

FISCAL YEAR 2022/23 PROGRAM AUTHORIZATION

Recommended Action: Adopt Resolution 22-06-05 (Attachment 1) authorizing program expenditures of up to \$5,983,800 for fiscal year (FY) 2022/23.

Executive Summary: Staff requests Board authorization of up to \$5,983,800 in expenditures from existing funding sources for California Tahoe Conservancy (Conservancy) program activities during FY 2022/23 (the Program Authorization). The Program Authorization allows Conservancy staff to initiate work as program needs arise and execute contracts necessary to support day-to-day Conservancy program operations. The specific Conservancy expenditures will depend on the enactment of the State Budget (Budget) and Conservancy priorities established throughout the fiscal year but will not exceed the total amount authorized. The Program Authorization advances Goals 1 through 5 of the Conservancy's Strategic Plan and each program's priorities, as described below.

Location: Program and project activities throughout the California side of the Lake Tahoe Basin (Basin).

Fiscal Summary: The requested FY 2022/23 authorization is \$5,983,800 from various funding sources (such as Propositions [Prop.] 50, 68, and 84, Habitat Conservation Fund, Environmental License Plate Fund, Tahoe Conservancy Fund, Lake Tahoe Conservancy Account, and the General Fund).

Last fall, the Conservancy submitted a proposed Budget to the California Department of Finance and the California Natural Resources Agency. Governor Gavin Newsom's proposed Budget for FY 2022/23 included some of the Conservancy's proposals. To date, the Legislature is still preparing a final Budget. Once the Budget is enacted, funding will be available for the new fiscal year, starting July 1, 2022 to implement this authorization (see Attachment 2).

Overview

History

The Conservancy's 2018-2023 Strategic Plan outlines the goals and strategies for how the Conservancy will fulfill its mission to lead California's efforts to restore and enhance the extraordinary natural and recreational resources of the Basin. The

Conservancy uses the Strategic Plan to guide its work and prepare annual operational plans, which provide detailed steps for program implementation. The Conservancy Strategic Plan goals are:

Goal 1 – Steward Conservancy Lands and Protect Basin Communities from Wildfire

The Conservancy owns and manages nearly 4,700 parcels, totaling around 6,500 acres, including thousands of quarter-acre lots within the Basin’s urban areas. These parcels provide open space, water quality, and recreational benefits, and significantly reduce the potential level of development in the Basin. The Conservancy safeguards people and the environment by managing Conservancy land for multiple uses and benefits.

Goal 2 – Restore the Resilience of Basin Forests and Watersheds

The Conservancy plays a critical role in helping Basin partners plan and implement watershed restoration projects, including wildlife, stream environment, and storm water quality improvements, and removal of aquatic invasive species (AIS). The Conservancy also collaboratively leads landscape initiatives that work across land ownerships and jurisdictions to increase the scale, pace, comprehensiveness, and efficiency of forest and watershed restoration in the Basin.

Goal 3 – Provide Public Access and Outdoor Recreation for All Communities

The Basin is one of the United States’ premier summer and winter recreation destinations. The Conservancy supports public access and outdoor recreation projects for all communities. Benefits of such projects include open space; access for disadvantaged communities; shoreline access; community health, well-being, and connectivity; wildlife viewing; and habitat and water quality protection.

Goal 4 – Foster Basinwide Climate Change Adaptation and Sustainable Communities

The Conservancy addresses climate change in all of its work. With its partners, the Conservancy is advancing assessments, planning, and projects to address climate impacts on Lake Tahoe and Basin natural resources and communities. The Conservancy further addresses climate impacts by acquiring aging developed properties on environmentally sensitive lands and restoring the land; transferring or leasing vacant Conservancy property in town centers to support housing, multi-modal transportation, and economic development; and acquiring remaining private properties in roadless subdivisions to remove the threat of development.

Goal 5 – Strive for Organizational Learning and Excellence

The Conservancy’s operational plans guide how day-to-day tasks, investments, and project work contribute to Strategic Plan goals. The Conservancy also fills key vacancies, provides professional development and mentorship, and upgrades its financial, recordkeeping, and other support systems to improve the accountability, transparency, and cost effectiveness of its programs.

