

California Tahoe Conservancy
Agenda Item 8
June 20, 2012

**ANNUAL PROPERTY MANAGEMENT AND FOREST HABITAT
ENHANCEMENT AUTHORIZATION**

Summary: Consideration and the possible authorization of up to \$2,423,358 for direct property management, forest fuels maintenance, hazard abatement, and property restoration on Conservancy properties during Fiscal Year 2012/2013.

Location: Throughout the California side of the Lake Tahoe Basin.

Fiscal Summary:

Source of Funds:

Conservancy Support Funds	\$ 601,000
Proposition 84 Bond or Other Funds	1,149,000
U.S. Bureau of Land Management Southern Nevada Public Lands Management Act Round 13 Grant Funds	<u>673,358</u>

Total Recommended Authorization: \$2,423,358

Recommended Action: Adopt Resolution 12-06-02 (Attachment 1).

Background

This is the 26th authorization sought by staff for property management and forest habitat enhancement activities. Since its inception, the California Tahoe Conservancy (Conservancy) has made significant progress developing and implementing a comprehensive Property Management Program, which includes the Forest Habitat Enhancement Program.

The Conservancy's Property Management Program has successfully adapted to challenging conditions, including the management of over 4,890 parcels, a fragmented public/private ownership pattern, varying parcel sizes, differing

management techniques throughout the Lake Tahoe Basin, and limited resources.

Property Management

The Conservancy's Property Management Program integrates short and long-term management considerations into all of its programs and projects.

Specifically, the Conservancy has:

- Structured acquisitions to resolve management concerns prior to the close of escrow and through the purchase of conservation easements;
- Entered into management agreements that reinforce existing management roles, utilize existing management resources, and facilitate the management of areas with ownership by two or more public entities;
- Increased its capability to inspect sites, clean properties, remove hazardous conditions, and resolve various use conflicts;
- Initiated restoration and resource enhancement activities, involving installation of erosion control measures, revegetation, Stream Environment Zone (SEZ) restoration, forest resource management activities, and maintenance and improvement of public access facilities;
- Coordinated the restoration and management of properties through the utilization of public and private sector expertise and resources, the coordination of resource planning, and management efforts with other public and private entities;
- Adopted and implemented special use guidelines to guide lease, license, and stewardship land management activities that are designed to transfer certain management responsibilities to appropriate third parties;
- Provided site security;
- Adopted and implemented snow storage guidelines to meet water quality and management objectives;
- Increased the Conservancy's administrative capability to restore and manage properties through staff development, internships, and procurement of management services from public agencies and private contractors; and
- Strengthened the Conservancy's Geographic Information System (GIS) capabilities, land ownership maps, and the procurement of management revenue sources (such as leases and the land coverage program) that support resource objectives.

A comprehensive overview of the Conservancy's Property Management Program is provided in Attachment 2.

Forest Habitat Enhancement

The Conservancy's Forest Habitat Enhancement Program conducts its forest health and fuels reduction activities consistent with the Emergency California-Nevada Tahoe Basin Fire Commission (Commission) final report and recommendations. These activities include:

- Implementing the U.S. Forest Service, Lake Tahoe Basin Management Unit's (LTBMU) "Lake Tahoe Basin Multi-Jurisdictional Fuel Reduction and Wildfire Prevention Strategy – 10 Year Plan" (10 Year Plan) for the Basin's forests;
- Facilitating the use of hand-thinning and low-impact equipment, and allowing pile burning in SEZs and on steep slopes, while protecting these sensitive areas;
- Facilitating forest thinning practices and biomass processing as a means to reduce the intensity of future wildfires and the resulting pollution to air and water resources; and
- Rapidly restoring and reforesting areas burned by the Angora Fire.

The Conservancy's objectives in implementing its forest habitat enhancement and fuels reduction activities are outlined in the Conservancy's Forest Resource Management Guidelines, adopted by the Board in November 1990. These objectives reflect the need to:

- Provide for a healthier, more diverse forest environment;
- Enhance wildlife habitat;
- Stabilize soils and reduce forest habitat fragmentation through road closures and installation of best management practices, revegetation, and erosion control measures;
- Provide for public safety and property protection through fuel hazard reduction;
- Use both public and private resources to implement forest resource management activities; and
- Implement activities in a timely and environmentally sound manner.

Recently the Conservancy expanded its role as a funding coordinator for forest health and fuels reduction projects on the California side of the Basin by submitting a Southern Nevada Public Lands Management Act (SNPLMA)

Round 13 grant nomination collaboratively on behalf of four California Fire Districts/Departments (Lake Valley, City of South Lake Tahoe, Meeks Bay and North Tahoe) and the California State Parks department. Two consolidated projects were submitted. The south shore proposal requested \$320,069 for work by the City and Lake Valley on the City's airport land and adjoining Conservancy land. The north shore proposal requested \$353,289 for projects at Sugar Pine Point State Park and on a large private landholding by Meeks Bay/DPR and North Tahoe. At this point in the Round 13 SNPLMA process, a total of \$500,000 has been recommended for these two projects. Public comment and further federal agency review will take place before the Secretary of the Interior approves the final grant award, expected by mid-August.

As the lead agency for this SNPLMA request, the Conservancy will be responsible for administering the grant with the Bureau of Land Management (BLM) staff. Staff anticipates contracts will be executed with the appropriate fire protection districts for project implementation pursuant to the authority in this staff recommendation. Conservancy staff time will be reimbursed under the SNPLMA grant for contract administration and project implementation functions.

Since 1990, the Conservancy has, either directly or through contractors, treated approximately 2,600 acres. Treatments consisted of forest health improvements, upland and riparian habitat enhancements, fuels reduction, maintenance, and Environmental Improvement Program-related activities.

Project Description

Staff is requesting authority to continue to develop, implement, and expend funds for the Conservancy's Property Management Program in order to further the various efforts listed above and other property management efforts, including the accelerated restoration of land coverage and stream environment zones.

