



FEE TITLE RECOMMENDATION BUCKS LAKE PLANNING UNIT

EXECUTIVE SUMMARY

The Stewardship Council was created to oversee Pacific Gas and Electric's (PG&E) Land Conservation Commitment, as set forth in the Settlement and Stipulation,¹ to protect over 140,000 acres of land and to preserve and enhance, on an overall basis, the following six beneficial public values (BPVs): protection of the natural habitat of fish, wildlife, and plants; preservation of open space; outdoor recreation by the general public; sustainable forestry; agricultural uses; and, historic values. The Stewardship Council is responsible for developing a land conservation plan and recommending qualified organizations to become involved in the future stewardship of these lands.

The Bucks Lake planning unit, located in Plumas County, consists of two legal parcels encompassing approximately 2,164 acres of land. Approximately 477 acres have been identified by PG&E as lands outside of Federal Energy Regulatory Commission (FERC) project boundaries and not necessary for current and future utility operations. Therefore, these 477 acres of land have been made available for fee title donation.

On February 6, 2009, the Stewardship Council received one proposal for the Bucks Lake planning unit. The proposal was prepared and submitted as a collaboration, with Enterprise Rancheria and Plumas County seeking fee title donation and Greenville Rancheria seeking to be the conservation easement holder. Subsequent to receiving this proposal Enterprise Rancheria withdrew their interest in acquiring fee title to the land and Plumas County determined their interest in acquiring fee title could be met through continued PG&E ownership. Therefore, Stewardship Council staff has developed the following recommendation, which has been endorsed by the Watershed Planning Committee (Planning Committee):

PG&E to retain fee title to approximately 477 acres made available for donation within one parcel (parcel 738) at the Bucks Lake planning unit. This acreage is in addition to the approximately 1,687 acres originally designated by PG&E for retention in this planning unit.

If this recommendation is accepted by the Stewardship Council Board (Board), PG&E and the recommended conservation easement holder will negotiate a conservation easement for the lands that will be retained by PG&E in this planning unit.

After review by the Stewardship Council, the proposed conservation easement would be incorporated into a Land Conservation and Conveyance Plan (LCCP) developed for the planning unit. The public will have an opportunity to review and provide comment on the proposed LCCP and the comments received will be shared with the Planning Committee before the Planning Committee forwards the proposed LCCP to the Board for its review and approval. Adoption of the LCCP by the Board would be the final step in the Stewardship Council's process.

¹ California Public Utilities Commission Decision 03-12-035, December 18, 2003 (the "Settlement") and the Stipulation Resolving Issues Regarding the Land Conservation Commitment dated September 25, 2003 (the "Stipulation").

I. INTRODUCTION AND BACKGROUND

a. Planning Unit Description

The Bucks Lake planning unit is located in Plumas County southwest of Quincy at an elevation of 5,200 feet. The planning unit consists primarily of Bucks Lake, a scenic reservoir in a mountain setting that provides year-round recreation. The planning unit is almost entirely surrounded by the Plumas National Forest and to the north is bordered by the Bucks Lake Wilderness.

The planning unit and surrounding area provide habitat for special status species such as osprey bald eagle, and willow flycatcher. Other wildlife that occur in the area include black bear, deer, beaver, and several species of waterfowl.

Bucks Lake is a popular recreation destination providing opportunities for camping, boating, fishing, hiking, and swimming. Bucks Lake is also a popular winter recreation destination with visitors reaching the area by snowmobile after the roads close for the season. There are currently 71 recreation home site leases, three commercial leases, one horse grazing lease, one fire department lease, and two sewer line leases located on the property. The planning unit also contains a PG&E Timber Management Unit (TMU), totaling almost 800 timbered acres that are managed under a multiple-use prescription.

The area is within the ancestral territory of the Northeastern or Mountain Maidu Tribe, who had summer camps near what is now the shoreline of the lake. Recent surveys conducted in conjunction with the THP confirmed the existence of numerous cultural resource sites on the south and east sides of the lake.

b. Donee Evaluation Process

The Stewardship Council received statements of qualifications (SOQs) from six organizations interested in acquiring fee title to lands available for donation within this planning unit. A list of organizations that submitted SOQs is attached. Of these six organizations, only the Enterprise Rancheria and Plumas County (with Greenville Rancheria as the proposed conservation easement holder) submitted a collaborative LSP. Subsequent to receiving this LSP, Enterprise Rancheria withdrew their interest. Plumas County indicated they preferred that PG&E retain fee title ownership to the land so long as they were permitted to pursue the potential development of a multi-use trail on the south side of the planning unit (at a conceptual level PG&E is comfortable with this trail and the trail project under consideration by Plumas County).