Background

Since 1988, the Board has delegated annual authority to the Executive Director to enter into contracts for services needed to support Conservancy goals and programs. The specific activities covered under each annual authorization change depending on the needs of the Conservancy, the funds available, and the priorities for a given year. These authorizations have consistently allowed staff to carry out the daily management of Conservancy land and facilities and support Conservancy goals, while retaining the authority of the Board to approve projects.

Toward that end, the recommended action does not authorize individual project implementation. This Program Authorization is solely a tool to allow staff to enter into contracts and conduct activities for day-to-day program operations to manage Conservancy lands, including land bank operations; coordinate and collaborate with partners; engage consultant and contract services; and analyze feasibility for potential future projects. The Program Authorization supports FY 2022/23 program priorities and goals, as outlined below.

Land Management:

Through the Land Management Program, Conservancy staff and the Tahoe Resource Conservation District (Tahoe RCD) crews inspect, restore, and protect the Conservancy's nearly 4,700 parcels. In addition, the Land Management Program operates 11 facilities, including six popular beaches, and the largest wetland in the Basin, the Upper Truckee Marsh. It also provides public outreach and education at high-use sites. Over the next fiscal year, the Conservancy will work to accomplish the following:

1. Inspect, maintain, and restore Conservancy parcels and roads for public safety, water quality, forestry, habitat, and recreational purposes.
2. Implement the Conservancy's Americans with Disabilities Act (ADA) transition plan and associated upgrades.
3. Resolve a subset of high priority encroachments on Conservancy lands from a backlog of almost 600 encroachments.
4. Continue co-managing Van Sickle Bi-State Park with the Nevada Division of State Parks and jointly plan future improvements to ensure the Park is well maintained, accessible, and safe for public use.
5. Continue developing a land management strategy to manage Conservancy lands more effectively and efficiently to meet statewide and regional priorities.
6. Address hundreds of citizen reports of hazards and other land management issues on Conservancy properties.

Tahoe Livable Communities:

The Conservancy addresses climate impacts and supports housing and sustainable compact development through its Tahoe Livable Communities (TLC) Program. The Conservancy acquires aging developed properties on environmentally sensitive lands, removes the development, restores the land, and retires or transfers the development rights to town centers. The Conservancy also sells, leases, and exchanges vacant asset lands in town centers to support housing, multi-modal transportation, and economic development; and acquires remaining private properties in roadless subdivisions. Over the next fiscal year, the Conservancy will work to accomplish the following:

1. Partner with state, regional, and local agencies to develop housing and sustainable development projects on Conservancy asset lands in the Basin.
2. Acquire environmentally sensitive lands and developed properties to prevent further degradation of water quality and promote development in town centers.
3. Continue to transfer coverage and marketable rights pursuant to Tahoe Regional Planning Agency (TRPA), local, community, and state planning goals.
4. Integrate interdivisional priorities in forestry, watershed, land management, racial equity planning, and climate adaptation with TLC program goals to promote multiple-benefit projects.

Community Forestry:

Approximately 5,500 acres of Conservancy land is forested, with the majority located within and adjacent to communities and infrastructure. The Community Forestry Program improves forest health and reduces risks from wildfire on these Conservancy lands. Staff also coordinates with fire agencies and other land managers on projects on partner lands to achieve the goals of the Lake Tahoe Basin Forest Action Plan. This complementary work enhances wildfire protection and reduces risks to communities and Conservancy lands. Over the next fiscal year, the Conservancy will work to accomplish the following:

1. Thin vegetation and use prescribed fire on Conservancy lands within neighborhoods and in the wildland-urban interface to protect Basin communities from wildfire and improve forest health.
2. Mitigate hazard trees and other threats to public safety on Conservancy lands.
3. Coordinate with utility companies and water providers to abate hazards to infrastructure on Conservancy lands.
4. Plan, prioritize, and coordinate vegetation thinning, prescribed fire, and capacity-building work with partners of the Tahoe Fire and Fuels Team.
5. Assist Basin partners with forestry work that helps achieve the goals of the Lake Tahoe Basin Forest Action Plan by providing leadership, technical expertise, and resources.

