

The General Plan Committee's Trails and Open Space Subcommittee (TOS)<sup>1</sup> has been meeting monthly for over a year preparing to update Tahoe Donner's Trails Master Plan (TMP), which was originally written and approved in 2013. The following section-by-section commentary on the 2013 TMP was compiled from meeting minutes and subcommittee reports. Additionally, in an addenda, the TOS comments on emerging issues. As new information becomes available and new considerations arise, the TOS will update this document as warranted. For reference, a copy of the 2013 TMP can be found [at this link](#).

This commentary serves two purposes. First, to inform an outside consultant who will work with the TOS to update the TMP. Second, along with the TOS's August 2019 survey, to engage Tahoe Donner members with the TOS, sparking a new and informative conversation about the future of Tahoe Donner's trails. The TOS intends that discussion to continue until the TMP update is complete.

## **1. Introduction**

Over its nearly 50 year history, Tahoe Donner's trail system evolved from a small, self-contained, equestrian focused system managed by an outside contractor, into an expansive, increasingly well-connected, multi-use system managed by Tahoe Donner itself. It has also evolved from a niche component of Tahoe Donner's recreational offerings into a core component of its recreational identity. If Tahoe Donner was originally founded as a skiing and golfing community, it is today also becoming a trails community. Over the same time period, Tahoe Donner has also grown from a homeowners association managing only a modest amount of interstitial greenbelt as open space into one of the region's largest land managers with wide-ranging oversight and management responsibilities encompassing more than 7,300 acres. Although we have no truly accurate way to measure trail usage, member surveys and anecdotal evidence suggest that trails and open space is today the association's most used amenity, the members' most valued asset, and the top member amenity priority.

### **1.2. Trails Master Plan Boundary**

History of Tahoe Donner Land Transfers, Purchases, and Sales:

- Early 1980s: Settling a lawsuit brought by the Tahoe Donner Association against Dart Industries, ownership of the 2000 Acres, the 40 Acres, and the 32 Acres was transferred to Tahoe Donner.
- 2002: Tahoe Donner purchased 240 acres in Euer Valley. The deal included 40 acres in trade, for a net gain of 200 acres.

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<sup>1</sup> TOS information and a subcommittee member list can be found [at this link](#). TOS meetings are publicly noticed, and interested Tahoe Donner members are encouraged to attend. To contact the TOS, please email the subcommittee at [gpc@tahoeonner.com](mailto:gpc@tahoeonner.com).

- 2004: Tahoe Donner sold the 32 Acres, which is now home to the Donner Crest neighborhood. With the revenue generated by this sale, the association established the Recreational Amenity Expansion Fund.
- 2010: With the Truckee Donner Land Trust (TDLT) and the Town of Truckee, Tahoe Donner jointly purchased the 240 acre Bucknam Tract above Donner Lake.
- 2011: Tahoe Donner purchased the 160 acre McGlashan Springs parcel above Donner Lake.
- 2012: Tahoe Donner purchased the 20 acre S&R Snow Removal property at the end of Teton Way to house the association's Forestry Department.
- 2012: Using money from the Recreational Amenity Expansion Fund, Tahoe Donner purchased 482 acres of the Euer family's remaining 522 acres, leaving the Euers with a 40 acre inholding.
- 2016: Tahoe Donner purchased the 640 acre Crabtree Canyon to the north of Euer Valley from the TDLT and their partners.

As of 2018, the association has land management oversight responsibilities across 7,376 acres, including 5,018 acres owned by Tahoe Donner.

### 1.3. Vision

At its September 2018 meeting, the TOS discussed the vision statement in the 2013 TMP ("The TD trail system supports the varied membership use, and encourages continual exploration and stewardship of the community and recreational space") and compared it to a tagline that had been proposed at an August Member Workshop: "*Connecting Tahoe Donner*".

Compared to the 2013 statement, the "Connecting Tahoe Donner" tagline was viewed more favorably by the TOS. However, some pointed out that this preference might indicate a shift in direction because some may see the 2013 TMP vision statement and the "Connecting Tahoe Donner" tagline as attitudinal opposites, the former being more cloistered, the latter being more open.

The "Connecting Tahoe Donner" tagline was understood in several ways. For instance, physically, it was about connecting Tahoe Donner geographically via the trails, both internally and externally. Symbolically, it was about connecting Tahoe Donner members to nature, to experiences and adventures, and to each other. No formal recommendations were developed during this meeting, and consideration of this possible shift in direction was a regular subtext at many subsequent TOS meetings.

Additional commentary from the September 2018 meeting minutes:

Because Tahoe Donner is not a gated community, and because we have no fencing around our open spaces, there are no practical means to restrict public use of our trails and open spaces. Further, noting that, unlike in 2013, today Tahoe Donner is surrounded by publicly accessible lands, and increasingly connected to ever-expanding regional trail networks, some suggested that the preference for a more open trail system was less a free-choice than a necessary acceptance of reality: there are no longer any secret trails and the public is already ineradicably here.

Even without official association promotion or marketing, Tahoe Donner's trails are well known in and beyond the region. They are featured on Strava and Trailforks, as well as other trail apps and resources. Tahoe Donner members regularly extol the quality of our trail system to people outside the association. The public notoriety and popularity of Tahoe Donner's trails are only expected to increase, perhaps dramatically, with the opening of TDLT properties to our north, and the continued development of the Donner Lake Rim Trail (DLRT) on the association's southern edge. It was also noted that several easements either guarantee public access to Tahoe Donner's properties (at least in the summer), or guarantee passage through our property.

Additionally, it was noted that, far from securing control, restricting access to our trails and open space is likely to result in a loss of control. If we do not provide access, then illegal trail builders (so-called "trail fairies") are guaranteed to build bootleg trails into and across Tahoe Donner property. Hence, it was suggested that we can either retain control by choosing where and how the public accesses our trails and open spaces, or we can cede that control and those choices to illegal trail builders.

Finally, the discussion turned to the monetary value that the trails and open spaces provide to the members in the form of higher property values. It was noted that while there is value in maintaining a "private preserve," there is also value in being a "gateway community" to a wider recreational area.

#### **1.4. Goals, Objectives, and Policies**

One policy amendment specifically discussed by the TOS was as follows: Absent clear and compelling reason to the contrary, in order to prevent confusion and conflict, Tahoe Donner's trails policies and practices should harmonize with the policies and practices of adjacent and proximate trails and trail systems.

#### **1.5. Planning Process**

In addition to a 5 year major revision schedule, the 2013 TMP recommended an adaptive management process to update the TMP annually with minor revisions. However, until the TOS's formation in 2018, no "Trails Committee" was established to manage these minor revisions. Consequently, this recommendation was not implemented. The TOS strongly supports a robust adaptive management process to keep the TMP current in the future, and is committed to meeting a minimum of twice yearly to support that effort.

### **2. Relationship to Tahoe Donner Guiding Plans and Regional Trails Master Plans**

Since 2013, Tahoe Donner has approved several updated planning documents, including a Land Management Plan (2016), a 5-Year Trails Implementation Plan (2016), and a new Association Master Plan (2017). The Town of Truckee has also updated its Trails and Bikeways Master Plan (2015). Finally, the TDLT has purchased or is under contract to purchase several thousand acres of private property that are either adjacent or proximate to Tahoe Donner. The TDLT intends and

expects to open all of these lands for public recreational use and to equip them accordingly with trails. (See Section 3.2 below.)

### **3.1. Trails Within Tahoe Donner.**

*The Original Trail System:* As originally developed Tahoe Donner lacked any open space other than the interstitial greenbelts and recreational common areas within its original boundaries. Early promotional maps show only a single foot trail within this area: the Nature Trail, which still exists today. Other sources indicate that there was once a small loop trail behind the Northwoods Clubhouse, which at one point included a par course. This loop trail and the par course are today defunct.

In its early days, Tahoe Donner also had access to approximately 15 miles of logging roads and skid trails, that were used by equestrian riders in what is today called the 2000 Acres. Dart Industries had purchased the 2000 Acres from the Fibreboard Corporation in 1971. This trail system, as well as the campground and marina, were maintained by Multi Use Management (M.U.M.), an outside contractor. Following a lawsuit, ownership of the 2000 Acres, along with the 40 Acres to the west, and the 32 Acres which is now the Donner Crest neighborhood were transferred to Tahoe Donner.

Doug Smith, Tahoe Donner's first forester (1989-1993) created the basis for the association's current trail system. According to the 1994 Tahoe Donner trail map, approximately 16 miles of multi-use trails then existed within the association.

### **3.2. Trail Connections**

When Tahoe Donner's first TMP was adopted in 2013, the association's acreage was expansive, but also relatively self-contained because it was hemmed in both by private property that disallowed public access, and by the US Forest Service (USFS) that was at the time indifferent toward building trail connections. As late as 2011, Tahoe Donner's summer trail maps showed only a single connection between the association's trails systems and any outside trail systems or properties. This was the DLRT, which intersected the association's trails by Drifter Hut, and then ended at the Glacier Way Trail's Donner Lake overlook on the edge of Tahoe Donner's property. With the adoption of the 2013 TMP, the map was updated to include a connection to the USFS's Overland Emigrant Commemorative Trail by the campground. These two junctions remain the only official connections between Tahoe Donner's trails and outside trails.

However, already in 2013 there were numerous unofficial and bootleg connections between Tahoe Donner and adjacent properties. This remains true today. Trails Department staff recently counted dozens of user created connections between Tahoe Donner and USFS property along the East Perimeter Trail alone.

While regional connectivity was a stated goal of the 2013 TMP, at the time there were few to no opportunities for regional connection. In particular, trail improvement and development was not then a priority for the USFS, and the TDLT's development of the DLRT had stalled.

In recent years, the potential for developing trails connections to recreational areas outside Tahoe Donner has increased extraordinarily. The USFS has become more receptive to cooperative efforts, and the TDLT has purchased nearly all of the remaining private property surrounding Tahoe Donner with the aim of opening those properties to the public for recreational access.