Property Management

This property management authorization, coupled with remaining funding authority from the property management authorizations granted by the Board in January 2011 and July 2011, will specifically allow the Conservancy to:

- Inspect all Conservancy-owned parcels on a bi-annual basis to identify hazardous conditions, inappropriate uses by adjoining landowners, and resource restoration needs;
- Maintain and clean parcels as necessary;
- Respond to citizen complaints, commonly regarding fuels hazards, abandoned property, and trespass;
- Maintain approximately 40 acres of previously-completed fuels reduction work on forested urban lots;
- Identify and remove hazardous trees to protect life and property;
- Develop resource restoration prescriptions and contract for and supervise the seasonal Restoration Crew to implement 20-25 restoration projects;
- Assist with restoration activities implemented under other Conservancy programs;
- Contract for heavy equipment services necessary to implement large restoration activities. Noteworthy projects planned for implementation in Fall 2012 include the restoration of 76,564 square feet of hard land coverage (i.e., pavement) at the former drive-in movie theater property recently acquired from the City of South Lake Tahoe and over 10,000 square feet of SEZ restoration on property in Christmas Valley. Respectively, these restoration projects will assist the Conservancy's Land Bank with meeting Excess Coverage Mitigation obligations in the South Stateline Hydrologic Area and mitigate future public service projects that may impact SEZ;
- Provide the Upper Truckee Marsh (UTM) Land Steward, a property caretaker, and contracted law enforcement services to protect resources on the Conservancy's UTM and Van Sickle properties;
- Contract for and supervise the seasonal Land Management Crew to perform fuels hazard reduction work, maintain past restoration projects, and maintain high-use properties such as the UTM; and
- Maintain the Conservancy's lakefront and public access facilities by contracting with other public agencies and entering into concession and management agreements with both public and private sectors.

To complete these activities, staff may be assisted by others including the Tahoe Resource Conservation District (TRCD), the El Dorado County Sheriff's Office, and the North Tahoe Public Utilities District Project implementation may be performed by public and private entities, including the Conservancy's Land Management Crew, the California Conservation Corps, AmeriCorps, the Nevada

Conservation Corps, Clean Tahoe Program, local fire protection districts, private licensed timber operators, and other private sector and non-profit work crews.

Seasonal Dog Access to the Upper Truckee Marsh

The Upper Truckee Marsh (UTM) represents the largest remaining wetland in the Lake Tahoe Basin. In 2000, the Conservancy purchased the easterly 311 acres of the UTM for the unequalled opportunity to preserve its unique qualities and restore natural function, enhance wildlife habitat, and protect water quality. At the time of acquisition, the Board acknowledged that “this wetland system is unique in this aspect as there is no other large area of protected wetland left in the Basin. Any increase in public access to the site may not be compatible with preserving these wildlife and vegetative resources.” Since acquisition, in order to protect these values, the Conservancy has made numerous and increasing attempts to accommodate use patterns. These attempts have included educational opportunities informing the public on responsible use of the property and enforcement of leash regulations by local law enforcement services. Despite these efforts, non-compliance of leash regulations at the UTM continued to be a management issue. As a result, in July 2010, staff recommended and the Board approved a seasonal closure prohibiting dogs on the Barton Meadow side of the UTM.

The seasonal closure runs from May 1 through July 31 each year unless such policy is changed. Implementing a year-round, no dog policy, along with other potential management strategies, remains an option. Staff will report back to the Board in September 2012 regarding the efficacy of the seasonal closure, compliance with leash regulations subsequent to the closure period, and recommendations for management options for the 2013 season.

The UTM Land Steward continues to educate the public regarding the policy change. Under contract with the Conservancy, the El Dorado County Sheriff’s Office is providing enforcement of the seasonal policy, the leash regulation outside of the closure period, and other relevant ordinances at the UTM. Dogs will continue to be permitted on leash at the Conservancy’s adjacent Cove East Property. This policy is consistent with the purposes for which the Cove East Property was acquired.

Forest Habitat Enhancement

Staff recommends this authorization to implement projects on an estimated 300 acres of Conservancy-owned land within the Wildland Urban Interface, which encompasses both upland and riparian habitats. In addition, the Conservancy

will use funding to coordinate the planning, implementation, and monitoring of treatments on up to an additional 100 acres of Conservancy-owned land, where cooperating agencies are expected to fund and implement the actual activities with funding they already have.

As noted above, the Conservancy anticipates coordinating the implementation and administration of a SNPLMA Round 13 grant award of up to \$673,358. While the exact grant award amount is unknown at this time, it should be noted that all direct costs and some Conservancy staff time will be reimbursed by the grant funding.

Additional funding resources continue to be sought by the Conservancy's partners to treat forest fuels on Conservancy land. Of particular note are the North Tahoe Fire Protection District and the Meeks Bay Fire Protection District requests for up to \$1,100,000 in Federal Emergency Management Agency (FEMA) funds and LTBMU Supplement funding. These federal funds would allow the fire protection districts to treat high-priority projects on Conservancy lands identified in the 10 Year Plan and Community Wildland Protection Plans (CWPP). The Conservancy's forestry project priorities are consistent with both the 10 Year Plan and the CWPP for the California portion of the Lake Tahoe Basin.

Finally, the California Conservation Corps (CCC) Tahoe Center is seeking up to \$250,000 in Proposition 84 funds over the course of several years to supplement Conservancy direct funds for forest treatment in the Meyers 5 Project area (Phases 4 and 5) in El Dorado County. Coordinating efforts with these partners will allow the Conservancy to leverage other federal and state funds to accelerate efforts in high-priority areas as identified by the 10 Year Plan.

The TRCD may assist the Conservancy with planning, administering, and monitoring the future forestry and fuels reduction projects. Public and private entities, including the Conservancy's Forest Habitat Enhancement Crew (hired by the TRCD), the CCC, local fire protection districts, private licensed timber operators, the Nevada Conservation Corps, and non-profit work crews may implement the projects. The Conservancy has entered into a Memorandum of Understanding with each of the fire protection districts on the California side of the Tahoe Basin and the City of South Lake Tahoe Fire Department to allow them to treat Conservancy lands.

The Conservancy will maintain previously-completed fuels reduction work primarily by using a six-month seasonal CCC crew. This funding request is included in Conservancy support funds.