Landscape Forestry:

The Conservancy and its partners are increasingly shifting to large-landscape, multi-jurisdictional, multiple-benefit projects to achieve resilience goals more rapidly and comprehensively in the Basin. The Landscape Forestry Program staff convenes and collaboratively leads multiple landscape-wide partnerships that create efficiencies of scope and scale. In addition, staff works to build capacity for forest management Basinwide. Over the next fiscal year, the Conservancy will work to accomplish the following:

1. Collaboratively lead and support the Lake Tahoe West Restoration Partnership, a collaborative effort to restore the resilience of forests, watersheds, and communities on 59,000 acres of Lake Tahoe's west shore.
2. Collaboratively lead and support the Tahoe-Central Sierra Initiative, which is restoring forest resilience on approximately 2.4 million acres by strategically linking forest restoration collaboratives.
3. Apply scientific advancements, new technologies, and innovative approaches to forest restoration.
4. Survey, inventory, and monitor sensitive biological resources.
5. Continue developing Conservancy forest management standards and guidelines, protocols, and data management systems that safeguard people and the environment and create consistency and operational efficiencies.
6. Collaboratively lead and participate in select state and regional initiatives to increase the pace and scale of forest health projects, strategically use prescribed fire, expand the restoration workforce, and increase biomass utilization.

Watershed Restoration, Recreation, and Water Quality:

The Conservancy improves water quality, enhances wildlife habitat, protects biodiversity, sequesters carbon, expands public access, and restores climate resilience through the Watershed Restoration, Recreation, and Water Quality Program (Watershed Program). Watershed Program staff leads and supports watershed restoration and recreation projects. The Conservancy also partners with other agencies to plan, fund, and implement climate resilience, water quality, and public access improvements throughout the Basin. Over the next fiscal year, the Conservancy will work to accomplish the following:

1. Plan and implement watershed restoration and recreation activities on Conservancy lands.
2. Collaboratively lead the Upper Truckee River Watershed Advisory Group, which coordinates wetland restoration within the watershed.
3. Coordinate with Lake Tahoe Environmental Improvement Program (EIP) partners on work to restore, enhance, and protect stream environment zones, wildlife habitat, and storm water quality.

4. Align with EIP partners to advance plans that enhance public access, neighborhood connectivity, and outdoor recreation for all communities.
5. Work with EIP partners to implement the AIS Action Agenda, which sets short- and long-term management targets to control AIS in Lake Tahoe.
6. Support the Tahoe Science Advisory Council in its work to provide science that informs policy and management, and anticipates critical or emerging issues relevant to lake water quality and ecosystem health.

Climate and Biodiversity:

The Conservancy's Climate and Biodiversity Program staff integrates biodiversity conservation, climate change adaptation, and greenhouse gas emissions reductions throughout the Conservancy's work. The Climate and Biodiversity Program staff also supports Basin partners by coordinating with state agencies and providing updated climate science to inform restoration planning and ongoing management. These activities work directly to help achieve statewide goals including 30x30, Nature Based Solutions, and the Lake Tahoe Climate Resilience Strategy. Over the next fiscal year, the Conservancy will work to accomplish the following:

1. Engage partners and collaborate with scientists to advance science that supports restoration, adaptation, and biodiversity conservation.
2. Support Conservancy staff in further integrating biodiversity and adaptation science and adaptive practices in other Conservancy programs.
3. Assist Basin partners that are planning and leading efforts aligned with the Climate and Biodiversity Program and state priorities by contributing technical expertise to analyses, modeling, and monitoring.

Organizational Learning and Excellence:

The Conservancy must ensure that its staff has the requisite skills and resources to continue accomplishing innovative and ambitious programmatic work. The Conservancy must also continue to work closely with partner state agencies to enact emerging gubernatorial and legislative mandates and fulfill its responsibility to represent the State in the EIP. Over the next fiscal year, the Conservancy will work to accomplish the following:

1. Invest in professional and leadership development to enhance employee morale and satisfaction.
2. Further integrate fiscal and budgeting, legal, and information technology within programs.
3. Improve the Conservancy's ability to achieve state and Basin mandates by aligning the work of partner state agencies in the Basin.
4. Seek updates to the Conservancy's legislative authority for implementing state priorities.

5. Conduct racial equity action planning and community engagement to achieve racial equity in the Conservancy's operations, investments, and policies.
6. Support external communications to help the public learn about and engage in the Conservancy's programs and projects.