The TDLT entered into contract to purchase the Lower Carpenter Valley and Crabtree Canyon properties from James McClatchy Prosser Creek LLC in 2015. The sale of Crabtree Canyon was completed first, and then resold by the TDLT to Tahoe Donner in April 2016. With this purchase, the TDLT retains an easement to permit public access on the property whenever the property is not in use by Tahoe Donner's Cross Country Ski operation. The sale of Lower Carpenter Valley was completed in July 2017, with plans to open the valley to public use once appropriate facilities and trails are built. To facilitate access to Lower Carpenter Valley, the TDLT obtained a land use agreement with Tahoe Donner to build a bridge and a trailhead with parking, restroom facilities, and trails in the northeast corner of the Crabtree Canyon property. Bridge and trailhead construction is expected to begin in 2019.

More recently, the TDLT has entered into contract to purchase 2,914 acres that are adjacent or proximate to Tahoe Donner. The acreage includes:

- Two parcels owned by Southern Pacific Industries (SPI) on Carpenter Ridge.
- One parcel owned by SPI situated between Carpenter Valley and Crabtree Canyon.
- SPI's Red Mountain property, which is adjacent to Crabtree Canyon.
- The Frog Lake property, which could be accessible through Tahoe Donner via the Red Mountain parcel.

The TDLT plans to provide these properties with recreational trails, which could be readily accessible from Tahoe Donner if connecting trails are built. When combined with existing national forest and previously conserved lands these purchases will comprise a newly accessible national park sized wilderness recreational area, that extends from I-80 through Carpenter Valley to Independence Lake and beyond. By an accident of geography, Tahoe Donner is positioned to become the *de facto* gateway community to this vast recreational area.<sup>2</sup>

Tahoe Donner has existing land use agreements with the TDLT for the DLRT and the Carpenter Valley/Crabtree Canyon trails, trailhead, and bridge. For both of those properties, an easement guarantees public access, with improvements built on Tahoe Donner property becoming Tahoe Donner assets. Tahoe Donner does not expect significant new public access easements from the additionally anticipated TDLT purchases.

However, the TOS expects that Tahoe Donner members will themselves demand new access trails for their use and enjoyment. For example, the TOS expects a member demand for new trails to provide a more direct and attractive route from the ACAC to the Frog Lake area, and

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<sup>2</sup> When these purchases are complete and the TDLT's properties are opened to the public, the Donner Euer Valley Corporation's 7C Ranch will be the only remaining large-scale landholding on Tahoe Donner's border that does not permit public access.

from the ACAC to Carpenter Valley. If built, these new trails would provide an opportunity to disperse more trail users beyond Tahoe Donner's borders. (See Section 6 below.)

In 2018, the TDLT began extending the DLRT through Tahoe Donner's southern edge. This portion of the trail, which runs through a combination of association and USFS property, will traverse the distance between the Donner Lake overlook at Tahoe Donner's southwest boundary to the Trout Creek Trail, Class I bike path alongside Tahoe Donner's southeast boundary. This length of the DLRT will be completed in 2019.

## 4.2 User Groups

Usage and Demand Changes Since 2013: The 2013 TMP identified three summer trail user groups: foot travelers (hikers, runners, walkers), mountain bikers, and equestrians. That document suggested that foot travelers "may constitute the largest user group" on the association trails. However, the limited data we have for 2018 seems to suggest that mountain bikers may now be the largest trail user group on Tahoe Donner's trails:

- 52% mountain bikers
- 46% foot travelers
- 2% equestrian

This data is derived from counts performed by Trail Rangers, and though seemingly suggestive, it should not be understood in any way to represent a systematic census of trail users. It should also be noted that the trail rangers operate principally around the ACAC and in Euer Valley, which may skew the data collected in unknown ways. Hiker may, indeed, remain the plurality of trail users. The TOS will be conducting a Tahoe Donner member survey in August 2019 to acquire additional trail user demographic data.

Compared to 2013, it does appear that a larger and more diverse group of members is using the trails. Although these users may not be any less demanding than in 2013, their increased diversity and the increased specificity of their demands, as well as the seeming incompatibility between some of these demands has put new pressures on and raised new questions about Tahoe Donner's multi-use trail system.

Foot Travel Users: Growing numbers of mountain bikers have had an affect on the hiker experience, and so has ongoing equestrian trail use. Some hikers now feel that there is a greater need to speak up regarding their trails experiences and their needs given these changes.

The 2013 TMP states that "Hikers are the most flexible trail users and adapt to the broadest range of trail designs." However, being the most flexible user group does not mean hikers can adapt to any and all trail designs and conditions. There are naturally limits to adaptation and acceptance. Nor does it mean that hikers are without particular needs and desires.

In thinking about hiker needs and experiences on the trails, we need to distinguish between trail use and trail design. On the usage side, compared to 2013, hikers are now more frequently "on alert" for mountain bikers, and especially mountain bikers coming up from behind. And

regardless of posted yielding guidance, some hikers report that mountain bikers appear to expect hikers to stay out of their way. The hiker experience has also changed due to trail design features that are in place to accommodate mountain biking. These design differences, though intended for safety and sustainability, also mean the hiking experience on Tahoe Donner's newer trails is different than on a mountain bike prohibited trail like the Pacific Crest Trail.

Additionally, the presence of horse manure on the trails continues to be an issue for hikers. Though common for carriage horses in urban settings, equestrians on the TOS report that manure bags (aka horse diapers) are not a viable solution with the saddle horses we have in Tahoe Donner. We could consider periodic cleanup efforts, but these would entail considerable staff time with additional costs.

For some TOS members, hiking on the trails is a meditative experience and there is a desire to preserve that meditative character. Others emphasized the traditionally family friendly nature of our trails. The trails should be a place where family hikers feel safe and welcome. However, some were concerned that mountain bikers are not always sensitive to this character, particularly in areas where they are more likely to encounter family hikers. (See Section 6 below regarding the "first mile" around trailheads.)

*Mountain Bikers:* Before 2013, trail design and construction considered only foot and equestrian usage. This changed with the adoption of the 2013 TMP, which established standards that take mountain bike usage into consideration. Additionally, though all trails in Tahoe Donner remain "multi-use," because the design and construction standards for mountain bike usage is more demanding than for hiker usage, mountain biking considerations now tend to drive trail design in Tahoe Donner. Hence, while the multi-use trails in Tahoe Donner are not designed exclusively for mountain bikers, they are certainly designed to be mountain bike friendly.

The new trails in Tahoe Donner built according to these standards have been well-received by the mountain biking community, and within the mountain biking community Tahoe Donner has developed a reputation for well-built and well-designed trails. These higher standards have also occasioned some conflict, with some hikers and mountain bikers complaining that equestrian usage is proving incompatible with the newly built trails.

The TOS has previously recommended that Tahoe Donner consider a rule change to permit Class 1 electric bicycles on the trails on a trial basis. A background report on ebikes and Tahoe Donner's trails accompanied that recommendation.<sup>3</sup>

*Equestrians:* The tradition of equestrian usage is long established on TDA's trails system and a unique feature of our trails system. The TOS frequently discussed strategies to reduce conflict between the equestrian community and other trail users. Because the higher trail standards implemented in 2013 have not abated this conflict (and may actually have increased it, as noted above), other strategies were considered and are noted in Section 6 below.

*Dogs On Trails:* Trail users with dogs, though overlapping with hikers, bikers, and equestrians, constitute what might be called a "Fourth User Group," meriting particular consideration in

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<sup>3</sup> The TOS's report on ebikes and Tahoe Donner's trails can be found on the TOS web page [at this link](#).

themselves in the TMP update. Leash rules are currently complicated by language in the association's governing documents, and by the distinction between "common areas" (association owned property *within* Tahoe Donner's original border) and "other association-owned property" (association owned property *beyond* Tahoe Donner's original border). There may be an opportunity to reduce these complications through the ongoing Tahoe Donner governing documents update process.

Winter Trail Users: The 2013 TMP briefly touches upon winter trail use in and beyond the Cross Country Center. There were also some discussions leading up to the 2013 TMP about the potential for winter time trail use. For example, some asked about maintaining the Nature Trail for snowshoeing in the winter, about plowing the golf cart paths for winter walking, or about developing plowed winter-time walking trails in Tahoe Donner. Additionally, there have been experiments grooming the trail from the Glacier Trailhead to the Donner Lake Overlook for pedestrian use in the winter. Finally, some in the TOS have wondered about winter recreational potential in the McGlashan Springs and Bucknam Tract properties.

With regard to plowing the golf cart paths, there would be costs and concern from the golf community about potential turf damage. Tahoe Donner's Director of Risk Management and Real Property reported that some work was done to research this concept in the past, which could be resurfaced for the TOS to review. In 2010, the Board rejected a proposal to open the cart paths to walkers during the shoulder seasons. Some concern was raised about the suitability of the cart paths for plowing, and about whether by opening up the cart paths in the winter, we might habituate people to use those paths when their use would be prohibited in the summer.

Tahoe Donner members are accustomed to enjoying easy access to Tahoe Donner's open spaces during the summer. But when the snow falls the members actually lose much of that access because there are few parking options (outside the Cross Country Center) or because they need to pay additional fees (within the Cross Country Center). This lack of easy access also focuses usage on the few areas that remain accessible. This is one reason why the Glacier Trailhead is overburdened in the winter. The TOS agreed in principle that winter open space access should be improved. Improving winter open space access is essentially a parking issue: we would preserve winter access by providing winter parking.

Additionally, it is "a mammoth amount of work" for staff to keep the Glacier Trailhead open during the winter. It is also the last plowing priority. If we had a more accessible winter trailhead at a lower elevation, it would be an easier trailhead to maintain open during the winter. One option would be to pave the lower elevation Bermgarten Trailhead. While we might still want to preserve winter access at Glacier as well, plowing Bermgarten could be done more quickly and easily, and by providing a second access point we could better preserve member access to the open space and better distribute user load across a wider area.

The TOS also discussed snowshoe trails and snowshoe access outside the Cross Country Center. At least some association members also want snowmobile-groomed snowshoe trails outside the Cross Country Center. However, there would be costs and operational complications associated with this idea. The TOS's preferred option would be to continue offering a groomed snowshoe trail experience exclusively at the Cross Country Center (for a fee), while also providing better



winter open space access (i.e. parking) to areas outside the Cross Country Center for those snowshoers who are looking for an ungroomed or more “backcountry” experience.