Project Budget

If the Board approves the requested authorization, staff will continue to implement the Conservancy's property management, forest fuels initial treatment and maintenance, and hazard abatement activities during the 2012-2013 fiscal year within the established budget limitations. Staff is requesting authority to expend up to \$2,423,358, consisting of \$601,000 in support funds and \$1,822,358 in capital outlay, BLM SNPLMA or Tahoe Regional Planning Agency mitigation funds. This amount is consistent with the anticipated 2012 Budget Act under consideration at the time this report was prepared.

Staff has identified three main types of expenditures, reflecting a continuation of past priorities. Proposed expenditures are outlined as follows:

Land Management and Public Safety (Support Funds)

Land Management Crew	\$110,000
Property Inspection and Cleanup	70,000
Hazard Tree Removal	50,000
Beach Maintenance and Security Contracts	154,000
Facilities and Maintenance	42,000
Project Planning	0
Equipment, Materials, and Supplies	<u>25,000</u>

Land Management and Public Safety Sub-Total: \$451,000

Forest Fuel Maintenance (Support Funds)

Forest Fuel Maintenance Crew (CA Conservation Corps)	<u>\$150,000</u>
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Forest Fuels Maintenance Sub-Total: \$150,000

Resource Restoration and Enhancement (Capital Outlay Funds)

Restoration Crew	\$125,000
Restoration Planning	69,000
Contracting and Project Implementation	145,000
Restoration Equipment , Materials and Supplies	30,000
Heavy Equipment Contract	<u>25,000</u>

Resource Restoration and Enhancement Sub-Total:	\$394,000
Forest Habitat Enhancement (Capital Outlay Funds)	
Forest Habitat Enhancement Crew	\$200,000
Project Planning	45,000
Equipment , Materials and Supplies	10,000
Service Contracts	500,000
SNPLMA Grant funded contracts and administration up to	<u>673,358</u>
Forest Habitat Enhancement Sub-Total:	\$1,428,358
TOTAL:	\$2,423,358

The above amounts are estimates and reflect potential expenditures within these categories based on staff's prior experience. Actual expenditures will depend upon the available funding, actual need, and relative management priorities as established throughout the fiscal year, and will not exceed the total funds requested.

Consistency with the Conservancy's Enabling Legislation

The recommended management activities are consistent with the Conservancy's enabling legislation. Under Government Code section 66907.10, the Conservancy is authorized to improve and develop acquired lands for a variety of purposes, including protection of the natural environment; protection of public access and recreational facilities; preservation of wildlife habitat areas; and access to and management of Conservancy-owned lands. Under Government Code section 66907.9, the Conservancy is authorized to initiate, negotiate, and participate in agreements for the management of land under its ownership and control with local public agencies, State agencies, federal agencies, nonprofit organizations, individuals, corporate entities, or partnerships. Finally, under Government Code section 66906.8, the Conservancy is authorized to select and hire private consultants or contractors as necessary to achieve these purposes.

Compliance with the California Environmental Quality Act (CEQA)

Some Conservancy property management and restoration projects and all forest fuels maintenance projects fall within the purview of CEQA; CEQA analysis is thus required. While the actions proposed in this staff recommendation authorizing annual property management activities do not themselves require CEQA review, each project implemented pursuant to this staff recommendation

will be subject to CEQA review. Staff will evaluate each project prior to implementation to determine whether the project is statutorily or categorically exempt from CEQA, or whether the project requires a negative declaration or environmental impact report. Where staff determines a project is statutorily or categorically exempt from CEQA, staff will file a Notice of Exemption with the State Clearinghouse. Where staff determines a project requires a negative declaration or an environmental impact report, the project will be brought to the Board for adoption of environmental findings and authorization to expend funds to implement the project.

List of Attachments:

Attachment 1 – Resolution 12-06-02

Attachment 2 – Overview of the Conservancy’s Property Management Program

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ATTACHMENT 1

California Tahoe Conservancy

Resolution

12-06-02

Adopted: June 20, 2012

ANNUAL PROPERTY MANAGEMENT AND FOREST HABITAT ENHANCEMENT AUTHORIZATION

Staff recommends that the Conservancy adopt the following resolution pursuant to Government Code sections 66907.8, 66907.9, and 66907.10:

“The California Tahoe Conservancy hereby authorizes staff to expend up to \$2,423,358 for direct management and restoration as described in the accompanying staff recommendation and take all other necessary steps, subject to the provisions and conditions discussed in the accompanying staff recommendation and attachments, in order to implement the Conservancy’s Property Management and Forest Habitat Enhancement Programs, including but not limited to the following activities: property inspection and cleanup; hazard reduction; project planning; erosion control and ecological restoration; forest fuels reduction and maintenance; wildlife habitat enhancement; aspen and meadow restoration; land and facilities maintenance; demolition of structures; the resolution of use conflicts; public information activities; execution of leases, licenses, and agreements consistent with adopted guidelines; execution of contracts and agreements to implement forestry projects with grant funding; and coordination of management arrangements.”

I hereby certify that the foregoing is a true and correct copy of the resolution duly and regularly adopted by the California Tahoe Conservancy at a meeting thereof held on the 20th day of June, 2012.

Patrick Wright
Executive Director

ATTACHMENT 2

PROPERTY MANAGEMENT PROGRAM

Program Objectives: Since the adoption of the Conservancy's Property Management Program on September 19, 1986, and subsequent annual reauthorizations, the Conservancy has been committed to addressing the following management objectives:

- Manage property in a manner consistent with the purpose(s) for which it was acquired;
- Restore and enhance on-site resources where appropriate;
- Resolve potential use conflicts;
- Coordinate the management of such lands with other public agencies and private entities in order to facilitate more responsive, cost-effective, and/or comprehensive management arrangements; and
- Continue to develop the Conservancy's administrative and fiscal capability to manage all types of acquired properties.

