

**Presentation at the October 29, 2021, Annual Foundation Dinner
Honoring the Staff of the Lake Tahoe Basin Management Unit
Land Acquisition Team**

The history of the federal government's interest in the Lake Tahoe Basin dates back to 1848 when the Treaty of Guadalupe Hildago was signed ending the Mexican-American War with Mexico

ceding all contested lands to the United States government. During the California Gold Rush of the 1850s and the Comstock Silver Rush of the 1860s, white settlers to the Lake Tahoe region began acquiring lands inside the basin under the



Treaty of Guadalupe Hildago

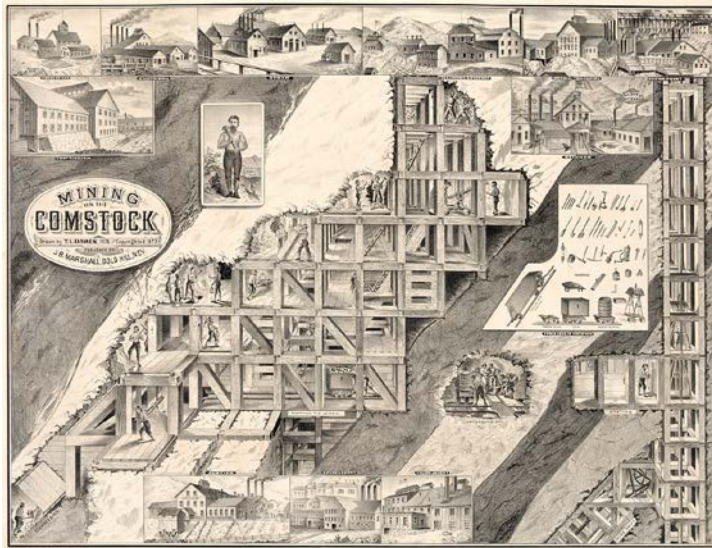
General Preemption Act of 1841 and the Homestead Act of 1862 and later under the Timber Culture Act of 1872 and the Timber and Stone Act of 1878. At the north end of the lake, much of the land was passed into private hands under the Pacific Railroad Act of 1862, which granted alternating sections of land twenty miles north and south of the rail line to the Central Pacific Railroad.



*Lake Valley Railroad, South Shore Lake Tahoe
(Western Nevada Historic Photo Collection)*

Most of lands in the basin transferred into private ownership were developed for timber harvesting for lumber and firewood to supply the needs of the Comstock mines. The majestic forests surrounding Lake Tahoe, which inspired Mark Twain to

describe it as being “the fairest picture the whole earth affords,” were soon cleared of its towering pines and converted into lumber to support the interior scaffolding necessary to stabilize the gold and silver mines surrounding Virginia City and prevent them from collapsing. One

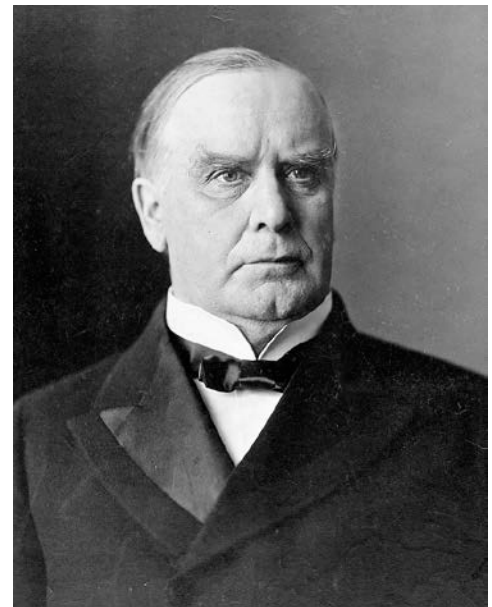


*Comstock Mines, Virginia City, Nevada
(Western Nevada Historic Photo Collection)*

contemporaneous account described the mines as being the tomb of the Sierra Nevada’s forest lands. By the end of the nineteenth century, most of the lands in the basin had been passed into private ownership and denuded of its timber. The spectacle of the barren forest lands and the ugly scar it left on the basin’s