#### **4.4 Non-System Trails**

The phrase “volunteer trail” should not be used in the future to denote unsanctioned user-created trails, because the phrase is too easily confused with sanctioned trails in Tahoe Donner built with volunteer labor.

#### **4.5 Regional Connections**

See Section 3.2 above.

#### **5. Design Guidelines**

See Section 6 below.

#### **6. Trail System Recommendations**

*Existing Preferred Use Policy:* The preferred use policy adopted in 2013 appears to be widely misunderstood by Tahoe Donner members, with few realizing that trails are being built to specific *design* standards for specific user groups. Instead, there is a perception that preferred use is about separating trail user groups to reduce user group interaction and thereby reduce trail user conflict. In other words, members incorrectly understand preferred use in terms of user conflict, not in terms of sustainable trail design and sustainable trail usage. The TOS has discussed whether, instead of having “equestrian preferred” and “hiker/biker preferred” trails, it might be both clearer and more accurate to call trails “equestrian *designed*” and “hiker/biker *designed*”.

*The First Mile: Sustainability, Safety, User Experience:* Over the course of numerous discussions, the TOS concluded that many (if not nearly all) of our verified and perceived problems on Tahoe Donner’s trails, both in terms of sustainability and in terms of user experience, occur or are found within close proximity to major trailheads (especially the ACAC and Glacier Way Trailheads). Around these major trailheads, user volume is significantly higher than elsewhere on the trail system, leading to overuse and conflict. (See Section 6.6 below for a specific discussion of trailheads.)

Further, the TOS is concerned that we may have inadvertently created some of these “First Mile” problems because the system design priorities we established in 2013 emphasized connecting points of interest within Tahoe Donner. In other words, the TOS is concerned that the 2013 priorities funneled more trail users to the same trailheads and therefore also onto the same trails.

As such, the TOS has generally doubted the wisdom of increasing the capacity and attractiveness of over-used portions of the trail system, preferring instead to increase the access to and the attractiveness of under-used portions of the trail system in an effort to disperse users more efficiently across the entire trail system. Indeed, this preference for the efficient dispersal of trail users extends beyond Tahoe Donner’s boundaries. In addition to dispersing users away from

high-use areas to low-use areas *within* Tahoe Donner's trail system, the TOS discussed strategies to disperse more users onto adjacent trail systems *beyond* Tahoe Donner's borders.

To address the "First Mile" problems, the TOS identified a number of options:

- Provide order through better trail planning in the ACAC "Spaghetti Bowl". Options include moving towards a coherent system to move more users, and especially more advanced users, more efficiently away from the first mile of the ACAC's cluster of trails. This approach could include eliminating some Spaghetti Bowl trails, creating a less braided and complicated network.
- Better trail planning in general, possibly moving toward a concentric ring trail system wherever feasible. Tahoe Donner's trail "system" is in many respects not a true "system" because it was never designed as a rational whole. While it may be difficult to provide an overall order to the trail system at this point, we should be looking for ways to make it more orderly and systematic.
- Study Corner Canyon in Utah for ideas and lessons.<sup>4</sup> In that multi-use system, all user groups start out together at the same trailhead, but they immediately disperse on directional and use-separated trails.
- Strategically develop new minor trailheads and trails to better distribute users across the entire Tahoe Donner trail system. For example, develop McGlashan/Bucknam for hiker/biker usage, with the aim of moving more users, including green trail users, there. This would give hiker/bikers a new and attractive area that is distant from the ACAC and therefore less frequented by equestrians. It would also provide an attractive alternative to the Glacier Way Trailhead.
- Consider directional trails in the Spaghetti Bowl and perhaps elsewhere.
- Consider single-use trails as an option. Even in a multi-use trail *system* we can still ask whether every trail should be open to every user group. The 2013 TMP was written for a largely self-contained trail system with a limited number of trails. In that atmosphere of scarcity every user group put a premium on unrestricted access to all trails. That scarcity may no longer exist. If so, trail users may feel differently today about separating different uses on different trails. Building single use trails would, however, be a departure from the 2013 TMP policy.
- Eliminate and restore any roads that serve no purpose on Tahoe Donner's road classification map. This would reduce costs, lessen user confusion, and lead to a more orderly trail system.
- Restrict trail use to trail design. Restricting trail use to trail design would be a more forceful version of the existing preferred use designations: Equestrian Designed, Hiker/Biker Designed, Bike Designed. This could be considered as an option with or without single-use trails.
- Borrowing an idea from ski areas, consider establishing "Slow Zones" in areas with high user density, and especially around popular trailheads.

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<sup>4</sup> For more information, see this link.

- Where possible, provide a better user experience through better trail design. For example, can we make trail design changes (better line of sight, features to slow bikers, and so forth) to reduce conflict and overuse?
- Single-Use Subsidiary/Bypass Trails: Create short single-use-only/single-use-designed subsidiary trails to separate user groups through specific problem areas. This strategy is already under consideration for Teewinot.
- New and improved signage may help alleviate some of these issues.
- Give management the flexibility to implement solutions even if they are exceptions to rules generally in effect elsewhere on the trails. In this vein, it was noted that rules can sometimes have signed exceptions (dogs on leash near the Equestrian Center or in an environmentally sensitive area, single-use in this particular spot/route, and so forth).
- Put a greater emphasis on regional connectivity to offload more users onto adjacent trail systems.

### **6.1.1 Sustainable Trail Design and Protection of Sensitive Resources**

Discussion leading up to the 2013 TMP tended to consider multi-use trails in terms of trail user conflict, with member meetings often focusing on the question of whether all trail user groups can get along on shared trails. Ultimately, all trails were designated multi-use, with new trails designed and designated as either hiker/biker or equestrian preferred. However, trail use was not restricted to trail design, because there was a reluctance to restrict historical member trail usage. This conclusion did, however, recognize that different trail design characteristics are required for different user groups.

Since 2013, Tahoe Donner wrote and passed the Land Management Plan, which specifies standards for sustainable land management. Also, with the 2013 TMP's improved trail design and construction standards, members now appear to expect much higher standards, and there appears to be more concern with the maintenance and sustainability of our trails. Additionally, some TDA members are vocally concerned about the damage done to hiker/biker trails by equestrians.

Compared to the 2013 TMP experience, the TOS has more directly considered multi-use trails in terms of sustainability. Indeed, a key question for the TOS has been whether all trail user groups can use every trail in a sustainable way. Or put differently, can the trails withstand the physical abuse that we deliver upon them? The General Plan Committee (GPC) has a responsibility to consider the maintenance of Tahoe Donner's physical assets. Trails are a Tahoe Donner physical asset. As such, user damage to the trails is a concern from an asset protection perspective. Historically, we have been hesitant to address this issue. However, in planning our trail system's future, the TOS believes we should consider both sustainable design and sustainable usage.

*Specific Areas of Concern:* Sustainability concerns tend to be clustered in the Spaghetti Bowl behind the ACAC. The ACAC is a major trail hub for every user group, placing a heavy load on

the surrounding trails. The ACAC is also popular because it serves as a gateway to many attractive trails, including the Euer Valley, and the green trails that surround the ACAC. However, many trails in this area are old, bulldozed logging roads with suspect sustainability. And some newer trails in the Spaghetti Bowl, like Whoop It Up and Rust Never Sleeps, pass through large wet areas, casting their sustainability into doubt. Within this area, there are also particular concerns about equestrian overuse in the Aspen Grove. There have been a number of comments about equestrian damage on True Grit and Mustang Sally. Though actually an equestrian preferred trail, mountain bikers frequently complain about Whoop It Up. Finally, some group equestrian trail ride trails used to be popular with mountain bikers. Because those trails are now degraded through heavy equestrian use, some mountain bikers have complained about them as well.

*Single-Use and/or Restricted Use Trails:* Currently, all trails in Tahoe Donner are designated multi-use. The TOS discussed whether we could increase sustainability overall by catering specifically to equestrian users or mountain bikers on their own trails in certain areas or by strategically constructing parallel trails for different user groups. It also discussed whether certain uses (often equestrian) should be restricted from certain trails for sustainability reasons.

*Rule Exceptions In Sensitive Areas:* Regardless of what rules we set generally for the trails and open spaces, there appears to be consensus within the TOS that Tahoe Donner should have the ability to carve out exceptions to restrict certain types of access to sensitive areas. For instance, even if we were to permit dogs off leash elsewhere, it may be ecologically responsible to require that dogs be on leash on the Nature Trail given the sensitive meadow and riparian areas. The ability to carve out trail zones with different or exceptional rules as needed would give the Trails Department and Land Management staff more flexibility in managing the trails and open spaces.

### **6.1.2 Multi-Use Trails Types**

The 2013 TMP states the following in this section: “The proposed trail system consists primarily of open connecting trails of several trail types that allow users to ‘mix and match’ various segments to create their own experience. This type of trail system is most suited to Tahoe Donner’s current trail system and management practices. This system works well when the management goal is to get the most use out of a few trails in a limited region.” Given the changes described above in Sections 1, 1.2, 1.3, 2, and especially 3.2, the TOS has observed that this description (“a few trails in a limited region”) no longer correctly describes the reality of Tahoe Donner's trail system. Indeed, as more surrounding lands are opened for public recreational use, the reality will be precisely the opposite.

### **6.1.3 Equestrian Loops (And Trails)**

Group trail rides are restricted to equestrian preferred and double track trails. However, the quantity of use on certain equestrian trails may not be sustainable due to the resulting trail tread damage. To address these sustainability issues, it may be prudent to construct more one-hour loops in addition to the existing one and two hour loops. This would spread usage over more trails, reducing wear and tear.

Additionally, the TOS believes we should distinguish between “Individual Rider Equestrian Trails” and “Commercial Use Group Ride Equestrian Trails”. The latter may need design, building, and maintenance standards far more robust than the former. The TOS has also found that many trails used by equestrians and by the equestrian group rides were not built originally as equestrian trails. This may lead to trailbed deterioration, suggesting a possible need for new or repaired equestrian trails designed and built to adequate standards.