The Conservancy is undertaking a number of ongoing or interim management activities for different types of resources. The nature of these activities largely reflects the purpose(s) for which an acquisition or project was undertaken. The Conservancy's primary management focus has been on environmentally sensitive lands. However, as the Conservancy's acquisition program has expanded into acquiring other lands for wildlife, access, and land coverage purposes, land management staff has also directed its activities toward managing these types of properties. The primary objective of the Conservancy's management activities for these lands is the preservation and restoration of natural conditions and open space values.

The Conservancy is making substantial progress toward achieving the following objectives:

A. Inspection and Maintenance

Staff is undertaking a number of inspection and maintenance-related activities to further the purposes for which the lands were acquired.

These include:

- Inspection of approximately 2,500 parcels, including cleanup where necessary. With one seasonal lot inspector, all Conservancy-owned parcels will now be inspected on a bi-annual basis. Since 1987, the Conservancy has completed over 87,747 parcel inspections.
- Inspections are also conducted in response to reports by other agencies and concerned neighbors. Last year, approximately 115 citizen reports were brought to staff's attention. In past years, citizen reports have exceeded 200 per season. Thus far, staff has received 15 citizen reports this season.
- Based upon inspections and reports, the Conservancy's Land Management Crew and Tahoe Resource Conservation District (TRCD) staff perform cleanup activities and correction of other problems, such as abandoned vehicles and other personal property storage. In some instances, the Land Management Crew or TRCD staff has installed signs to identify Conservancy property and promote uses consistent with management objectives. In other instances, they have constructed fences, closed dirt roads, and cleared drainage channels debris. Resource protection is an ongoing task on many Conservancy parcels.
- The Land Management Crew provides the Conservancy with the ability to respond to property owner concerns about a variety of land management issues; maintain past restoration projects; provide fuels reduction treatment in a responsive manner; assist with cross-program restoration, access, and erosion control projects; maintain high-use areas; maintain the Upper Truckee Marsh; maintain Van Sickle Bi-State Park; and eradicate noxious weeds. The Conservancy has identified 85 maintenance projects for this field season, including an increasing demand from the public for fuel hazard reduction. In addition to 11 acres of fuels treatment, the Land Management Crew completed 153 maintenance work orders during the 2011 field season, 60 of which were for the removal of hazard trees.

Due to the nature of the Conservancy's land ownership pattern, use conflicts are an ongoing management concern. Most Conservancy properties are situated in residential areas where unauthorized uses are common. Larger parcels are subject to threats of significant resource damage if unauthorized activities are not detected.

Staff is undertaking three principal types of activities to resolve use conflicts. These activities are described in more detail below.

1. *Identify and Resolve Unauthorized Activities and Adverse Resource Conditions*

Unauthorized uses of the property may adversely impact the natural and open space values of acquired lands. These uses include off-highway vehicle use; vehicle access; vehicle abandonment; parking; snow storage; personal property storage; illegal campfires; timber cutting; vegetation disturbance; landscaping; and structural encroachments. These types of unauthorized uses can contribute to resource degradation, soil erosion, and water quality problems.

Ongoing use conflicts are identified through regular property inspections, cleanup activities, and information provided by Conservancy staff, law enforcement, other resource management agencies, and public contacts. As these situations arise, the information is entered into one of the Conservancy's resource management databases. Over 527 encroachments ranging from minor trespass violations to major encroachments of structures have been identified over time. Efforts initiated by Conservancy staff or lot inspection contractors and the cooperation of property owners and residents resolved many of these issues. Public education, site rehabilitation, or restoration activities have also helped to eliminate numerous encroachments. The current inventory of active encroachments exceeds 285.

In the last few years, the number of new trespass and encroachment issues has decreased significantly due to the thorough work of the Conservancy's lot inspection and project planning efforts. In some cases, it is necessary to procure the services of a licensed surveyor to identify and document property boundaries to determine the extent of the problem. A substantial amount of time and resources may be required to resolve some of the more serious encroachment issues. Staff has initiated a process to address these situations; however, further efforts are based on the extent of available staff and fiscal resources.

To assist in resolving use conflicts, staff has developed a land management brochure discussing the Conservancy's acquisition and resource management objectives and policies relating to land uses and site restoration. This brochure is distributed to interested residents and to parties causing adverse impacts on Conservancy properties.

2. Identify and Resolve Hazardous Conditions

A number of potentially hazardous conditions may arise on unimproved property, including hazardous trees that may pose a threat to neighboring homes or improvements. To date, private contractors have removed over 4,132 hazardous trees. Increased staff time and resources have also been dedicated to addressing this problem.

3. Implement a Snow Storage Program

Staff has implemented a snow storage license program designed to allow snow storage on Conservancy properties while assuring the protection of resources, especially water quality. During Winter 2011-2012, one license agreement was in place. As emphasized in the Snow Storage License Guidelines adopted by the Board on January 19, 1990, all snow storage licenses will be consistent with the Conservancy's water quality and management objectives for such sites.

B. Land and Facility Management

The Conservancy also manages property for public access purposes. Properties managed for public access range from developed facilities such as the Kings Beach Plaza, North Tahoe Beach, Carnelian Bay Lake Access, Regan Beach West, Tallac Vista, and Van Sickle Bi-State Park to undeveloped sites with recreation potential, including Moon Dunes, Eagle Rock, Snow Creek, Sandy Beach, Cove East, Upper Truckee Marsh, to large upland properties such as the former Sunset Stables and Elks Club properties.

1. Upper Truckee Marsh (UTM)

Since the acquisition of the Upper Truckee Marsh in November 2000, staff has managed the property consistent with the purposes of the acquisition. These purposes include open space resource

protection, including maintaining the marsh, meadow, and riparian habitats, and protection of endangered and sensitive species and their habitats through passive public use.

This year, staff has contracted for a seasonal UTM Land Steward to provide a regular presence on the property and to provide information to the community about the sensitive plant and wildlife resources present as well as changes in management related to dog access. Portions of the beach have been designated for habitat protection for the Tahoe yellow cress, an endangered species that only grows on sandy beaches in the Lake Tahoe Basin. The public's willingness to respect the critical habitat for this species is encouraging.