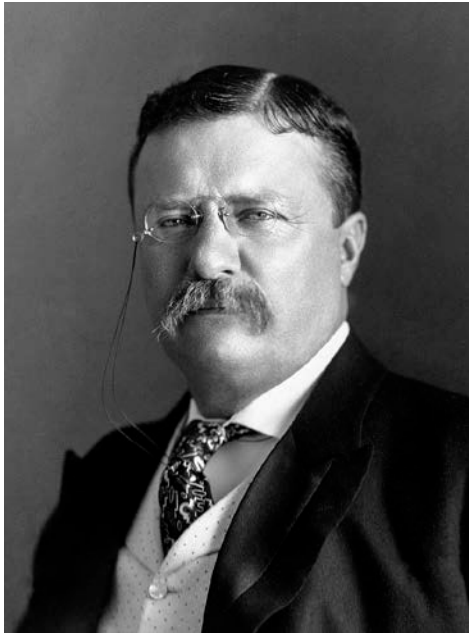
landscape in contrast to the natural beauty of the lake and those lands which were not deforested no doubt provided the motivation of early conservationists to protect those remaining lands which were undeveloped.

In 1899, President McKinley established the “Lake Tahoe Forest Reserve” setting aside 37,555 acres of land in the basin on the southwestern end of the lake for the public’s enjoyment. The creation of a Lake Tahoe National Park was proposed by Nevada Senator William Stewart the following year, which although not successful raised further awareness of the area’s natural beauty and the need to protect it. In 1905, an additional 22,160 acres of federal land around the lake were set aside under President



*President William McKinley
(1897 – 1901)*

Roosevelt’s administration and the reserved lands renamed the “Tahoe Forest Reserve.” The following year, Roosevelt added another 6,250 acres of land at the southern end of the basin via



*President Theodore Roosevelt
(1901 – 1909)*

presidential proclamation. The sum of these reserved lands comprised nearly 66,000 acres of the basin’s roughly 200,000 acres of land exclusive of the lake itself or thirty-two percent of the land area.

The idea of creating a National Park at Tahoe was resurrected in 1912



with a bill by Congressman Joseph Knowland of California. This bill failed and further legislative efforts were made in 1913 and 1918, which also failed. In 1931, the U.S. Park Service studied the idea of creating a

national park at Tahoe and concluded it was not worthy of national park status. In 1936, the U. S. Park Service looked at it again and concluded it was worthy, but not practical. The review summarized the situation as follows: “Private enterprise and extensive development around the entire border of the lake has destroyed the possibility of conserving and preserving on a national scale the natural beauty, character, flora, and fauna of this area.”

The existence of significant private land holdings in the basin may have been viewed by the Park Service as being an insurmountable barrier to preserving



the natural beauty of Lake Tahoe, but the Forest Service had a different perspective about the area’s potential. Those clear cut lands could regrow their forests. Under the General Exchange Act of 1922 that was authorized under President Warren Harding’s administration, the Forest Service had the authority to acquire private land holdings in the basin in exchange for other forest lands outside the basin or alternatively in exchange for the rights to harvest timber on other forest

lands. These “tripartite transactions” as they were called were popular with timber companies who



*Carson & Tahoe Lumber & Fluming Co. Spooner Summit Operation
(Western Nevada Historic Photo Collection)*

were often willing to exchange their land holdings upon which they had completed their harvesting for the rights to log elsewhere.

In 1936, the Carson and Tahoe

Timber and Flume Company exchanged 7,776 acres of land in the southern part of the basin in the Upper Truckee watershed and along Saxon Creek and Trout Creek. Another large exchange of 3,525 acres was made in 1951 when the Pope Baldwin lands between Fallen Leaf Lake and the south shore of Lake Tahoe were acquired by the Forest Service. Other exchanges in the basin

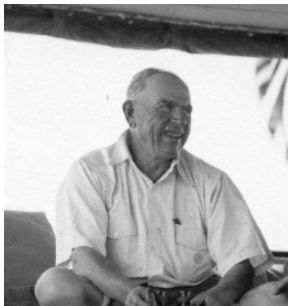
include the Lassen Lumber Company exchange of landholdings on the west shore in the Meeks Creek drainage in 1946 and the Winton Lumber Company exchange on



(Lake Tahoe Historical Society)

the south shore in 1951. The concept of raising funds to acquire lands through sales or exchanges with other federal lands was later incorporated into the Santini Burton Act and Southern Nevada Public Land Management Act.

