

July 1999 Revision of June 1983 draft

ALPINE GREENBELT HISTORY

During the 1960s the developers in Bear Creek Valley laid out the subdivisions so that there is a greenbelt area, with varying width, along Bear Creek, with several access strips between lots to permit ingress and egress for public use of the greenbelt.

For example the CC&Rs for Unit 6 (5/25/67) include:

"Each of said lots, the rear boundary of which abuts Bear Creek, is hereby subject to an easement across the rear ten feet thereof for public ingress to and egress from Bear Creek." (Lots 167-191)

In addition, other parcels have been set aside and later deeded to the Alpine Springs County Water District (ASCWD) for greenbelt and recreation public use. The District holds these lands in trust for the benefit of the people in the area, and some deeds use the term "public trust."

In Section 5, the Bear Creek Association (BCA) controls and manages the creek greenbelt areas (including the pond) and some 10 lots dedicated as greenbelt or open space.

Lawyers disagree as to whether the District can limit access to these greenbelt areas to residents or taxpayers in Bear Creek Valley. Legal counsel for ASCWD, Paul Chamberlain, advised them (April 19, 1974) that "...the District does have the authority to limit or restrict public access either partially or totally." An attorney working as Associate General Counsel to Ticor when Rocco Siciliano was President of Ticor, was of the opinion (April 22, 1974) that "...the District must use this property for public purposes." and that the courts...would not permit the District to limit the surface rights for pedestrian ingress and egress over these parcels to the residents of Alpine Meadows Estates."

It seems clear that the District has the authority under sections of the California Water Code to establish reasonable rules and regulations to govern the use of the areas, to impose reasonable charges for the use of recreational facilities, and to fund recreational activities and

improvements from its general tax revenues or in other ways. The use of bonds for capital improvements in greenbelt areas probably is now subject to Prop. 13 rules.

For identification purposes ASCWD has numbered the various greenbelt parcels in the Alpine Estates area. The attached map shows the location of parcels 1-8. Also marked on this map with X are access points or easements to the creek.

In 1966 Ray Smith put together a "Development Program Map" for the General Plan which shows wider greenbelt and recreation areas along Bear Creek, an open area from the Five Lakes trail avalanche area across the creek between Bear Creek Association (BCA) land and AMEA Units 3 and 4 (through Unit 7), and backdrop greenbelt areas north and south of a "limit of development" line.

Following is a chronology of acquisition actions by ASCWD:

- September, 1964 ASCWD staff proposed acceptance of greenbelt property along Bear Creek, but the District Board declined.
- October, 1968 ASCWD staff prepared a review of greenbelt areas in Alpine Estates in order to reopen acquisition consideration.
- Nov-Dec, 1968 Alpine Meadows Estates Association (AMEA) and Placer County Planning Commission request the District accept greenbelt conveyances along the creek.
- June, 1970 Parcel 1 (lot B, Unit 4) deeded to ASCWD by Alpine Estates Association, and accepted by District.
- August, 1972 Parcels 6, 7 and 8 deeded by Section Four Company (Fred Smith, Bill McKleroy, etc) and accepted by the District
- Sept, 1972 Parcel 5a (creek bed between lots 59-167) deeded by Section Four Company, accepted by ASCWD (Resol.22-72)

Subsequent dedications

- Parcel 5 from Alpine Land & Development Company.
- Sometime in 1973? (Resol. 23-73)
 - Parcel 3 from A L & D Co 7/73 (Resol. 8-73)
 - Parcel 2 from A L & D Co. 7/73 (Resol. 9-73)
 - Lot A (Sec. 4) leased to AMEA for \$1 per year
- March 1973 Report by ASCWD to Bear Creek Planning Com.on status of greenbelt lands and request for BCPC planning assistance in evaluating future use.

In November, 1972 the District Board discussed its role of leadership and cooperation with other entities in the valley, and received further legal advice in Chamberlain's letter of 11/8/72. With respect to their management of greenbelt areas, the ASCWD Board adopted the following policy 11/23/72:

The District shall not develop or modify the conditions of any District-held areas until such time as local representative groups, such as Homeowners' Associations and planning committees, have been given ample opportunity to participate in the preparation of planning objectives and goals for the areas concerned. That all areas presently being held as greenbelt areas shall remain such until otherwise directed by the community.

At the request of the Greenbelt Committee in 1982, the District Board amplified the above policy by empowering the Manager to "approve or disapprove at his discretion requests by lot owners for permission to remove snags on greenbelt lands provided that there is no cost or liability to the District and that the snags in question are on properties immediately adjacent to the applicant's property."

In March, 1973 ASCWD staff prepared a report on the status of greenbelt lands for discussion with the BCPC, with request for their planning assistance in evaluating future use of those lands. This led to meetings between District and BCPC representatives, joined in June, 1973 by AMEA representatives and including joint evaluations of Parcels 3, 5 and 5a.