Detailed Description of Recommended Action

1. Major Elements and/or Steps of the Recommended Action

This authorization allows staff to expend up to \$5,983,800 in FY 2022/23 for various program activities. Such activities may include the Conservancy's day-to-day operations to manage Conservancy lands, including land bank operations; coordinate and collaborate with partners; engage consultant and contract services; and analyze feasibility for potential future projects. Conservancy staff operations of the land bank allow for the transfer of coverage and marketable rights pursuant to TRPA, local, community, and state planning goals. The transfer of rights includes sales to meet permitting requirements and exchanges with governmental agencies to promote various recreational, housing, and area plan program goals. Staff will return to the Board for project-specific authorization as needed.

The allocations described below reflect Conservancy staff's anticipated use of the requested funds. Staff bases these estimates on current needs and opportunities. Staff may adjust the actual allocation or expenditure of funds to meet changing circumstances and respond to emerging opportunities while remaining within the overall scope of the Program Authorization.

The projected program allocation would provide up to the following amounts to support ongoing work and collaboration with partners in each of the Conservancy's programs:

- \$2,567,000 for Land Management to maintain Conservancy lands, and plan future restoration and recreation projects.
- \$295,000 for TLC to operate the land bank, and plan and assess the feasibility of future projects.
- \$835,000 for Community Forestry to manage forests on Conservancy lands, and plan future projects.
- \$350,000 for Landscape Forestry to survey, inventory, and monitor resources; conduct forest management activities; and plan future forest management projects.
- \$451,000 for Watershed to survey, inventory, and monitor resources; conduct watershed and water quality analysis; and plan future restoration and recreation projects.

- \$900,000 for Climate and Biodiversity to support climate and biodiversity research and monitoring.
- \$585,800 for the Conservancy’s Organizational Excellence interdivisional work, including engaging with communities, providing training to employees, developing communications materials, and purchasing supplies.

Budget Authorization	FY 2021/22 Funding
Land Management	\$2,567,000
Tahoe Livable Communities	\$295,000
Community Forestry	\$835,000
Landscape Forestry	\$350,000
Watershed Restoration, Recreation, and Water Quality	\$451,000
Climate and Biodiversity	\$900,000
Organizational Learning and Excellence	\$585,800
Total	\$5,983,800

Authority

Consistency with the Conservancy’s Enabling Legislation

The Program Authorization is consistent with the Conservancy’s enabling legislation. Specifically, Government Code section 66906.8 authorizes the Conservancy to select and hire consultants or contractors to provide services necessary to achieve the purposes of the Conservancy, including protection of the natural environment at Lake Tahoe. Government Code section 66907.9 authorizes the Conservancy to initiate, negotiate, and participate in agreements for the management of land under its ownership and control with local agencies, nonprofit organizations, individuals, corporate entities, partnerships, or other entities. Government Code section 66907.10 authorizes the Conservancy to improve and develop acquired lands for a variety of purposes, including protecting the natural environment, protecting public access and recreational facilities, preserving wildlife habitat areas, and facilitating access to and management of Conservancy-owned lands.

Consistency with the Conservancy’s Strategic Plan

The recommended activities are consistent with all the Conservancy’s 2018-2023 Strategic Plan goals and strategies.

Consistency with the Conservancy’s Program Guidelines

The recommended action is consistent with the Board’s existing policy direction, including the Special Use Guidelines, Forestry Guidelines, Grant Guidelines, and Land Transfer Guidelines.

Consistency with External Authorities

The recommended funds allow the Conservancy to conduct feasibility and conceptual analysis, which may result in projects that fulfill EIP, sustainability, and other Conservancy and statewide resource and environmental objectives. The land management activities are consistent with the EIP because they implement EIP project #06.01.03.0002 - California Tahoe Conservancy Land Management Program and facilitate the implementation of other individual EIP projects related to forestry and restoration.

Compliance with the California Environmental Quality Act

The Program Authorization 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. The Program Authorization is therefore not a “project” within the meaning of the California Environmental Quality Act (CEQA). Staff will evaluate any individual projects, however, prior to implementation to determine the appropriate level of CEQA review.

List of Attachments

Attachment 1 – Resolution 22-06-05

Attachment 2 – Fiscal Year 2022/23 Budget

Conservancy Staff Contacts

Matt Whalen, Budget Officer

Kevin Prior, Director of Lands

Forest Schafer, Director of Natural Resources

Brent Coe, Director of IT & Administrative Officer

matt.whalen@tahoe.ca.gov

kevin.prior@tahoe.ca.gov

forest.schafer@tahoe.ca.gov

brent.coe@tahoe.ca.gov