#### **6.1.4 Non-System Trails**

Regarding winter trails, see “Winter Trail Users” in Section 4.2 above.

### **6.2 Improvements to Existing Trails in Tahoe Donner**

The TOS discussed “Trails Meeting Universal Design Standards” (i.e. Class I trails) at its April 2019 meeting, with a particular focus on the possibility of building a Class I, four-season (plowed) bike/walk trail from the Alder Creek Adventure Center to the Trout Creek Trailhead. There was general consensus in the TOS that this idea should be investigated and possibly pursued.

Tahoe Donner's Trail Manager reported that members have also asked her about the potential for developing winter, paved walking trails, especially given the danger and discomfort associated with walking on Northwoods Boulevard. Some have specifically complained that in the winter, when snow is on the ground, “there’s no place to walk in Tahoe Donner,” especially with dogs or strollers. Many members use the paved Trout Creek Trail and Legacy Trail in winter, and some wonder if we could build something similar within Tahoe Donner to improve neighborhood connectivity. She also noted that in the winter many use the golf course to connect to various places within Tahoe Donner. Tahoe Donner's Director of Risk Management and Real Property also reported that she is hearing members ask for better community connection.

When paved and plowed winter time trails in Tahoe Donner were last considered, the discussion was largely theoretical, because no paved and plowed winter trails existed in the area. Today the Trout Creek Trail and the Legacy Trail demonstrate the popularity of paved and plowed winter trails. Because of its proximity to Tahoe Donner, the Trout Creek Trail is especially popular with Tahoe Donner members, and may be building an appetite for similar trails within Tahoe Donner. It was also noted that the Trout Creek and Legacy Trails proved far more popular and heavily used than the city planners had anticipated.

Paving the Northwoods side of the Nature Trail was often discussed leading up to the 2013 TMP, and was mentioned in section 6.2 of the 2013 TMP. The larger concept discussed by the TOS, which would connect the Trout Creek Trailhead with the Clubhouse, Trout Creek Recreation Center, The Lodge, and the Alder Creek Adventure Center, is an extension of that original idea. It appears that Town of Truckee right of way is available to establish a Class I trail connecting Tahoe Donner’s core amenities, and a project of this sort would be eligible for TSSA-1 funding and also for Measure R funding for plowing.

A trail of this type would improve safety by removing pedestrians and bikers from Northwoods Boulevard, potentially remove cars from Tahoe Donner's roads by providing alternative transportation routes, and increase member enjoyment. Overall, building a trail of this sort would improve Tahoe Donner's walkability rating.

Other Truckee subdivisions are being built with Class I connectivity, and the Town of Truckee is designing their Class I trails to connect to these other subdivisions, creating an integrated network of Class I trails as alternative transportation options.

The town's Trails and Bikeways Master Plan includes plans for additional Class I paved trails of particular interest to Tahoe Donner's trail system. Specifically, Segment 6, is a "high priority" project that would connect the Trout Creek Trail to Basel Place off Lausanne Way. However, in part because this project would traverse Tahoe Donner property, and because under its current governing documents Tahoe Donner cannot dedicate land to the town for use as a trail without a member vote, this project has not as of yet been pursued. However, there may be an opportunity to remove this roadblock through the ongoing Tahoe Donner governing documents update process.

### **6.3 New System Trails**

The TOS has thus far refrained from making specific proposals for new trail system additions. This is a departure from the 2013 TMP practice, which put a great deal of energy into mapping potential new trails and trailheads. However, our experience with the additions recommended in 2013 has been mixed. Some have been extremely positive additions to the trails system, and some proposals were quickly rendered undesirable by changing conditions and priorities. For this TMP update, the TOS has focused on defining strategic guidance for proposing and evaluating potential new trail system additions. Any specific future proposals for new trail system additions should follow from that general strategic guidance, and decision makers should have the flexibility to adapt their proposals to changing conditions and needs.

#### **6.3.1 Multi-Use Trails (and Use-Specific Trails)**

The TOS has not made any specific recommendations to depart from the existing multi-use trail policies. However, the TOS has discussed whether departures from the existing multi-use trail policies are warranted for reasons pertaining to sustainability and user-experience.

*Mountain Bike Specific Trails:* There now appears to be some member demand for mountain bike specific trails. Though some mountain bikers either perceive or assume that our newer trails are built specifically to mountain bike standards, we do not build such trails under the 2013 TMP. Building mountain bike specific trails would be a change in policy.

*Equestrian Non-Group Ride Trails:* If we were to move toward a more restrictive multi-use trail policy (restricting usage to design, more single-use trails, etc.), a primary concern would be maintaining an attractive variety of equestrian trails. Building more equestrian designed trails would help alleviate this concern.

There does appear to be some demand for new equestrian trails. For instance, though the Sundance Cutoff was not built for equestrians, it was quickly adopted by equestrians, and then effectively given over to them. If equestrians are adopting trails designed for non-equestrian use, and we are then giving those trails over to equestrian preferred use, that may indicate an unmet user demand. To avoid giving trails over in this way, we could consider building new equestrian trails. Building new equestrian trails to address this demand might also help minimize maintenance problems elsewhere in the system. In that way, it may be prudent to build new equestrian trails for the sake of sustainability across the trail system as a whole.

Hiker Specific Trails: See Section 4.2 above.

## **6.4 Regional Trail Connections**

See section 3.2 above.

### **6.4.1 Trails through U.S. Forest Service Property**

The TOS has discussed the possibility of obtaining additional Special Use Permits (SUPs) from the USFS, both in the federal lands adjacent to the McGlashan Springs and Bucknam Tract parcels, and also within the federal inholding between Euer Valley and Crabtree Canyon. Some TOS members have also suggested pursuing SUPs to help address alignment constrictions and deficiencies on the East Perimeter Trail.

## **6.6 Trailheads**

The TOS has tended to use the terms major and minor trailhead in this fashion:

- Major Trailheads include: Glacier, ACAC, and the Clubhouse.
- Minor Trailheads include: Bermgarten, Teton, Skislope Green Gate, and the Campground.

Again, the TOS has an interest in offloading users from the high volume portions of the trail system to the low volume portions of the trail system. As such, and as discussed earlier, the TOS has generally doubted the wisdom of further expanding the existing major trailheads, both in terms of capacity and in terms of service level, without first trying to redistribute users more efficiently across the entire trail system. Rather than increase capacity to meet demand at overused trailheads as a first step, the TOS would prefer to increase capacity and usage at under-used trailheads. To draw users away from the most popular larger trailheads, the TOS supports 1) adding or improving minor trailheads, and 2) strategically building or improving trails to attract more users to those minor trailheads. Underlying this view is a concern that the post-2013 focus on building large, high-service trailheads that served as “gateways” for large portions of the trail system contributed to the “first mile” problems noted above in Section 6. The TOS prioritized adding the new Bermgarten Trailhead over expanding the Glacier Trailhead for these reasons.

## 6.7 Signage and Wayfinding

Under Tahoe Donner's current "no outside promotion/no outside invitation" trails marketing practices, if the Town of Truckee, the Chamber of Commerce, the USFS, or a similar outside organization were to produce a regional trail map to be published for public purposes, Tahoe Donner would ask that its trails not be shown or mentioned.<sup>5</sup>

Because of this practice, Tahoe Donner's trails are actively excluded from commonly used topographic maps, and information about Tahoe Donner's trails on various popular navigational websites and mobile apps is frequently incomplete and inaccurate. Some of the most popular digital navigational services even show trails within Tahoe Donner that have been built illegally. These unsanctioned trails may be unsustainable and unsafe.

The TOS is concerned that Tahoe Donner is ceding control of its trail system by not taking a more active role to ensure that the information presented on digital mapping services is safe and accurate. For example, the association could provide GPS data for Tahoe Donner's sanctioned trails to digital navigation services. Some app providers have already indicated that they are willing to work with Tahoe Donner to ensure accuracy and safety.

Further, Tahoe Donner's Trail Manager reported that navigational difficulty is now the most common complaint she receives about the trails, and TOS members regularly encounter lost trail users in need of directions. To ensure member enjoyment and safety, Tahoe Donner has an interest in helping members navigate the trails. The current restrictive mapping practices may be undermining that interest.

If the goal is to provide members with effective navigational tools, then Tahoe Donner may wish to support those navigational tools that the members are already using. By failing to support those navigational tools, Tahoe Donner may be doing its members a disservice by making it more difficult for them to navigate the trails using the digital navigation tools with which they are most familiar and find most effective.

For example, if we knew that a significant portion of Tahoe Donner members are trying to use the Trailforks mobile app to navigate the trails, then Tahoe Donner may have an interest in serving those members by ensuring that Trailforks features complete and accurate mapping of Tahoe Donner's trails. In its upcoming survey, the TOS will ask members about their preferred navigational tools.

Ultimately, the TOS makes a distinction between 1) marketing activities aimed at promoting Tahoe Donner's trails to the public, and 2) navigational tools that provide useful information to members using the trails. Navigational tools used by members should not be governed by the same practices or policies governing public-oriented promotional activities.

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<sup>5</sup> These restrictions do not extend to advertisements for Bikeworks and other public amenities. Hence, in the same publication in which Tahoe Donner may have asked that its trails and trail system connections not be mapped, mentioned, or highlighted, it may regularly place an advertisement for its public amenities. If promoting Bikeworks, that advertisement may include a photograph of mountain bikers on the trails.



As a service to its members, and as a means to better control its trails, the TOS believes that Tahoe Donner has an interest in ensuring that its trails are mapped accurately on various navigational services, including mobile apps. As such the TOS recommends that Tahoe Donner's restrictive mapping practices be reconsidered.

## **6.8 Decommissioned Trails and Roads**

As noted in Section 6.3.1, the TOS supports eliminating and restoring roads that serve no purpose on Tahoe Donner's road classification map.

On a related matter, the TOS briefly considered whether road building and maintenance is properly the purview of the Trails Department. Historically, Tahoe Donner's Forestry Department had the technical understanding and practical knowledge to execute those projects.