In the 1950s subsequent to the conclusion of World War II, land development pressures arose in the basin presenting a new threat to Lake Tahoe's environment. Improvements in automotive travel and highway systems into basin created new demands for recreation, housing, and other activities in the area. Further development pressures were created with the hosting of the Winter Olympics in Squaw Valley in 1960.



Max Fleischmann

With the specter of large scale development on the horizon, environmentalists became alarmed about the future of the basin. Among these interests were the Lake Tahoe Area Council and the Tahoe Improvement Conservation Association both of whom were created in 1957. The Lake Tahoe Area Council was organized with the backing of the Fleischmann Foundation, which had been created by an endowment from Max Fleischmann heir to the Fleischmann Yeast Company. The Council was instrumental in funding research supporting the need for environmental controls in the basin. The Tahoe Improvement



Tahoe Keys (1970s)

Conservation Association, which was later reorganized as the League to Save Lake Tahoe, was another vocal and influential advocate for the basin's environment as development pressures grew at this time.

Two of the biggest housing developments proposed during this period were the Tahoe Keys development on the south shore and the Incline Village development and the north shore. Occupying but a small portion of the private land holdings around the basin, it was obvious to all that without growth controls the natural beauty of the Lake Tahoe basin would be destroyed and replaced with a large urban metropolis consistent with the perspective of the National Park Service in 1936. Equally

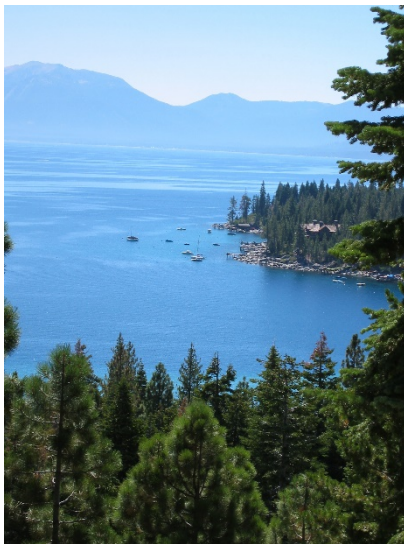


apparent was the fact if Tahoe was not to be spoiled, it was necessary that much of the lands be taken out of private ownership to preclude their development with the Forest Service being the most likely entity to accomplish the task.

In 1967, the bi-state Lake Tahoe Joint Study Commission issued a report recommending that a regional planning authority be established to control development in the basin. The report also recommended that lands in the basin be acquired by the Forest



Service for preservation. This report led to the Tahoe Regional Planning Compact between California and Nevada which was ratified by Congress on December 18, 1969. The Compact



authorized the creation of the Tahoe Regional Planning Agency as a governing body to oversee development in the basin. Although often overlooked, the Forest Service was instrumental to the Compact formation as the largest landholder in the basin and as an advocate for the basin's natural environment. With environmental concerns now in focus against the increasing development pressures, a race began to implement controls before development grew to the point at which it irrevocably

destroyed the basin's environment.

In 1970, the Forest Service acquired the 4,752 acre Whittell estate on the east shore of the lake precluding its development. Two years later, the Forest Service acquired the 10,452 acre Dreyfus estate also on the east shore. In 1973, the Lake Tahoe Basin Management Unit (LTBMU) was created to more effectively manage lands in the basin which were comprised of national forest lands from the Eldorado, Tahoe, and Toiyabe National Forests. In 1974, the Forest Service acquired the



Fibreboard Corporation lands at the north end of the lake encompassing 10,121 acres. The Forest Service also purchased the Meeks Bay resort property on the west shore from William Hewlett of Hewlett Packard fame who had purchased the land three years prior to prevent its development while the Forest Service secured funding for its purchase.



*William Hewlett
(William & Flora
Hewlett Foundation)*

While the acquisition of these lands protected against their long-term future development, they did little to address the immediate threats posed by large scale commercial development particularly on the lake's south shore that the newly formed TRPA seemed unable to control. In 1971, the Harrah's hotel/casino expansion project was approved. In 1973, both the Park Tahoe hotel/casino and the Harvey's hotel/casino were approved. In 1974, two additional hotel/casino projects, the Hotel Oliver (Kahle property) and the Tahoe Palace (Jennings property), were approved, and in 1975, the Sahara Tahoe hotel/casino expansion project was approved. The approval of these projects occurred by default under the agency's "60 day rule" by virtue of the fact that a majority of each state's representatives on the TRPA's governing board was required to deny a project within that state, absent which it was considered authorized after sixty days. While TRPA staff and California's representatives on the governing board may have opposed a specific project, no denials could be enforced against these projects in Nevada without that state's majority vote on the board.



