

**JOINT POWERS AGREEMENT WITH
THE SIERRA NEVADA CONSERVANCY**

Recommended Action: Adopt Resolution 17-09-03 (Attachment 1) authorizing the Executive Director to enter into a Joint Powers Agreement (JPA) with the Sierra Nevada Conservancy (SNC).

Location: The proposed JPA encompasses the jurisdictional regions of the California Tahoe Conservancy and SNC (Attachment 2).

Fiscal Summary: There will be minimal staff costs associated with the development and initial execution of a JPA. Future savings may be realized through better interagency coordination, the authority and ability to share resources, and the development of new shared revenue sources and increased grant opportunities within the combined jurisdictional areas.

Overview

Description of Recommended Action

Staff recommends the Board consider and authorize the Executive Director, on behalf of the California Tahoe Conservancy (Conservancy), to enter into a JPA with SNC to improve coordination and facilitate the sharing of resources and carrying out essential management functions across both jurisdictions. The Conservancy's jurisdiction abuts the SNC's Central Sierra and South Central Sierra subregions. Importantly, management actions necessary to combat years of fire suppression, drought, and climate change in the Lake Tahoe Basin (Basin) and Central Sierra Nevada region requires increasingly complex, multi-jurisdictional, and collaborative programs. Therefore, Conservancy and SNC staff have determined it is mutually advantageous and a public benefit to expand their jurisdictional authority through a JPA to better coordinate efforts, share expertise, and pool resources for the purposes of public recreation and outreach, watershed restoration, and forest health improvement.

A JPA between the Conservancy and SNC establishes a framework upon which the parties carry out projects; jointly implement the application, receipt, or disbursement of public funds through a JPA and from one entity to the other; share resources; and combine services across jurisdictions. The Conservancy and SNC will use existing staff to administer a JPA consistent with the JPA terms and conditions.

The SNC was recently awarded a CAL FIRE Forest Health Program grant, funded through the Greenhouse Gas Reduction Fund (GGRF grant). This award, administered by SNC, will fund several projects in the Tahoe-Central Sierra Resilient Forest Initiative (TCSI) (as explained in detail below), including on Conservancy property. A JPA allows SNC to provide a subgrant to the Conservancy for project implementation.

If authorized, staff will finalize a JPA with SNC. Consistent with existing practices, the Conservancy's contributions to any future activities performed under a JPA, if not otherwise authorized by the Board for an existing project or program, will be brought to the Board for authorization prior to accepting or disbursing funds for project implementation.

History

The Conservancy and SNC each have JPAs with other agencies. The Conservancy and Tahoe Resource Conservation District (Tahoe RCD) entered into a JPA following Board authorization in September 2010. That JPA helps the Conservancy and Tahoe RCD coordinate the work of Tahoe RCD field crews and staff to more efficiently manage Conservancy land and implement projects. Similarly, the SNC entered into a JPA with the State Coastal Conservancy (SCC) in June 2015 to implement projects in portions of the Eel River watershed that lie within the SCC's jurisdiction.

The goal of the proposed JPA is to provide mutual assistance for the protection and conservation of the forests, watersheds, wetlands, and riparian zones in the Sierra Nevada and Lake Tahoe regions. This includes implementing projects and programs for recreation and public outreach and the protection of air, land, and water resources. The Conservancy and SNC are actively collaborating to restore ecosystem function by advancing the objectives of key initiatives that provide multiple benefits, like the Sierra Nevada Watershed Improvement Program, Lake Tahoe Environmental Improvement Program (EIP), Lake Tahoe West Restoration Partnership, and the recently formed TCSI.

For example, the TCSI is a large landscape initiative (Attachment 3) intended to increase the pace and scale of restoration, setting the stage for a new paradigm in collaborative watershed and forest ecosystem management. Numerous agencies (State and federal)

and private partners have entered into a memorandum of understanding (MOU) that articulates each party's interests in the TCSI and their commitment to coordinate and collaborate across boundaries. The Conservancy and SNC are providing leadership to the TCSI and as such, a JPA will facilitate the sharing of resources and administration of funding. A JPA between the Conservancy and SNC will not only strengthen the MOU commitments of each agency for the TCSI but, as evidenced by the GGRF grant, it will more broadly facilitate planning and future project implementation.

Financing

No additional funding is requested. Savings may be realized through better coordination, the ability to share resources, and the development of new-shared revenue sources and increased grant opportunities.

Authority

Consistency with the Conservancy's Enabling Legislation

Entering into a JPA with SNC is consistent with Government Code section 6500 et seq. relating to the joint exercise of powers between public agencies and the exercise of those powers by agreement. It is also consistent with the Conservancy's enabling legislation. 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 State agencies or partnerships.

Consistency with the Conservancy's Strategic Plan

The recommended action is consistent with the Strategic Plan because a JPA will allow the Conservancy to coordinate more effectively with efforts adjacent to the Basin. Initial planning efforts (e.g., TCSI) are aimed at aligning Conservancy-led sustainability, climate change, and forest health initiatives in the Basin (Strategies I.B and I.C) with efforts outside the Basin. Further, a JPA will help improve overall agency capacity, operational efficiency, and administrative capabilities as they relate to the administration of large-scale, multi-jurisdictional initiatives (Strategy IV.B) within the Basin.

Consistency with the Conservancy's Program Guidelines

The recommended action is consistent with the Conservancy's Forest Improvement Program Guidelines and watershed and stream environment zone objectives. A JPA with SNC will facilitate planning and future implementation of specific projects designed to sustain adaptive and resilient forests, reduce hazardous fuels, improve water quality, reduce soil erosion, enhance scenic resources, and provide public access

inside and outside of the Basin. Healthy forests and watersheds are better equipped to deal with the effects of climate change, sequester carbon, increase visual appeal, and improve fish and wildlife habitat.

Consistency with External Authorities

The recommended action is consistent with numerous external authorities because a JPA with SNC will enable both agencies to engage in ongoing programs that benefit either jurisdiction. For example, through a JPA, the SNC may administer a project with sites both inside and outside of the Basin, where the former may advance core goals of the EIP. Similarly, actions resulting from planning efforts between the Conservancy and SNC are likely to implement key elements of the *2014 Lake Tahoe Basin Multi-Jurisdictional Fuel Reduction and Wildfire Prevention Strategy*, as amended.

Compliance with the California Environmental Quality Act

The recommended action does not involve any commitment to any specific activity which has the potential to result in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, and is therefore not a “project” within the meaning of the California Environmental Quality Act (CEQA). Staff will evaluate future projects, however, prior to implementation to determine the appropriate level of CEQA review.

List of Attachments

Attachment 1 – Resolution 17-09-03

Attachment 2 – Project Map

Attachment 3 – TCSI Map

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