In June, 1973 the first creek cleanup weekend occurred, with cooperation of AMEA and ASCWD, concentrating on the area from the Northrop property to Section 3.

In August, 1973 ASCWD staff made a presentation to the AMEA regarding the status of greenbelt lands, which led to the formation of the Alpine Meadows Greenbelt and Recreation Committee (sometimes called "Greenbelt and Recreational Planning Committee"), which held its first meeting January 20, 1974.

An "Ad Hoc Steering Committee" had been formed in 1970 and was active for several years. It was made up of representatives of Alpine Place, AMEA, Stanford Alumni Assoc., AMOT Inc., BCPC, Section Four Co., Tahoe-Alpine Homeowners Assoc., ASCWD, and BCA. Some of its discussions were about the greenbelt areas, but no community plans were developed until the Greenbelt Committee became active in 1974.

The Greenbelt Committee met each month from January through August, 1974, and less frequently into the first half of 1975. A questionnaire was developed and sent in the summer of 1974 to about 450 lot owners. 194 returns covered owners of 224 lots. The most significant responses were over 90% in favor of keeping the creek area in its natural state (except for clean-up) and over 80% in favor of limiting access to the creek greenbelt to owners and guests, if legally possible, (although a majority responded that public use of the greenbelt creek should not be limited to certain sections of the creek). About 80% were opposed to a picnic area along the creek, and 62% opposed maintenance of a trail in the creek greenbelt.

Gail Elliott was Chairperson of the 1974-5 Greenbelt Committee and her summary report of 1975 is attached as Exhibit "A". Among the things which that Greenbelt Committee worked on were pathways for walking and horse-backing, a "botanical garden", swimming and tennis privileges at Stanford Chalet, and the acquisition and planting of Lot A. At its October 3, 1975 meeting the ASCWD Board reviewed data from the Greenbelt and Recreation Committee, decided to accept its recommendations, and requested that the Committee be deactivated.

In May, 1982 a Greenbelt Committee was reactivated, now called the "Alpine Meadows Greenbelt and Recreation Committee". It met each month from June through September, 1982, four times during the big winter and resumed monthly (almost) meetings in the summer of 1983.

An updated questionnaire was developed and by May, 1983 more than 30% had responded. The largest majorities were 89% in favor of creek clean-up and maintenance and control, 69% in favor of a swimming area (possibly at the ski area reservoir), 65% in favor of marking and making safe public access to the creek, 61% for having walking paths in greenbelt areas, and 61% favoring the marking of bird observation areas.

(These figures need updating)

more to come. BCVB had only \$400 left. The BCPC had a reserve of about \$15,000, but were reluctant to use it for litigation, and AMEA was reluctant to contribute more than their special \$1000 that year.

On May 27, 1989 a meeting at the Lodge was attended by 24 representatives of the HOAs and BCPC members to discuss this problem. After about 90 minutes of extended discussion, the following was agreed (21 voting yes - by show of hands - and none opposing):

1. BCPC will increase application fees, with a specific percentage going to BCVB for enforcement.
2. BCPC will transfer immediately \$5000 to BCVB for current legal bills.
3. Each HOA, and AMOT, commit to \$2000 or more annually for the next five years.

Alpine Meadows Greenbelt & Recreation Commission

(Distribute -30 copies - "Greenbelt History", up to 1983)

Most residents are aware of the great work done by this committee over recent years. The work of Janet Grant, Merritt Cutten and others has been of outstanding benefit to our community.

The "Ad Hoc Steering Committee" formed in 1970, including the commercial and HOA agencies in the valley, paid some attention to having a community organization take over management of "greenbelt" areas acquired by ASCWD from the District. A "Alpine Meadows Greenbelt Committee" was organized in 1973, sponsored the first creek cleanup that spring, and was formalized in a meeting Jan. 20, 1974.

In a questionnaire to all residents in 1974, of 204 responders 94% (191) favored "Keep the creek area in a natural state."

Gail Elliot was the Chairman during 1974-5 when many good things were done. But it was deactivated by ASCWD (on recommendation of Com.) October 3, 1975.

In 1982 this effort was reactivated, with formation of the AMGRC and has been very active since.

Funding - some from Placer County, some from the State - was a continuing problem. But AMEA consistently contributed to these efforts.

Because the annual voluntary creek clean-up days were inadequate to remove large obstructions in Bear Creek and restore and rehabilitate its vegetation and habitats, in 1989 the AMGRC applied to the Calif. Dept. of Water Resources for a \$144,000 restoration grant. This was supported by resolutions from a dozen or more valley entities, but in spite of continuing efforts the grant was not forthcoming.

In 1989-90 the AMGRC, with help of Forest Service, developed an "Urban Forest Management Plan" primarily to protect trees, other vegetation in the greenbelts.

That's all, folks. (I resigned from these activities in 1990-91)