II. EVALUATION

With no organizations interested in acquiring fee title to the Bucks Lake planning unit, staff is recommending that the land at the Bucks Lake planning unit be retained by PG&E.

a. PG&E Retention

According to PG&E, its management of the watershed lands is guided by a number of considerations, including optimizing benefits to PG&E customers, shareholders, and the environment. The retention of the lands within the Bucks Lake planning unit by PG&E, at least in the near term, would likely result in continuing the current management regime, subject to a conservation easement.

b. Requirements of the Settlement and Stipulation

The Stewardship Council's recommendation that PG&E retain fee title to the lands within this planning unit would be subject to compliance with all the requirements of the Land Conservation Commitment. Several of these requirements are highlighted below.

- A conservation easement would be established on lands owned by PG&E within the Bucks Lake planning unit.
- PG&E currently manages 71 recreation homesite leases, three commercial leases, one horse grazing lease, one fire department lease, and two sewer line leases within the planning unit. The conservation easement will give PG&E the right to maintain, renew, and replace all agreements memorializing these leases. The conservation easement would include an express reservation of right for continued operation and maintenance of hydroelectric facilities and associated water delivery facilities, including project replacements and improvements required to meet existing and future water delivery requirements for power generation and consumptive water use by existing users, compliance with any Federal Energy Regulatory Commission (FERC) license, FERC license renewal or other regulatory requirements.

c. Conservation Partners

The permanent protection of the Bucks Lake planning unit, and the future preservation and enhancement of the BPVs, may involve, and benefit from, the participation of land conservation partners. For purposes of this recommendation, land conservation partners are defined as organizations other than PG&E or the conservation easement holder that become involved in future activities on the retained lands that contribute to the preservation and enhancement of the BPVs. Land conservation partners may be organizations that expressed interest in enhancement activities on the properties via a land stewardship proposal, or organizations otherwise identified during or after the development of the Land Conservation and Conveyance Plan (LCCP). Such organizations and activities may be eligible for Stewardship Council funding, depending on the type of organization, proposed activities, availability of funds, and other factors.

Staff would work with PG&E and the proposed conservation easement holder in this planning unit to evaluate opportunities for land conservation partners. The results of this effort could be reflected in the final LCCP.

Plumas County has already been involved as conservation partner at the Bucks Lake planning unit. On April 10, 2014, the Stewardship Council entered into an agreement with Plumas County to conduct a feasibility study to evaluate the potential development of a multi-use trail south of Bucks Lake on lands owned by PG&E. The plan identified a potential trail alignment and included a cost estimate for costs associated with CEQA planning, trail construction, and trail maintenance. On October, 14, 2014, the Plumas County Board of Supervisors approved the feasibility study for release for public review, and solicited public comment. If the Plumas County Board of Supervisors approves of moving forward with the project, the county will develop an Enhancement Project proposal for the development of the trail and seek funding from the Stewardship Council for the project.

It does not appear that fee title ownership of lands available for donation and located under and adjacent to the proposed trail alignment is necessary for construction and maintenance of the

proposed trail. Moreover, PG&E has supported the county's efforts to evaluate the feasibility of, and possibly pursue the design, construction, and maintenance of a trail.

III. PUBLIC COMMENTS

The Stewardship Council has implemented a public outreach program to engage stakeholders and solicit public input on the development and implementation of the land conservation plan. A summary of key public outreach activities and public comments associated with the Bucks Lake planning unit is attached.

IV. RECOMMENDATION

Stewardship Council staff is making the following recommendation, which was endorsed by the Planning Committee:

PG&E to retain fee title to approximately 477 acres made available for donation within one parcel (parcel 738) at the Bucks Lake planning unit. This acreage is in addition to the approximately 1,687 acres originally designated by PG&E for retention in this planning unit.

V. NEXT STEPS FOLLOWING PLANNING COMMITTEE RECOMMENDATION

If the Board approves this recommendation on January 22, 2015, PG&E and the recommended conservation easement holder will negotiate the conservation easement for the planning unit. After review by the Stewardship Council, the proposed conservation easement will be incorporated into a Land Conservation and Conveyance Plan (LCCP) developed for the planning unit. The public will have an opportunity to review and provide comment on the proposed LCCP and the comments received will be shared with the Planning Committee before the Planning Committee forwards the proposed LCCP to the Board for its review and approval. Adoption of the LCCP by the Board would be the final step in the Stewardship Council's process.