## **7 Operation and Maintenance**

*Land Management History:* Tahoe Donner's land management responsibilities have grown substantially because of the expanded acreage of Tahoe Donner's holdings, the extension of its trail system, the importance of trails and open space to the community, the trail system's developing regional integration, and an increasingly complex and demanding regulatory and permitting environment. However, because Tahoe Donner's land management organization has grown only incrementally, its organizational structure has not been adapted to keep pace with these land management demands.

Tahoe Donner's land management organization has changed only modestly since the Forestry Department's establishment in 1989. The most significant change was the establishment of a Trails Department following the adoption of the 2013 TMP.

Before 2013, the summer trails system was managed and maintained by the Tahoe Donner Forestry Department. With the exception of a small budget to fund summer maintenance to the cross-country trail system, all operational, maintenance, and development funds for trails were routed through the Forestry Department.

Before 2011, Tahoe Donner had no employees charged principally with the management of its summer trail system. Those duties were handled by the Forester and his staff, with seasonal crews undertaking trails maintenance and construction projects.

In the spring of 2011, Sarah Collamer was named Tahoe Donner's first Trail Steward. Trail Steward remained a seasonal position within the Forestry Department through the summer of 2012. As a member of the Forestry Department, some of the Trail Steward's time was focused on non-trail related forestry activities.

As adopted, the 2013 TMP recommended that the Trail Steward position be expanded into a Trail Manager, which "would assist the Director of Facilities and Risk Management with the coordination needed to plan, acquire, develop, and maintain the summer trails system as defined

in” the TMP. The anticipated duties of this Trails Manager are listed in section 7.2.2 of that plan. Importantly, the 2013 TMP appears to anticipate that the Trail Manager position would remain within Tahoe Donner’s Forestry Department.

When Sean Connelly was hired as Tahoe Donner’s first Trail Manager in June 2013, his position was not within the Forestry Department, but as the head of a newly established Trails Department, which had its own operational, maintenance, and development budgets, and which reported directly to the Director of Facilities and Risk Management. This structure remained unchanged when Christina Thayer was hired as Tahoe Donner’s second Trail Manager in May 2016.

The creation of a dedicated Trails Department under its own manager was considered a critical change and milestone. Reflecting the stature of its trail system both in size and in member importance, it meant that Tahoe Donner had recognized the trails as an “amenity,” and raised the trails up to stand on the same platform as the other amenities. This also changed the way trails are budgeted. Before the establishment of a Trails Department in 2013, trails were budgeted as a component of the Forestry Department. Since 2014, trails have been budgeted as a public amenity like Golf and Snowplay. Additionally, the trails have now been inventoried for inclusion as an association asset in the Replacement Reserve Fund.

The management, operations, and maintenance of Tahoe Donner’s lands and open spaces have long been divided among several directors and departments. The Director of Risk Management and Real Property oversees the summer trails system, golf course maintenance, and the Forestry Department’s activities. The Director of Operations consults with the Director of Risk Management and Real Property to review and oversee trail maintenance for the cross country center, trail maintenance and land management for the downhill ski area, and any land management concerns for the marina and various other smaller amenities.<sup>6</sup> Tahoe Donner’s diffuse and often unintegrated land management structure has sometimes led to staff over-extension, design conflict, confusion, and inefficiency between departments.

Though the operational budget provides funding for a three-person seasonal trail crew (June through September), and for two seasonal trail rangers (1 ranger per day, 7 days a week), the Trails Department was (and remains) a department effectively of one: the Trail Manager. Through 2018, the Trail Manager position was not a full-time, year-round position.

When the Trail Manager position was created in 2013, it was budgeted as a seasonal full-time position from April to November. However, for the sake of staff consistency and retention, the Trail Manager was offered a winter seasonal position at either the Downhill Ski Resort or the Cross Country Center, with priority given to Cross Country as a more natural crossover. In 2014, management requested and received approval in the operational budget for the Trail Manager

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<sup>6</sup> With regard to trail maintenance and development, the Equestrian Center and Bikeworks are treated effectively as tenants of the trail system, without asset management responsibilities beyond their own operation. A question to consider is whether we need a budgetary line item for trail maintenance associated with the equestrian operation. Another question is whether all trail maintenance needed by the equestrian and cross country centers should be handled by the Trails Department for the sake of know-how and consistency? If so, how should such maintenance be budgeted?

position to be moved to a year-round position, with the expectation that the Cross Country Center would take on the Trail Manager as an employee, reallocating fifty percent of the wages and benefits of the position from December through March.

To deal with an increasing workload, and to address the need for thorough operational and project planning, management requested that the Trail Manager position be devoted exclusively to the Trails Department year-round starting in 2019. This request was approved.

*The Trails Department In The Near Term:* Although no decisions have been made, staff has discussed the possibility of using flexibility within the Trails Department's existing operating fund budget to add an Assistant Manager and a Field Supervisor under the Trails Manager. The Assistant Manager could be a full-time, year-round position to help the Trails Manager to keep up with the administrative demands, data management, field work, mapping, personnel issues, member communications, and any other needs that may arise in the course of managing the trail system. The seasonal Field Supervisor could provide on-site expert training, guidance, and oversight for the seasonal trail crew.

One option for funding these positions would be to discontinue the Trail Ranger program.<sup>7</sup> The Trail Ranger program began in 2012 (following the Euer Valley purchase) as a member service to provide trail users with information on policies, private property boundaries, and directions. They also administer basic first aid when necessary. Additionally, the Trail Rangers serve as the eyes and ears of the Trails Department, conducting daily usage surveys, and assisting management in determining safety and maintenance needs.

As a component of drought related cost saving measures, the Trail Ranger positions were cut from the operating budget for the summers of 2015 and 2016. After the purchase of Crabtree Canyon, the Trail Ranger program budget was reinstated for the summer of 2017. Staff advises that the Trail Ranger program is most useful immediately following new land acquisitions, and noted that the program is continually reviewed for need and effectiveness.

As useful as the Trail Ranger services may be, the TOS agreed with staff that they are not necessities, and that the staffing resources may be used more effectively if devoted to other Trails Department functions. Further, within a revamped and expanded Trails Department, some of the useful functions that the Trail Rangers serve might be redistributed to other personnel. Additionally, an expanded Trails Department may be better equipped to manage stewardship and volunteer programs, which might also help to replace some of the beneficial aspects of the Trail Ranger program.

*Long Term Recommendations:* The recommendations made in the 2013 TMP, and the Board decisions made in light of those recommendations, were critical initial steps toward equipping the association with a land management structure capable of achieving the plan's vision. But initial steps are not ultimate steps. The association's land management structure must continue to adapt to evolving conditions and needs.

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<sup>7</sup> Another option may be to reduce Trail Ranger operations to a Friday to Monday schedule.

The recommendations and decisions made in 2013 were conservative, preserving Tahoe Donner's existing land management structure virtually intact. While the decision to remove trails management from Forestry's portfolio in favor of establishing a dedicated Trails Department equipped Tahoe Donner's land management organization with greater specialization and focus (for both Forestry and the new Trails Department), the new structure did not equip the land management organization in general with sufficiently robust integration and oversight.

Tahoe Donner has outgrown its existing land management structure. The association's land management related capital project proposals and maintenance responsibilities require a more robust, more coordinated, and more integrated approach than currently exists in Tahoe Donner. Within this integrated structure, trails management would be but one component.

Historically, Tahoe Donner has tended to economize by splitting staff positions. That is why few senior staff have singular responsibilities. Tahoe Donner currently has seven senior staff directors answering directly to the General Manager. Since 2010, oversight of the trails and open spaces has been handled by the Director of Risk Management and Real Property, whose other duties include forestry, general maintenance, architectural standards, covenants and rules, loss prevention, risk management (for the association, members, guests and employees), and golf maintenance.

The TOS is recommending that Tahoe Donner review the existing land management structure, and that it consider establishing an eighth director under the General Manager: the Director of Land Management.<sup>8</sup> As envisioned by the TOS, this position would:

- Consolidate all environmental and land management under a single head.
- Assume the oversight responsibility for both Forestry and the Trails Departments, and for all common areas and golf maintenance, which are currently assigned to the Director of Risk Management and Real Property.
- Assume the oversight responsibility for open space and common area maintenance undertaken by cross country, downhill, equestrian, and the other association operations, which are currently assigned to the Director of Operations.
- Act as Tahoe Donner's environmental manager with the responsibility to land manage the entire association.
- Serve as the designated point person dealing with outside agencies on land management matters.
- Coordinate permitting among the various departments, providing consistency between departments, and creating efficiencies through reduced redundancy.
- Improve communication and coordination between departments to create more efficiency and to eliminate both redundancy and conflict. Typical conflicts that exist between Tahoe Donner departments include inefficient coordination of tree removal, disagreements about wood chips on trails, a lack of coordination regarding road maintenance, and conflicts between cross-country and trails over erosion control measures. (Regarding the final item, Tahoe Donner has had one department install water bars on trails at the

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<sup>8</sup> This name is merely a placeholder. Depending upon the precise responsibilities, a title like Director of Environmental Management or Director of Lands and Open Space may be preferred.

direction of the water quality control board, and another department remove those water bars because the cross-country groomers cannot traverse them in low-snow conditions.)

- Improve efficiency among departments by identifying opportunities to share resources. For example, geographic information system (GIS) work, equipment, expertise, grant writing resources.
- Identify emerging opportunities for environmental mitigation cost savings, like wood exemptions and mitigation banks.
- Identify and work to meet emerging, growing, and unmet needs for the various land management departments.
- To the extent practical and desirable, coordinate Tahoe Donner's land management practices with those of adjacent and proximate land managers.
- Identify opportunities for cooperation with adjacent and proximate land managers.
- Generally work to provide the structure and resources needed to enable all of Tahoe Donner's land management departments and activities to be more capable, consistent, and efficient.
- Work independently and in partnership with outside agencies to secure grant money to supplement or even off-set member funding for the association's land management. (See Section 8 below.)