Sahara Tahoe hotel/casino expansion

In the later part of the 1970s, the Forest Service continued to acquire lands in the basin including the 236 acre Rabe Estate at Stateline (which was within what many considered to be within the casino corridor), the Canon Lands at McKinney Creek on the west side of the lake encompassing 1,400 acres, and the 450 acre Zephyr Cove Resort on the east shore. At the end of 1979, the Forest Service owned 65% of the basin lands with a goal of acquiring 85%.



Zephyr Cove Resort

One of the most significant acquisitions made by the Forest Service during this period was the purchase of the proposed Tahoe Palace hotel/casino property owned by Ted Jennings which was consummated in 1980. First suggested for acquisition in 1977 following its default approval by TRPA in 1974, the proposed purchase of this property helped bring about the renegotiation of



Jennings Property

the Tahoe Regional Planning Compact in 1980 to eliminate the untenable default approval process allowed for under the original compact as well as the enactment of Nevada legislation barring new casino development in the Tahoe Basin. Prior to this legislation, it had been envisioned that an additional fifteen casinos

might be built in the Stateline area. The adjacent Kahle property east of the Jennings property was later acquired by the State of Nevada and Douglas County in 1982.

As part of the renegotiation of the Tahoe Regional Planning Compact, federal legislators proposed the establishment of a National Scenic Area at Lake Tahoe, which was viewed by property right advocates as a heavy-handed approach, or alternatively a federal land acquisition

program to purchase environmentally sensitive lands in the basin that might otherwise be developed in a timely manner under proposed growth restrictions. Ultimately, a land acquisition



*Nevada Congressman Jim Santini
(Reno-Gazette Journal)*

program was passed as the Santini-Burton Act in 1980 authorizing \$150 million in funds to be derived from the sale of 19,000 acres in federal lands near Las Vegas. This federal act was subsequently followed by programs by the State of California in 1982 authorizing \$85 million in funding and the State of Nevada in 1986 authorizing \$31 million in

funding for land acquisitions within their respective states.

With the 1980 amendments to the Tahoe Regional Planning Compact having been made, the TRPA proceeded to develop a new regional plan for the basin which was released in 1984. The plan allowed for the development of 12,600 new homes and other measures to the consternation of the State of California and League to Save Lake Tahoe both of whom filed lawsuits against the plan the day after its



*California Congressman John
Burton (Collection of the U.S.
House of Representatives)*

adoption leading to a building moratorium in the basin. The Forest Service's land acquisitions under the Santini-Burton Act, which were well under way at this time, allowed many of the property owners who were impacted by the moratorium to sell their lands. These acquisitions were critical to resolving the legal challenges to TRPA's 1984 plan and the subsequent adoption of a new plan in 1987.

In hindsight, the LTBMU's implementation of the land acquisition program under the Santini-Burton Act can only be described as having occurred at "warp speed." During the 2-year period ending on August 26, 1983, the LTBMU staff accomplished the purchase of 215 parcels in

California and 45 parcels in Nevada. During the following 8-month period, staff accomplished the purchase of an additional 167 California parcels and 27 Nevada parcels. If there had been any faltering in the implementation of this program at that time, the Tahoe Basin might easily have been mired in lawsuits up until the present day. Notwithstanding those Santini-Burton property acquisitions, there still remained 17,000 undeveloped lots in the basin. The LTBMU has since acquired 3,500 parcels, the State of California 4,700 parcels, and the State of Nevada 500 parcels.

With the adoption of TRPA's new Regional Plan in 1987 and the resolution of the lawsuits



President Bill Clinton at the First Annual Lake Tahoe Summit (Sierra Sun)

against the 1984 plan, TRPA proceeded to develop a comprehensive Environmental Improvement Program or EIP for the basin in coordination with the Forest Service, which included a laundry list of programs on Forest Service lands to assist in the preservation and restoration of the Lake Tahoe Basin. Subsequent to the development of this plan, President Clinton convened the First Annual Lake Tahoe Summit in 1987 wherein the federal government affirmed its commitment to the restoration of the basin under TRPA's plan.