Staff and the UTM Land Steward continually provide education for the public about activities that can damage or harm the sensitive natural resources within this area. Mutt Mitt dispensers and trash cans are available for the public and have substantially helped in keeping the meadow and beach environments clean. Staff continues to maintain and update signage and educational materials, and the Clean Tahoe Program provides additional garbage collection services on the property.

Since 2004, a cooperative educational and enforcement program has been in place to help limit the impacts of unleashed dogs on wildlife and other natural resources. To date, staff has worked with El Dorado County Animal Control, the City of South Lake Tahoe Police Department, and the El Dorado County Sheriff's Office to provide enforcement of leash restrictions. Compliance with the leash ordinance remains a challenge even with the assistance of the law enforcement personnel.

In response to increased challenges to managing existing uses (particularly, leash non-compliance), at the UTM to protect wildlife and wildlife habitat unique to the largest remaining alpine marsh at Lake Tahoe, in 2011 the Board authorized a seasonal closure prohibiting dog use within the UTM from May 1 through July 31 each year. Staff maintains its contract with the El Dorado County Sheriff's Office to provide law enforcement services within the UTM. Due to a 100% increase in hourly rates, the Conservancy

terminated the supplemental enforcement contract with El Dorado County Animal Control. Staff is currently managing the seasonal closure and monitoring compliance through Land Steward and law enforcement reports. Staff will report to the Board in September 2012 regarding the success of the closure and subsequent leash restrictions, and recommended changes, as necessary, to the management strategy for 2013. Both the closure and any applicable leash restrictions are allowed under Chapter 18A of the South Lake Tahoe City Ordinances. Dogs continue to be permitted on leash at the Conservancy's Cove East property west of the UTM. This policy is consistent with the purposes for which the Cove East property was acquired.

2. *Van Sickle Bi-State Park*

Acquisition of the Van Sickle property in 2002 provided the unique opportunity to partner with Nevada Division of State Parks (NDSP) for development of the Van Sickle Bi-State Park (Park) at the California/Nevada state line. In May 2009, the Board adopted environmental findings, authorized the execution of modified easements to allow NDSP to proceed with park improvements, and authorized the execution of a management agreement between the Conservancy and NDSP.

The Board authorized implementation of the California Day Use Area in January 2011, and construction was completed last summer. Following the Day Use Area's completion, the NDSP infrastructure project completed in Spring 2011, and the signing of the Park's Operating Agreement with Nevada, the Park opened to the public in July 2011.

Since June 2007, the Conservancy has partnered with the California Department of Parks and Recreation (DPR) to provide caretakers on the property. Last summer, the Site Hosts undertook increased responsibilities when the Park opened, including restroom management. In addition to the Van Sickle Foundation's \$84,000 grant for Park operations, provided to the Park through a grant to the Tahoe Rim Trail Association, the Tahoe Fund granted \$25,000 last summer to fund operational and educational costs within the Park.

This summer, the Lake Valley Fire Protection District will conduct a comprehensive fuel reduction project on the Park's California side to complement work conducted by NDSP.

C. Restoration and Enhancement of Resources

A key component of the Conservancy's Property Management Program is the restoration and enhancement of acquired properties. Site improvements achieve objectives such as providing public access, enhancing wildlife habitat, protecting the site, and providing interpretation. In many cases, site improvements achieve multiple objectives.

A number of approaches are being used to rehabilitate, restore, and maintain degraded sites, including the use of:

- Specialized grass seed mixes, recycled pine needles, slow-release fertilizers, soil amendments, wood chips generated from forest management projects, erosion control netting, and blankets for temporary vegetative cover;
- Native shrubs and trees propagated from seed collected by crewmembers, staff, and local seed specialists to add vegetative diversity and provide erosion control;
- Other biotechnical methods, such as the installation of willow wattles, willow cuttings, and willow fences;
- Sod transplants of native plant material primarily for Stream Environment Zone (SEZ) restoration; and
- Temporary irrigation systems and other means of watering plants to establish vegetation on project sites.

Beginning in 1987, the Conservancy worked with the CCC and students in a combined project labor force. The students were hired through a variety of contracts, including agreements with the California State University (CSU), University of California (UC), AmeriCorps, and TRCD. Today, all crewmembers on the Conservancy's three crews – Restoration, Land Management, and Forest Habitat Enhancement – are provided through agreements with TRCD. Additionally, Lake Tahoe Community College has been a valuable resource for recruiting student interns through the Cooperative Work Experience Education Program. In turn, the

Conservancy provides crew members with specialized training and educational opportunities.

During the past 25 years, staff and contractors, including the U.S. Forest Service Lake Tahoe Basin Management Unit (LTBMU), TRCD, DPR, UC consultants, and a revegetation specialist, have evaluated Conservancy parcels for the purpose of identifying restoration and enhancement opportunities. Originally, over 2,252 parcels were evaluated to determine if restoration or other property management issues should be addressed. Currently, similar evaluations are done on a yearly basis through routine parcel inspections. These evaluations may recommend installation of erosion control structures, fences, and vehicle barriers, revegetation of barren and disturbed sites, fill removal, stabilization of road cuts, and/or SEZ restoration. More complex projects often require more detailed plans and specifications to facilitate project review and approval by other agencies. The implementation of these projects depends upon funding and administrative capacities.

Approximately 367 project sites, involving approximately 381 individual parcels, are currently targeted for potential restoration. These projects range in scope from the restoration of degraded small SEZs and land coverage parcels to the elimination of encroachment and trespass problems before site restoration. Lot inspections and citizen reports identified many of these potential projects. Staff anticipates that, subject to budget limitations, 20-30 priority projects will be selected from this inventory and implemented during the 2012 field season.

In 2011, the Restoration Crew assisted in construction of the Day Use Area and delineated a new pedestrian trail from the entrance of the park to the Barn and Stable Complex, and continued with adaptive management on the Ward Creek Watershed Restoration Project, further restoring areas that needed revegetation and rehabilitation. For the 2012 season, the Restoration Crew anticipates three or four days of additional work on the site.

