cooperate with you and Douglas County in continuing to consider the feasibility of your proposed project Easement #2.

Throughout the time since your first meeting with the Forest Service, the position of the Forest Service on each of the above points and issues discussed in this letter remains the same.

We hope this letter helps clarify the status of your discussions with the Forest Service so there will be no misunderstanding about our position during the TRPA Governing Board's review of your proposed project.

Sincerely,



COLIN R. WEST
Recreation, Engineering and Lands Staff
Officer

cc: Robert M Rodman Jr, Scott Morgan, Douglas Co., John Singlaub, TRPA, Theresa Avance, TRPA