Critically, the intention of this recommendation is not to annul or supplant the autonomy of the various departments like Forestry and Trails (all of which would retain their departmental budgets). Rather, the intention is to envelop those specialized departments in a structure that enables them to attain greater efficiency and effectiveness. The Director of Land Management, who would require broad knowledge of Tahoe Donner's land management responsibilities, would be a facilitator, coordinator, and communicator.

It is also hoped that this revised land management structure could provide the staff bandwidth to build member stewardship programs that could help foster an even greater trails and open space community in Tahoe Donner. A stewardship program might provide a revenue source for trails, it might help to minimize costs through volunteer stewardship efforts, or both.

Though this recommendation would entail new spending to fund an eighth director position, it would also be expected to result in greater efficiency through better coordination among the departments.<sup>9</sup>

While the 2013 TMP identified a need for more specialized management of Tahoe Donner's trail system, today the TOS has identified a need for a more integrated land management structure to better ensure consistency, communication, and coordination between those more specialized departments. This recommendation would meet that need.

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<sup>9</sup> Instead of the current organization, which sees multiple departments undertaking land management activities, one option under this proposal would be to give land management responsibilities at the Downhill Ski Resort, the Cross-Country Center, and other amenities, to the Forestry and Trails Departments, who might be able to handle those responsibilities more efficiently and effectively.

*Volunteerism, Stewardship, and Building a Trails Community:* While there are reasons for optimism, and an apparent appetite among a portion of Tahoe Donner members for a greater variety of stewardship events and activities, there are also reasons to temper our expectations about what can be accomplished in terms of “real work” through volunteers alone. However, the value of volunteer stewardship cannot be adequately measured in terms of the “real work” it produces. The volunteer experience and the engagement with stewardship it represents have value in themselves for the participating members and the community.

Though trail work is the most frequent stewardship activity on Tahoe Donner’s trails, the TOS recognizes the need to reduce the identity between trails stewardship and trail building. To better appeal to a wider audience, the Trails Club has offered more “family-friendly” stewardship events in the past, and continues to offer less labor intensive stewardship opportunities in the present. For instance, the club has scheduled well-attended, family-friendly cleanup days in the Alder Creek meadow. (Not every “cleanup day” is, however, family-friendly. For instance, the Trails Club has conducted barbed wire cleanups in the past.)

Additionally, since 2013 the Trails Club has partnered with the Truckee River Watershed Council (TRWC) to conduct an educational non-native invasive weed walk for Tahoe Donner members. The weed walks have proven extraordinarily successful, continuing to draw notably large crowds year after year. (However, non-native invasive weed pulls have been poorly attended in Tahoe Donner.) With the TRWC, the Trails Club also conducts a well-attended informational “River Walk” in September.

Another family-friendly stewardship event that Tahoe Donner offers is the annual sapling planting that occurs in October as part of the TRWC’s Truckee River Day. This event is a low-skill, fun, and rewarding event for all ages, that has historically been extremely well attended.

In addition, since 2013 Tahoe Donner has sponsored a National Trails Day guided hike on the first Saturday in June, that has also been very well attended, at least when an interesting hike is on offer. As one TOS member observed, “If you want people to show up in Tahoe Donner, have a guided hike.” Though this hike was canceled in 2019 due to adverse trail conditions, it will be resumed again in 2020.

The June guided hike and the October tree planting are well established Tahoe Donner, family-friendly traditions: one opens the summer trails season and the other closes the summer trails season. These are “bookend” events, and Tahoe Donner could do more to promote these events as trails community traditions. These two events could serve as models for other family-friendly stewardship and trails events.

Before 2012, the Forestry Department (which was then in charge of the trails) organized a single annual volunteer trail work day. These events were generally well-attended, often offering an array of lower-skilled, less-demanding, more family-friendly options for volunteers. Similarly less demanding trail clean-up events have also been organized by the Trails Club since 2013, often attracting very high participation levels. Because these less skilled projects were so well attended, frequently volunteers ran out of tools and meaningful work, which reduced the positive experience for volunteers.

In the last few years, however, the Trails Club has moved away from these more family-friendly events to focus on more intensive trail building projects (Teewinot and the DLRT) that appeal to the more skilled regulars. Additionally, partially due to feedback from regulars, the club's events have recently changed from more family-friendly 3 hour work days to more intensive 5 hour work days. However, the Trails Club could offer more family-friendly projects again in the future if suitable project opportunities become available.

While it is theoretically possible to offer two volunteer tracks (one for a wider audience, one for a niche audience), administrative costs and organizational demands pose practical constraints. If Tahoe Donner wants to offer a wider range of volunteer and stewardship opportunities, additional staffing and a larger group of active member-organizers would be necessary. Further, the larger events that appeal to a wider audience are also more difficult to organize, and Tahoe Donner does not always have viable, permitted projects available. Indeed, occasionally in the past volunteer work days have been canceled for lack of a viable, permitted project.

Despite the organizational and administrative difficulties, the TOS believes increased volunteer stewardship and increased trail engagement events should be a priority and a goal, that member engagement with trails stewardship is a good in itself, and that it would be worthwhile to offer more family-friendly, lower commitment trails and open space stewardship events. It was also noted that, by introducing more people to trails and open space stewardship, lower-skill, less demanding "feeder" events can help sustain more demanding events over the long run.

There was some concern that, though often well publicized to Tahoe Donner members, volunteer and stewardship events may get lost amid all the other events that are available. There was also a particular concern that Tahoe Donner does not do enough to develop different ways for families to engage with the trails and open spaces. Some TOS members suggested that experts from within the Tahoe Donner community might be able to help rectify this inadequacy. As an example, Tahoe Donner's Director of Risk Management and Real Property noted that she had recently met a couple in Tahoe Donner, one a retired ornithologist and the other a retired botanist, who seemed eager to lead events in Tahoe Donner's open spaces.

Tahoe Donner's Trails Department is fundamentally focused on trail construction and repair. It is not directly focused on member recreation. Tahoe Donner's recreation staff manages some trails related recreation (for example, geocaching) but they have not traditionally been focused on outdoor education and stewardship. Though some efforts have been made in the past (docent led interpretive hikes, guided hikes, bird watching events), because these programs are typically free to members (and thus non-revenue generating), they also tend to be the first programs cut to meet budgetary goals.

Because administrative costs and organizational demands are the primary limiting factor for member stewardship and volunteer events, the TOS also discussed whether the subcommittee itself should assume some responsibility for organizing and administering these events. There was also some discussion about whether clubs other than the Trails Club should provide stewardship opportunities, both to the club members and to the wider Tahoe Donner community.

In this vein, it was noted that the formation of a mountain biking club would benefit the Tahoe Donner trails community.

The mountain biking community in general has a strong tradition of volunteer trail work. This tradition developed as a way for that community to “earn the right” to use the trails through “sweat equity.” Volunteer trail work is a way for that community to “pay its dues” by giving back to the trails more than they take out of the trails. This ethic, *if you use the trails, you must also give back to the trails*, is not unique to the mountain biking community. But as a group that historically struggled to secure trail access, this ethic is notably well-established within that community.

A distinction should be made between trails stewardship/service programs and trails community building programs. Trails community building programs could include trails oriented happy hours at the ACAC’s Trailside Bar. There could also be trails related celebrations similar to the equestrian community’s Wild West Fest. These community building events could be coupled with stewardship events earlier in the day: do work in the morning, celebrate in the afternoon. This is a model followed by many successful trails and open space stewardship volunteer organizations: “Build great trails, throw an incredible party.” Because the “entrance fee” to the party is showing up to do the work, people do the work so they can go to the party. Some TOS members wondered what appeals to people more: the stewardship work or the social aspect?

The TOS also touched upon who is included within Tahoe Donner’s “trails community.” Does it include only Tahoe Donner members or does it extend to others, particularly within the greater Truckee region? It was suggested, for instance, that the local mountain biking community has more of a regional identity. Members of the Hiking Club noted that their club permits 40% of their membership to come from outside the Tahoe Donner community. (Unusual for Tahoe Donner clubs, the Trails Club is exclusively for Tahoe Donner members.) Whether monetized or not, if Tahoe Donner does offer more recreational and stewardship programs on the trails, public participation in such programs may become a point of controversy.

Related to this, Tahoe Donner’s Trail Manager reported that outside trails building groups (including the Truckee Trails Foundation and TAMBA) have expressed an interest in volunteering their expertise and labor to Tahoe Donner’s trails. Recognizing that their members regularly use Tahoe Donner’s trails, these groups feel an ethical duty to volunteer their labor in order to give back to the trails. These groups frequently possess highly skilled and effective trail builders whose expertise and volunteer labor would provide for savings and efficiencies that would help stretch the Trails Department’s budget.

## **8 Implementation and Funding**

Historically in Tahoe Donner, most land management funding, and virtually all trails funding, has been provided by the association’s operating and capital funds, which are themselves funded by the annual assessment. Further, unlike every other amenity in Tahoe Donner, the trails lack any effective means for monetization. A voluntary donation program does exist, but the donations it receives are minimal, amounting to perhaps \$1000 a year.



In the past, when the topic of monetizing the trails came up, the consistent assumption was that monetization required a commercial product that could be sold to members, to the public, or to both. Two commercial products have been suggested: trail access and a set of premium trails benefits. Staff has suggested applying for grant money as an alternative to commercial revenue generation. The TOS has endorsed this alternative.

Because it did not want to compete against non-profits, and because the association had a reliable source of funding in the form of member dues, Tahoe Donner has previously shied away from pursuing grant money to help fund environmental mitigation, restoration, and trail construction projects. However, because the association's land holdings have grown so significantly, and because its trail system is becoming so interconnected with other, publicly accessible regional trail systems, this attitude has changed.