During the 2012 field season, the Conservancy's Restoration Crew will continue to provide cross-program assistance and adaptive management. Anticipated projects include: improvements to the existing trail network within Van Sickle Bi-State Park; adaptive management for the Trout Creek and Cold Creek Bank Stabilization Project; additional work on the Ward

Creek Watershed Restoration Project, including installation of a temporary irrigation system, revegetation, adaptive management, and monitoring activities; revegetation, slope stabilization, and site cleanup at the Tahoe Pines Campground; and willow collection and revegetation at the Lower Blackwood Creek Restoration Project.

In 2011, staff hosted a one-day restoration project as a follow-up to the Woodvista Fuels Reduction Project completed in 2010, during which Tahoe-Baikal Institute (TBI) participants and Conservancy crews engaged in trail decommissioning and restoration; installation of erosion control measures; site revegetation; additional hand-thinning of trees and brush; litter removal; and eradication of invasive plants. In addition, TBI students and Conservancy crews erected a barrier fence along the shore of Lake Tahoe to protect a rare dune environment and dune vegetation. Staff is currently planning this year's TBI project.

Restoration accomplishments to date include 471 resource protection, SEZ restoration, revegetation, and erosion control projects on 806 parcels, totaling over 42.25 acres of land restoration. It should be noted these restoration totals generally reflect only work done on small urban parcels and do not reflect larger cross-program restoration projects.

D. Management Coordination

The Conservancy has increased its capacity, expertise, and flexibility to address changing management requirements by obtaining assistance from public and private contractors. Specifically, the Conservancy is attempting to take advantage of the expertise and resources of other public agencies in achieving management objectives whenever possible. Over the years, the Conservancy has used the expertise of the CCC, CSU, UC, TRCD, DPR, the California Department of Forestry and Fire Protection (CalFire), Department of General Services, and the City of South Lake Tahoe to perform inspections and to develop prescriptions and plans for site restoration, revegetation, and forest management projects.

Currently, a combination of public and private contractors is used to undertake projects and activities. These arrangements involve, in part, the provision of management services by appropriate public and private entities. TRCD currently provides 26 people who assist the Conservancy

in planning and implementing its programs. Seasonal labor includes 15 crew members, one property inspector, one UTM Land Steward, four program assistants, and four AmeriCorps members. TRCD staff assists with coordination and implementation of restoration, management, and forest habitat enhancement projects and with monitoring and reporting activities. The nonprofit Clean Tahoe Program assists with cleaning up Conservancy lands in the City of South Lake Tahoe and El Dorado County under a subcontract with TRCD. Private contractors and public agencies are also being used for specialized tasks such as heavy equipment operation, hazard tree removal, security patrol, and animal control services.

The Conservancy has worked with local governments to manage improved public recreational facilities through operating agreements or management contracts. The North Tahoe Public Utility District currently provides site maintenance services for the Conservancy's North Tahoe Beach, Kings Beach Plaza, Sandy Beach, Moon Dunes Beach, Steamer's Beach, and Secline Beach public access areas.

Pursuant to the Property Management Program authorization, minor improvements or repairs to the Kings Beach Plaza, Carnelian Bay Lake Access - Phases I through III, Van Sickle, North Tahoe Beach, and Tallac Vista sites may be funded or undertaken by staff if circumstances warrant. If authorized, staff will continue as many of these maintenance and management arrangements throughout this fiscal year as funds permit. Funding requests for larger projects which cannot be met under the Conservancy's Resource Management Program budget will continue to be brought to the Conservancy Board on an as-needed basis. Staff will continue to monitor these arrangements over the life of the agreements.

Currently, the Conservancy is coordinating its Property Management Program with those of other public agencies and private entities. This coordination takes several forms:

1. *Easements, Leases, and Licenses*

The Conservancy cooperates with public and private entities to implement various public service projects by granting easements and licenses. Such long-term agreements include:

- Five long-term licenses to the Tahoe City Public Utility District for: 1) a water tank on Dollar Hill; and the construction, operation, and maintenance of: 2) a water tank, 3) an emergency power supply, and 4-5) two water wells on Fairway Drive in Tahoe City. Over the years, the Conservancy has granted fifty-five licenses to various government agencies for improvements associated with Conservancy-funded projects.
- A 25-year lease with Tahoe Cedars Water Company for construction, operation, and maintenance of a water tank on a portion of a larger Conservancy property located in Tahoma.
- A long-term lease of approximately 400 acres in Upper Ward Canyon to the Alpine Meadows Ski Area. This property recently changed ownership, and the new owner is requesting modifications to the current long-term lease that expires in 2029. The proposal would extend the term through July 1, 2047, consistent with LTBMU's extension to accommodate the ownership change.
- One license with a gasoline company and one license with the LTBMU to provide access to Conservancy land for clean up and monitoring of groundwater contaminated with Methyl Tertiary Butyl Ether (MTBE) and other gasoline compounds.
- One long-term license to K-Mart for an underground cable, located on Conservancy property in the City of South Lake Tahoe.
- One long-term license to Sierra Boat Company for underground boat bulkhead tiebacks located on Conservancy property in Carnelian Bay.

In total, the Conservancy has authorized over 185 short and long-term uses of Conservancy land. As the Conservancy's restoration projects become more comprehensive, additional interagency coordination of such agreements may be required in order to successfully develop and implement projects. Staff will evaluate future requests and recommend Conservancy authorization to proceed where appropriate.

2. Coordinated Management with Other Public Agencies

Historically, staff has worked with DPR and LTBMU on several land exchanges and explored management coordination where appropriate. The Glenridge land exchange is an example of this process, resulting in the transfer of over 300 acres to DPR from LTBMU. LTBMU, DPR, and other public agencies, including the City of South Lake Tahoe and

South Tahoe Public Utility District, are exploring potential land adjustments with the Conservancy. Such adjustments could improve management efficiency, site protection, and coordination of the Conservancy's management activities with these respective agencies.

Ultimately, the Conservancy may wish to acquire lands to consolidate public ownership in a specific area in order to facilitate property management pursuant to its enabling legislation. Proposed criteria may be brought to the Conservancy for possible adoption if funds are available.