ATTACHMENTS AND REFERENCE MATERIAL

- Bucks Lake Planning Unit Map
- LCP Volume II Planning Unit Report for the Bucks Lake Planning Unit
- List of Registered Organizations that Submitted SOQs for Lands Available in the Bucks Lake Planning Unit
- Summary of Key Public Outreach Activities and Public Comments Associated with the Bucks Lake Planning Unit



BUCKS LAKE ATTACHMENTS

[Bucks Lake Planning Unit Report](#)

[Bucks Lake Existing Conditions Map](#)

[Bucks Lake Aerial Map](#)



Bucks Lake Planning Unit

Organizations That Submitted a Statement of Qualifications for Fee-Title Interests

County of Plumas
Enterprise Rancheria
Feather River Land Trust
Greenville Rancheria
Plumas Corporation
USDA Forest Service -- Plumas National Forest

SUMMARY OF KEY PUBLIC OUTREACH ACTIVITIES AND PUBLIC COMMENTS ASSOCIATED WITH THE BUCKS LAKE PLANNING UNIT

PUBLIC REVIEW OF VOLUMES I AND II OF THE LCP

The draft Land Conservation Plan (LCP) Volumes I and II were released in June 2007 for a 60-day public comment period. During this time, the Stewardship Council held ten public meetings to publicize the availability of the Draft LCP and to encourage public comment. During public review of Volumes I and II of the LCP, 36 entities/individuals submitted comments concerning the Bucks Lake planning unit. Comments were received via email, the Stewardship Council website, and hardcopy letters. The comments were reviewed and responded to individually, and the text in the Draft LCP was revised as appropriate.

Public comments emphasized the following regarding the future management of the property:

- Limit and control public access adjacent to the Bucks Lake cabins
- Any additional day use that is provided at Bucks Lake should be on the south shore of Haskins Inlet or on the north shore of the lake away from the cabins.
- Develop a fuel management plan.
- Reopen Lakeshore Resort
- Develop a fuels management plan
- Install permanent restrooms at Bucks Creek and Haskins Creek.
- Conservation easement is not necessary on land leased from PG&E for cabins because the leases are very restrictive.
- Forestry activities on the property should be coordinated with other local forestry activities.

PUBLIC INFORMATION MEETING FOR THE BUCKS LAKE PLANNING UNIT

Two public information meetings were hosted by the Stewardship Council to discuss the Bucks Lake planning unit. The first was held on November 29, 2007 on the Chico State Campus in Chico, California. The meeting concerned the Stewardship Council's pilot project process and how it related to Bucks Lake. During the meeting, participants were invited to ask questions and provide comments. The comments provided by the participants were recorded by a facilitator. Notes from this meeting were made available on the Stewardship Council's website:

http://www.stewardshipcouncil.org/documents/land_conservation/Bucks%20Lake/Bucks%20Lake%20Meeting%20Notes%202007.11.pdf

A second public planning meeting concerning the Bucks Lake planning unit was hosted by the Stewardship Council on September 3, 2008, in Quincy, California. A total of 77 individuals attended and participated in the meeting, representing a wide variety of interests, including local, state, federal, and tribal governments; community organizations; and local businesses. The meeting was advertised via an e-mail sent to contacts in a database, an announcement posted on the Stewardship Council's web site, a press release in the local newspaper, and a postcard sent to

all landowners on record that reside within one mile of any PG&E parcel associated with the six planning units that were the focus of the meeting.

The purposes of this meeting were: (1) provide a review and update on the Stewardship Council's Land Conservation Program; and (2) solicit additional public input on future stewardship of the planning unit. During the meeting, a break-out session was held in which the workshop attendees were randomly divided into five groups consisting of approximately 10-15 people. Discussions were guided by staff and focused on two topics: important qualifications of future land owners and conservation easements holders, and importance/priority of the 15 potential measures recommended for Bucks Lake. Notes from each group were recorded on flip-charts and key discussion points were reported back to the larger group at the end of the workshop by a community member. Notes from this meeting were made available on the Stewardship Council's website:

http://www.stewardshipcouncil.org/documents/land_conservation/Bucks%20Lake/Bucks%20Lake%20Meeting%20Notes%202008.09.pdf

ADDITIONAL COMMENTS RECEIVED

The Stewardship Council received additional public comments and letters from individuals regarding the future management of the Bucks Lake planning unit, as summarized below:

- Ensure that homesite leases continue.
- Any recreational enhancements should be developed away from the existing homesite leases.
- Support for reopening of the Lakeshore Resort
- Support for the status quo with respect to ongoing management at Bucks Lake.