Tahoe Donner should consistently and deliberately pursue grant money to help offset its capital and operational land management costs. As many of these grants are available only to land managers that offer public access, pursuing grant money could help resolve some of the controversy surrounding public use of Tahoe Donner's trails. By applying for grant money, the association could leverage the fact that it does offer public access on its trails and open spaces in order to secure funding for the trails and open spaces. One department in Tahoe Donner already routinely applies for grants to help fund its land management operations: Tahoe Donner's Forestry Department.<sup>10</sup>

Historically, permitting public use of our trails has not entailed promoting public use of our trails. While market based revenue generation for the trails would require that to change (the association would need to promote its product to the public), leveraging public access for the sake of applying for grant money would preserve the public access status quo. Additionally and critically, this quiet acceptance of public access would come with a clear benefit to the members in the form of revenue to help fund the management of the association's trails and open spaces, which would mean that this funding would no longer be borne exclusively by the members themselves through their annual dues.

This approach would also be consistent with Tahoe Donner's status as a tax-exempt 501c4 organization. One way Tahoe Donner serves the community is by permitting public access on its trails.<sup>11</sup> (See Addendum A below for additional discussion of Tahoe Donner's 501c4 status.)

Although pursuing grant money could increase the Trails Department's self-sufficiency, possibly provide for expanded operations and staffing, and save the association significant sums of money, the idea is not without its hurdles.

As a 501c4, Tahoe Donner is itself not eligible for many of the grants that are available. There are, however, two means available to overcome this difficulty. First, Tahoe Donner could consider starting a 501c3 to serve as a land trust for Tahoe Donner's lands and open spaces. The

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<sup>10</sup> Forestry grants are typically for defensible space, and do not generally have a public access component as a requirement for application.

<sup>11</sup> By offering public access on Tahoe Donner's trails and open space, Tahoe Donner also enhances its reputation among public agencies. They consider public access a feather in Tahoe Donner's cap.

viability of this option is, however, uncertain. Second, it could partner with 501c3 organizations on projects of mutual interest within Tahoe Donner. There are several local 501c3 organizations, most notably the TRWC, the TDLT, the Truckee Trails Foundation, and the Tahoe Truckee Community Foundation, that may be interested in partnering with Tahoe Donner to apply for stewardship program grants.

Indeed, the TRWC has encouraged this type of partnership, and helped the Trails Department submit its first California Department of Fish and Wildlife (CDFW) grant application in December 2018. If awarded, money from this first grant would be used to fund environmental mitigation and trail construction needs associated with the Nature Loop Trail repairs. As reserve funding for that project is already provided in the budget, if the grant is awarded those budgeted reserves could be used for other purposes. Regulatory agencies like Lahontan Regional Water Quality Control Board and the CDFW have expressed support for this type of partnership, not only because they see these projects as worthwhile, but also because, by partnering with a credible, well-regarded group like the TRWC, Tahoe Donner can improve its reputation with regulatory agencies.

This grant application is seen as a test case. Whether the application is successful or not, it will be a learning experience that can be leveraged toward future grant applications and partnerships. For instance, similar opportunities may be available to help fund the environmental mitigation and habitat restoration efforts associated with the Coyote Crossing project. Tahoe Donner may also be able to join with the TDLT or the Truckee Trails Foundation to pursue grant money to fund connector trails from Tahoe Donner into Carpenter Valley and other properties adjacent to the association.

As noted, some grants only accept applications submitted by eligible 501c3 organizations. Formal partnerships with 501c3 organizations like the TRWC or the TDLT can enable Tahoe Donner to secure these grant funds. Though applying for grant money in this fashion may entail a loss of autonomy in some respects, it may also provide the association with better funding and more optimal solutions than it would otherwise be able to access. For example, no matter whether the grant application is successful, the recent collaboration with the TRWC has already led to revised mitigation plans on the Nature Trail that are less costly than had been expected.

Recently, Tahoe Donner convened a Blue Ribbon Equestrian Panel (BREP) that was tasked with improving the financial performance of the Equestrian Center. The GPC's Golf Subcommittee has undertaken a similar financial performance review for the Golf Course. At its July 2019 meeting, the TOS considered undertaking a similar financial performance analysis for the trails. The subcommittee concluded, however, that the time is not yet ripe for such a project. We would first need additional background information, including results from the upcoming trails survey. Before the TOS undertakes this type of analysis, it would also be both preferable and helpful to first have either a fully updated TMP, or at least a near final draft of that document. Though the TOS believes it is premature to begin a BREP style analysis for the trails at this time, the subcommittee will revisit the idea at a later date.

Finally, see Addendum A below for additional financial considerations.

## **Addenda: Emerging Issues**

### **A. Public Use of Tahoe Donner's Trails**

Though Tahoe Donner builds and maintains its trails for the sake of member enjoyment, Tahoe Donner's trails are a public amenity with free, non-commercial use permitted to both Tahoe Donner members and the public. This public use has sometimes been a point of controversy among Tahoe Donner members, who have a wide variety of opinions on the matter. In the TMP update, the TOS hopes to reduce these controversies by identifying the right balance on public use, and by making a firm statement on the topic.

General Background: Some Tahoe Donner members feel negatively about public use of the trails because the public adds to the user volume on the trails, which adds incremental capital costs to the trails, but does not contribute financially to the trails. Hence, they see the public as “free-riders” on Tahoe Donner’s trail system. Some Tahoe Donner members feel positively about public use of the trails because providing public trail access as a regional community benefit helps Tahoe Donner enjoy tax-exempt status. Some members also believe public use results in incremental degradation of their member experience, while other members, embodying a “freedom to roam” viewpoint,<sup>12</sup> vehemently believe all trails and open spaces should be free and open for public use. In weighing these various viewpoints, and in considering Tahoe Donner’s stance toward public trail use, the TOS holds that we cannot brush aside these five realities:

1. Tahoe Donner’s trails system has porous borders, with effectively infinite points of entry.
2. Tahoe Donner’s trails are increasingly connected to other trail systems.
3. Tahoe Donner lacks any effective surveillance mechanism to know who is on the trails.
4. Tahoe Donner lacks any effective enforcement mechanism to remove people from the trails.
5. Tahoe Donner is legally required to permit public access on certain trails and in certain areas due to access easements.

Finally, in its background report on ebikes and Tahoe Donner’s trails, the TOS stated the following as a maxim: *What attracts members to our trails will also attract the public to our trails*. If our goal is to deter the public, then we will be forced to accept the inverse of that same maxim: *What deters the public from our trails will also deter members from our trails*.

501c4 Background: Since early in the association’s life, Tahoe Donner has been classified as a 501c4 Social Welfare Organization for federal tax purposes. Though uncommon for small HOAs, 501c4 status is common for large HOAs like Tahoe Donner. This status means the association does not pay taxes at a federal level, leading to significant cost savings in income tax liability. The annual savings are estimated to be in the range of \$100,000 to \$200,000.

HOAs that are classified as 501c4 Social Welfare Organizations "must primarily serve the community rather than the private interests of its members."<sup>13</sup> This does not mean, as some have supposed, that HOAs operating as 501c4s cannot have any private facilities. The status of Trout

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<sup>12</sup> For more information, see this link.

<sup>13</sup> For more information, see this link.

Creek Recreation Center and the Beach Club Marina as private, members-only facilities are not encumbered by Tahoe Donner's 501c4 classification, provided that Tahoe Donner otherwise provides sufficient community benefits to qualify for 501c4 status. However, if Tahoe Donner were to become a fully private, gated community, doing so would immediately disqualify the association from 501c4 status.

The "package" of community benefits that Tahoe Donner offers is not rigorously documented. It is, indeed, more of an ethos that Tahoe Donner has adopted than a specific plan to accumulate sufficient community benefits to justify 501c4 status. After it found some unspecified "red flags" in the tax returns, in 2009/10 Tahoe Donner's 501c4 status was audited by a regional IRS office. The audit took more than a year, and ultimately affirmed Tahoe Donner's qualification as a 501c4.

Though permitting public trail access is not necessarily a binary switch that confers 501c4 status to Tahoe Donner, the open trail network substantially contributes to the association's 501c4 status. Closing the trails to the public could be a red flag to again call Tahoe Donner's 501c4 status into question.

Accepting public use of our trails has not and does not entail promoting public use of our trails. Additionally, there is no obligation associated with 501c4 status to "market" our trails to the public. To continue to use the trails in support of its 501c4 status, Tahoe Donner would need only preserve the open access status quo.

*The Ambiguity of "Community" Benefits:* For the purposes of establishing 501c4 status, the benefited community need not necessarily be singular. A 501c4 can serve multiple communities in different ways. As such, there is some ambiguity about the benefited community in Tahoe Donner's case. It may be the Tahoe Donner Association itself for some purposes, while for other purposes the served community may extend beyond Tahoe Donner and include the town or region. For example, the recent CDFW grant application to support the Nature Trail repairs considered "community" to represent Truckee, and noted that a disadvantaged community exists within one mile of Tahoe Donner. The inclusion of these larger communities bolstered Tahoe Donner's status as a 501c4, and strengthened the grant application. If Tahoe Donner wishes to define the benefited community with greater precision, it could consult with qualified tax attorneys for expert guidance. However, Tahoe Donner may be well served by maintaining the apparent ambiguity.

Supporting the association's 501c4 tax status, and containing the same ambiguity about "community," Policy 1.1 in the 2013 TMP says that "The trail system in Tahoe Donner will be managed to benefit the community and provide a variety of recreational opportunities for all user types."

*Liability:* It is uncertain whether 501c4 status provides additional liability protections beyond those available to other private property owners. However, Tahoe Donner is adequately insured for its exposure. Additionally, under California law, for free recreational use of private lands, inherent risk is legally assumed and the owner is not held liable.

However, Tahoe Donner may need better signage to more clearly delineate boundaries and to better inform people about what properties they are on. Additionally, some Tahoe Donner boundary signage is out of date. In the McGlashan Springs and Bucknam Tract properties, for example, the posted signs indicate the association's pre-2010 and pre-2011 borders, rather than its current borders. Even on Tahoe Donner land, those in need of assistance on open space should call 911, not Tahoe Donner, because the association is not equipped for search and rescue.