Staff is currently working with DPR to identify resource-sharing opportunities, including:

- project and monitoring coordination;
- equipment coordination and storage;
- training coordination;
- office space and personnel;
- facility maintenance;
- publicity;
- land transfer;
- staffing; and
- law enforcement.

3. Transfer of Management Responsibilities to Public and Private Entities

The Conservancy's program objective to coordinate its efforts with public agencies as well as the adoption of a leasing program has set the stage for the transfer of management responsibilities to both public and private entities. Currently, developed and undeveloped public recreational areas are maintained either by staff or through agreements with private entities, nonprofit organizations, and other public agencies.

Arrangements with the private sector have assisted the Conservancy in providing enhanced recreational lake access at minimal cost.

Specifically, Gar Woods Grill and Pier maintains the Carnelian Bay Lake Access Phase I parking area, restrooms, walkways, and grounds year-round in exchange for shared use of parking on State land. The Concession Agreement with the nonprofit Alpengroup for Carnelian

Bay Lake Access Phase II (Patton Landing) enables a coffee house and non-motorized beach rentals.

As the Board is aware, leases are also being used in some instances as an interim management tool until site planning processes are completed. Short-term licenses for temporary activities have also been granted. Future transactions will conform to the Leasing Guidelines adopted by the Board on February 19, 1988, and amended on July 17, 1992 and July 24, 1998. Additional updates and modifications to the Leasing Guidelines were adopted by the Board on July 15, 2010, and on January 20, 2011.

The implementation of the Stewardship Land Management Services Program (SLMS), adopted by the Board in July 1989 and modified in July 1994, has provided an additional means of property management involving the private sector. Through SLMS, private landowners or groups are given an opportunity to provide a variety of voluntary services, including site restoration activities, seed collection, litter control, and reporting of adverse resource conditions such as trespass and encroachment activities on Conservancy-owned lands. To date, staff has entered into 57 SLMS agreements involving 93 parcels.

E. Management Tools and Administration

Staff is continuing to develop management tools to assist with the complex task of tracking property management conditions and projects. First, spreadsheets and databases assist in the identification of land management problems, prescriptions, and site characteristics previously identified in the acquisition database. They also provide information on material needs, supply inventories, labor costs, and project restoration costs. This information assists with project planning, budgeting, implementation, and monitoring.

Second, the development of additional capabilities and coordination with other agencies for various activities (such as coverage restoration) is ongoing. An interagency Geographic Information System (GIS) has aided in the production of computerized land ownership and resource maps. Retention of a GIS specialist has assisted the Conservancy to develop far greater capabilities during the past three years.

Third, the Conservancy has developed a wide range of tools to deal with various management situations such as operating agreements, partnership agreements, memoranda of understanding (MOUs), easements, leases, licenses, and SLMS agreements.

Fourth, the Conservancy has sought to expedite regulatory review of its projects. The Conservancy has entered into an MOU with TRPA that establishes standards and procedures for projects that are given exempt or qualified-exempt status under TRPA's guidelines. The MOU relieves the need for case-by-case review by TRPA of many management activities undertaken by the Conservancy.

Additionally, the Conservancy has received a blanket set of Waste Discharge Requirements (WDRs) from Lahontan Regional Water Quality Control Board (LRWQCB). These WDRs cover a variety of activities and are required to meet water quality objectives established by LRWQCB. At this time, however, the WDRs only cover limited restoration projects within SEZs. As the Conservancy designs and implements larger and more complex projects within SEZs, greater lead time and planning will be required to meet LRWQCB's requirements.

Fifth, the Conservancy has developed the capacity to generate revenues for its Property Management Program through its leasing and land coverage activities. As the Board is aware, the Conservancy has historically had insufficient funds to fully implement its management program. Due to the lack of funds in the past, the Conservancy has been able to implement only a limited number of larger restoration projects. Consequently, it is important to develop sources of revenue dedicated to management activities. Such revenues help supplement available support funds or other monies. To date, private lease revenues total approximately \$3,355,990.

Sixth, land coverage proceeds or consideration are also dedicated to the restoration and management of lands. Historically, about \$250,000 in TRPA mitigation funds and proceeds from the sale of coverage and other marketable rights are included in the annual authorization to fund restoration activities. At this time, a greater amount of capital outlay funding is requested for Board authorization to fund the restoration of the land coverage at the former drive-in property in addition to funding routine restoration activities in the 2012 field season. To date, \$4,286,000 has been authorized for restoration purposes by the Board.

Finally, the Conservancy is continually developing internal procedures for management of lands. Staff regularly updates its Project Development, Design, and Construction Handbook for the purpose of identifying, planning, designing, implementing, monitoring, and evaluating restoration projects. The handbook provides a guide to the procedures, equipment, and materials frequently used in the project planning and implementation process. It is also used as a field reference for such information as construction details and use of plant materials. This handbook serves as an orientation tool for new staff and interns involved in site restoration procedures. Additionally, the *Revegetation Guidance Document for Erosion Control Projects in the Tahoe Basin* completed in 2010 by the Conservancy in cooperation with AECOM, a private consulting firm, continues to serve as an important project planning resource.

ATTACHMENT 3

FOREST HABITAT ENHANCEMENT PROGRAM

Program Objectives: The Conservancy's objectives in implementing its forest habitat enhancement and fuels reduction activities are outlined in the Conservancy's Forest Resource Management Guidelines, adopted by the Board in November 1990. These objectives reflect the need to:

- Provide for a healthier, more diverse forest environment;
- Enhance wildlife habitat;
- Stabilize soils and reduce forest habitat fragmentation through road closures and installation of best management practices, revegetation, and erosion control measures;
- Use both public and private resources to implement forest resource management activities; and
- Implement activities in a timely and environmentally sound manner.

The Conservancy allocates capital outlay and support funds for projects undertaken directly by the agency. In addition, the Conservancy seeks external funding that can fund either the Conservancy or its local fire protection district partners to implement projects on Conservancy lands consistent with regional priorities such as community wildlife protection plans.