The federal government's commitment has subsequently been reaffirmed through a series of legislative enactments dedicating funding for restoration including the 1988 Southern Nevada Public Lands Management Act (SNPLMA), 2000 Lake Tahoe Restoration Act, 2003 Amendments to the SNPLMA, and the 2016 amendments to the Lake Tahoe Restoration Act. These legislative commitments have funded land acquisitions, restoration programs, hazardous fuel reduction work, and other programs across the basin.

The LTBMU has continued to acquire lands within the basin over this period and some of the more significant acquisitions include the Sievers property on Kingsbury Grade, the Webb property exchange on the east shore, the High Meadows property, the Incline Lake property, the Brockway Summit property, and most recently the Bull Wheel property at Incline.

This evening we recognize the years of hard work by Forest Service staff in implementing the federal government's land acquisition program. The work goes far beyond just the task of acquiring the properties, but also managing and restoring the lands for the public's benefit. Not all of these parcels could simply be added to the basin's portfolio of public lands in their existing state. Many of the parcels were developed or disturbed and had to be restored. Many of the parcels had existing tenants who had to be relocated or managed under new contracts. Many of the parcels had to be improved for public recreation. And, many of the parcels had to be managed for fuel reduction.

As a very brief overview of some of the challenges that were faced in managing these land acquisitions I wanted to highlight three in particular and I am hoping that our guest speakers can provide some further insight. The first of these is what has been referred to as the 64 acre tract at the Y in Tahoe City. This property was acquired in 1984 from the Bureau of Reclamation who had acquired the land in 1904 to construct a separate outlet channel from the lake. During the course of its ownership, the bureau had allowed the Truckee-Carson Irrigation District to sublease much of the property for various uses including a trailer park and a number of small businesses.



Aerial View of the 64 Acre Property in Tahoe City

Instead of removing the tenants and transferring the property to the Forest Service, the bureau transferred the property and left the Forest Service to deal with the existing tenants none of which were compatible with the Forest Service's mission. After considerable work, LTBMU staff were able to relocate the existing tenants and restore the property. More recently, this property has been developed as a recreational site and transit hub for the north end of the lake. It has also accommodated the redesign of the Y highway corridor by allowing a bypass to be built. This later effort has been accomplished through cooperative efforts with the California Tahoe Conservancy, TRPA, Tahoe City Public Utility District, Placer County, and the Tahoe Truckee Area Regional Transit.

The second acquisition was the 1980 acquisition of the Jennings hotel/casino property at Stateline. The acquisition of this property preempted further hotel casino development in the basin. It is hard to imagine what the Stateline area would look like today with another fifteen casinos stretching from Stateline to Round Hill, but that is what many envisioned at that time. At the time of its acquisition, the developer had already constructed the foundation for the proposed casino/hotel and had extensively disturbed the site. Upon acquiring the property, LTBMU staff undertook the restoration of the property which included the removal of the foundation work and rerouting Burke Creek through the property along with the construction of a small pond. This property along with the neighboring Rabe Estate that was acquired in 1978 with the assistance of the Nature Conservancy provides a much needed recreational open space for the Stateline area.



Jennings Casino Site after Restoration

The third acquisition, really an acquisition program, is the LTBMU urban lot purchase program under the Santini-Burton Act as noted earlier. The acquisition of urban parcels is not something the Forest Service has been accustomed to doing and each parcel comes with its own host of problems. Some



of the difficulties that have been encountered in managing these lands include fire hazard mitigation, erosion control, illegal dumping of trash and debris, and the illegal expansion of development from neighboring properties. These lands comparatively require considerable resources to manage on a continuing basis. And yet, their acquisitions together with those of the California Tahoe Conservancy and the State of Nevada have protected Lake Tahoe from overdevelopment as well as benefitting the environment, improving the viewscape, and providing wildlife habitat.

There are too many people with the Forest Service who have put in countless hours over the many years to recognize individually tonight. We are fortunate to have of some of them sitting in the audience tonight. This evening we recognize their individual contributions and their collective efforts. Were it not for them, that which we hold dear might not have been saved for the enjoyment of generations to come; a one-of-a-kind pristine alpine lake of magnificent beauty.