*Legal Status of Public Users:* If trespass is defined as “the act of knowingly entering another person’s property without permission,”<sup>14</sup> then some have suggested that when the public enters Tahoe Donner private property, they are legally classified as trespassers. While this may perhaps be technically true, and while this may afford Tahoe Donner some additional liability protection, it should also be noted that Tahoe Donner does not post “no trespassing” signs on its borders. In other words, Tahoe Donner posts no express prohibition against trespass. Tahoe Donner does, however, post private property signage along its boundaries stating that the “right to pass” is “revocable” under California Civil Code 1008, that use is at your “own risk” under California Civil Code 846, and that fires and firearms are prohibited.

*Charging Fees For Access Or Parking:* Although it may be possible to charge a public fee for parking or trail use without compromising Tahoe Donner’s 501c4 status, the TOS is skeptical about these approaches, believing it unlikely that they could be effectively enforced or that the revenue generated could exceed staffing and enforcement costs.

If Tahoe Donner charged a fee for trail use, it would be alone in this practice as no other areas in the region charge a fee for trail use. It would also be impossible to enforce, as the trail system has infinite points of entry, and an increasing number of external connections. Additionally, by charging a fee for trail use, Tahoe Donner would lose the legal immunities that it currently enjoys. By charging a fee for trail use, Tahoe Donner would be held to a higher duty of care throughout the trail system, and it would be required to notify the public about the risks of using the trail system. To provide as safe an environment as possible, if it charged a public fee for trail use, Tahoe Donner would also be legally obliged to inspect for and remedy trail hazards, increasing maintenance costs. In other words, by charging a fee, Tahoe Donner would both increase its costs and increase its liability exposure.

Some have suggested that Tahoe Donner should charge the public for parking. While it would be possible to implement a public parking fee for trailheads without jeopardizing Tahoe Donner’s 501c4 status, doing so would have ongoing costs to implement and enforce, and it would likely result in more of the public parking on the public streets instead of at designated trailhead parking areas. In other words, instead of parking at the paid trailheads, people would simply park freely on the public streets, creating a nuisance for members who would experience increased public parking in front of their homes. As such, the TOS is skeptical that this approach would be worthwhile.

Finally, some Tahoe Donner members have openly questioned whether the trails and open spaces should be expected to generate revenue at all.

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<sup>14</sup> For more information, see this link.

*Non-Profit and Commercial Events:* In recent years there have been few commercial events permitted on Tahoe Donner's trails. The three major permitted events are all non-profit benefits that contribute to Tahoe Donner's 501c4 tax status. These events are the Castle Peak 100 race (organized by the Donner Party Mountain Runners, which includes many TD members), the Sierra Crest race (organized by the Auburn Ski Club, a 501c3), and the Nevada Interscholastic Regional Mountain Bike Race (which also includes many TD members). Tahoe Donner does have a commercial marketing agreement with REI, under which REI books group sales for nordic and mountain bike rides. All of these event organizers sign an agreement with Tahoe Donner to accept all claims and liabilities related to the event. The organizer is also charged a trail use fee.

*Initial Conclusions:* Complex topics can often be simplified through a process of division, and the public use of Tahoe Donner's trails may be one such complex topic.

1. Member Experience Considerations: In so far as public use incrementally degrades member experience by contributing to the use and overuse of the trails, the TOS believes this is fundamentally not a "public use" problem but a trail system design deficiency that has led to the "First Mile" problems described in Section 6. Our first priority should be to remedy the underlying trail system design deficiencies to better distribute and disperse trail users in general. By doing this, these member experience concerns may be rendered moot.

2. Financial Considerations: It is true that the public does not directly contribute substantial money to the construction and maintenance of the trails. It is also true that the TOS is skeptical that public trail user fees or public trailhead parking fees are worthwhile. Rather, the TOS believes that, because public trail access is a public benefit, the principle public "revenue" to offset costs that are otherwise borne by members for providing that public benefit should come from grants. The TOS's hypothesis is that the association will be in a better financial position if we quietly accept public use while also leveraging that public use to apply for grants than it would be in any other public trails funding scenario.

Additionally, although less directly quantifiable in monetary terms than grant money, the TOS believes that permitting free public access to Tahoe Donner's trail system also provides additional tangible benefits to the association. These include substantially bolstering Tahoe Donner's 501c4 status, better liability protections, and goodwill from local, regional, and national governments and NGOs.

3. Ethical Considerations: Because discussions about public use of Tahoe Donner's trails system have historically focused on the financial and commercial considerations discussed above, we have tended to overlook more general ethical matters. As discussed in Section 7 above, there is an existing trail user ethic that is already well-established in certain user groups, and that states that, if you use the trails, you must also give back to the trails. Even "freedom to roam" advocates would likely agree with the propriety of this ethic.

Monetary contributions are only one possible way for users to give back to the trails. Another way for the public to give back is through voluntary stewardship. As noted in Section 7 above, outside groups like the Truckee Trails Foundation and TAMBA have expressed interested in

volunteering their expertise and labor on Tahoe Donner's trails. If Tahoe Donner welcomed these offers and worked cooperatively with these groups, their voluntary contributions could be effective ways for the public to give back to Tahoe Donner's trail system in both real and symbolic terms. In Section 7, the TOS suggested that increased volunteer stewardship in and around the trails could help ease conflict between member user groups. Increased volunteer stewardship in and around the trails could also help ease conflict between Tahoe Donner members and the larger Tahoe Donner trails using public.

## **B. Land Acquisition & Outdoor Recreation**

With the aim of identifying criteria that could be used to evaluate future land purchases from a recreational perspective, the TOS reviewed Tahoe Donner's history of land purchases and discussed potential future land purchases. These recreational criteria may be incorporated into the updated TMP to supplement any existing criteria pertaining to fire prevention and Tahoe Donner's operational needs.

The potential land purchases discussed included adjacent private properties and private inholdings within Tahoe Donner. Additionally, the USFS owns a number of small parcels that are either inholdings within Tahoe Donner or adjacent to Tahoe Donner. Within 10 to 20 years, these parcels may be made available on the federal land exchange. The USFS has identified Tahoe Donner as a potentially qualified buyer for these parcels.

The TOS identified the following recreational criteria:

- The general advantage of controlling lands with direct or indirect recreational value to Tahoe Donner and its members.
- Business and operational considerations related to Tahoe Donner's existing Cross-Country Center and/or any other recreational enterprises that Tahoe Donner may choose to operate in the future.
- Environmental threat.
- Development threat.
- Remedy trail connectivity blockages or fill trail connectivity gaps.
- Trail system expansion opportunities.
- Remedy trail alignment constraints, problems, and deficiencies. For example:
  - Areas where trail alignment options are adversely constricted.
  - Potential hindrances and/or obstacles to a Class 1, four-season bike/walk trail from the ACAC to the Trout Creek Trailhead as discussed in Section 6.2 above.
- Protect and preserve the character of the trails and open spaces. For example:
  - Create a buffer between Tahoe Donner and properties where hunting is permitted.
  - Create a buffer between Tahoe Donner and other properties (e.g. the Donner Euer Valley Corporation's 7C Ranch) to reduce disturbance and/or encroachment in general.
- Increase consistency for trail rules, access, and rules enforcement. For example:
  - Reduce motorized vehicle encroachment from nearby properties.
- Prevent incompatible or adverse property use by other potential owners.

Regarding USFS lands that may become available on the exchange, there appears to be no potential threat either to the natural character of these lands or to the public's access to these lands. This is because the USFS will not sell these lands without guaranteeing both the land's conservation value and continued public access. As such, it may be in Tahoe Donner's interest to prefer that conservation organizations purchase certain parcels if those parcels are offered on the exchange. Further, even if parcels are not offered on the exchange, Tahoe Donner may be able to secure some additional recreational value on USFS lands through Special Use Permits (SUPs). Finally, in this vein, it may become possible to trade conservation easements on Tahoe Donner's existing property for additional property or recreational access rights on adjacent private properties. For example, and purely hypothetically, it may be possible to trade increased conservation programs in Euer Valley for nordic access to Red Mountain.

### **C. Downhill Mountain Biking**

Under the heading "Terrain Features," the 2013 TMP states the following in section 6.3.1: "Tahoe Donner trails see a great deal of mountain bike use. With the development of Tahoe Donner Bike Works rental operation, there is an effort by the association to accommodate members' interest in mountain biking. Every year banked turns and jump features appear on the trail system. This indicates an interest in freestyle mountain biking. While the character of Tahoe Donner does not support a freestyle bike park, there is a need for some further discussion."

Related to this topic, at its October 2018 meeting, the TOS considered whether the Downhill Ski Area should be turned into a family-friendly downhill mountain biking area during the summer:

Downhill mountain biking trails are specialty trails with features designed to create challenging and exciting descents for riders. Compared to other summer ventures like zip-lines, with downhill mountain biking, resorts appear to be getting more consistent repeat customers. "Nobody tries to get better at zip-lines," but people do try to get better at downhill mountain biking. Ski areas that offer downhill mountain biking are offering discounts to ebike riders because they can ascend via uphill flow trails instead of using chairlifts.

While doubts about consistent snowpack mount, we can expect that the ski hill will be snow free and dry an increasing number of days each year. If we installed a downhill mountain bike operation at the ski hill, downhill mountain biking might be the dominant use of the facility measured in operational days per year.

Unlike conventional trails, downhill mountain biking trails require irrigation. Because Tahoe Donner's ski hill already features snowmaking, and because Tahoe Donner is planning for the potential to extend snowmaking across a larger portion of the ski hill, some of the basic irrigation infrastructure needed for downhill mountain biking trails may already be available or in planning.

Additionally, some TOS members suggested evaluating the potential for a pump track at the top of the hill where there is a large, flat disturbed site. Other TOS members suggested that if a downhill mountain biking facility was added to the ski hill, the lodge at the bottom of the hill



could serve as a social hub for Tahoe Donner's mountain biking community during the summer, especially if new trails were built to better connect the ski hill to the trail system.

Though further research is necessary, downhill mountain biking may be a credible way to create year-round revenue at the ski hill, an insurance policy against diminishing snowpack, and a means to monetize the facility when it is otherwise idle. It would also be consistent with the evolution the TOS expects for TD as the association becomes more and more of a trails and mountain biking community.

The TOS has approached the DSR Subcommittee with a recommendation to research the feasibility of downhill mountain biking at the ski hill.