The Conservancy owns 6,440 acres of land, comprised of nearly 4,900 separate parcels of land, of which an estimated 5,560 acres are forested and considered necessary to review for possible management. These numbers may expand or contract depending on future land acquisition and possible land exchange transactions. In addition, over time former meadows in the absence of disturbance can become encroached by lodgepole pine (*Pinus contorta*) and turn into a new forested area worthy of review and possible treatment.

Principles of FHE Objectives

In order to achieve program objectives and guide the development of prescriptions and the implementation of projects, the FHE Program utilizes the following principles.

Restoration of Historic Forest Species Mixture and Structure

Forest Health Thinning

- Remove trees as necessary (with an emphasis on smaller trees) to allow larger, healthier trees room to grow.
- Aim for historic stocking range (typically between 50 and 150 square feet of basal area per acre).
- Maintain the forest stand at historic stocking level through limited thinning and/or reintroduction of fire.

Small Group Openings

- Create small forest openings to allow new tree growth, forest structure diversity, and age diversity in forest stands over time.

Riparian Restoration

- Restore riparian areas by removing most or all competing conifers.

Prescribed Fire

- As appropriate, maintain thinning of larger parcels with maintenance-level prescribed burning. NOTE: This prescription is appropriate for large parcels that are not directly adjacent to communities and areas for which prescribed fire would not threaten public safety. As appropriate, maintain thinning of smaller parcels through piling and burning of small slash piles.

Hazardous Fuel Reduction

Forest Health Thinning

- Remove trees as necessary (with an emphasis on smaller trees) to allow larger, healthier trees room to grow.
- Aim for historic stocking range (typically between 50 and 150 square feet of basal area per acre).
- Maintain the forest stand at historic stocking level through limited thinning and/or reintroduction of fire.

- Remove larger trees when they appear to have health issues such as insect or disease outbreak (see Insects and Disease).
- Separate tree canopies from chaparral plant communities
- Maintain treatments every ten years or as appropriate.

Hazard Tree Identification and Removal

Inspection and Removal

- Inspect all Conservancy parcels bi-annually to identify and remove trees deemed hazardous to adjacent improvements.

Insect or Disease Outbreak

Forest Health Thinning

- Thinning for forest health and fuels reduction purposes will usually mitigate the impacts of insects or diseases. This is the long term management approach and is generally the best method.

Active Forest Management

- Active, sometimes aggressive forest management is necessary when quickly spreading insect or disease issues are identified.

Reforestation Following Catastrophic Events

Land Management Intervention

- Recommend land management intervention, including tree planting and possible chaparral removal particularly within or adjoining urban areas.

Treatment of Sensitive Areas and Wildlife Considerations

There are Conservancy lands which, due to their unique placement within the Tahoe Basin or other special resource attribute, are considered more sensitive to human impacts or of special value to wildlife. Even within lands which are not considered sensitive, basic measures are necessary to assure that all resources can be protected.

Coarse Woody Debris (CWD) and Snag Recruitment Standards

- Urban Core and Wildland-Urban Interface (WUI)
- General Forest (Not Urban Core or Wildland-Urban Interface)
- Riparian/Streamside Zones

Riparian Habitat Identification and Protection

- Identify boundaries of riparian habitat through characteristics such as soil type (i.e., changes from heavy clay soil to silt soil) and indicator species (e.g., presence of meadow grasses and sedges, willow and alder).
- Protect riparian habitat using methods acceptable to TRPA, Lahontan, and CalFire.

Cultural Resource Identification and Protection

- Identify sites requiring protection through an Archaeological Assessment or literature or database review of available written resource information.
- Conduct field assessments to identify known and new sites and determine level of significance. If new sites are identified or additional information discovered about a known site, the Archaeological database is updated. Mitigation measures are recommended for each site identified and reviewed by the appropriate regulatory Archaeologist, who must approve or modify the mitigation measures (or deny the activity entirely).

Best Management Practices (BMPs)

- Employ the maximum feasible BMP requirements to provide maximum water quality protection. The California Forest Practice Rules and TRPA and Lahontan regulations stipulate which BMPs are minimally required based upon the scope of the project.

Initial and Maintenance Treatment

Initial Treatment

- Provide initial treatment when forest management has not occurred since forest establishment or when past treatment was limited and did not establish the forest to a healthy state (see Section A, Restoration of Historic Forest Species Mixture and Structure).

Maintenance Treatment

- Provide maintenance level treatments when initial treatment(s) are complete and the forest achieves a relatively healthy state. Maintenance treatments are necessary an average of every ten years (more frequently for landscapes dominated by brush species and adjoining improvements).

- Provide maintenance treatments through a variety of means such as low intensity (understory) burning or hand crew removal of fuels.

Monitoring and Adaptive Management

Fuel Reduction and Forest Health Project Effectiveness Monitoring

- Monitor effectiveness of fuel reduction and forest health projects using pre- and post-treatment data from Continuous Forest Inventory (CFI) plots. Additional data may be collected to answer specific questions regarding insect/disease outbreaks, soil compaction, etc.
- Take photographs at CFI plot locations and/or other photo points before and after forestry treatments to document the project immediately before and after treatment and over time.

Quaking Aspen Status and Restoration Effectiveness Monitoring

- Periodically assess stands of quaking aspen (*Populus tremuloides*) to track changes in stand status. Monitor aspen regeneration using transects to quantify aspen stems before treatment and periodically following treatment to determine the effectiveness of restoration projects.

Songbird Population Monitoring

- Monitor songbird populations on selected project sites within various vegetation types to assess the effect of projects on songbird populations. Specifically, monitor songbird populations in aspen stands to track population and species changes over time and any changes associated with restoration treatments.

Forest Trend Monitoring

- Monitor trends in forest health, structure, composition, forest pathogen occurrence, etc. through the periodic re-measurement of all CFI plots. The ideal cycle of re-measurement is every ten years or before and after each treatment.

Prioritization of Project Areas

Projects

- Give the highest treatment priority to projects located within the Urban Core, followed by projects within the Wildland-Urban

Interface, then general forest lands that are outside the Urban Core or WUI.

Hazard Trees

- Give the highest management priority to hazard trees, regardless of location, identified by Conservancy staff and the public. Identification of hazard trees occurs independently of project prioritization.