

# **MEMORANDUM OF AGREEMENT for the Amador-Calaveras Consensus Group**

*Original Approved September 2010 | Updated and approved July 2020*

## **SECTION I. INTRODUCTION**

The Amador-Calaveras Consensus Group (ACCG) is an informal, community-based group of stakeholders that collaboratively works to create healthy forests and watersheds, fire-safe communities, and sustainable local economies. Its members include state and federal agencies, business owners, nonprofit organizations, elected officials, and private individuals. The ACCG focuses on a triple-bottom-line approach to environmental, economic, and community issues. It makes decisions by consensus and operates primarily in and adjacent to the Mokelumne River Watershed.

### **Mission**

Collaborate to promote fire safe communities, healthy forest and watersheds, and sustainable local economies.

### **Vision**

The economies, natural environments, and communities of Amador and Calaveras Counties are healthy and sustainable.

## **SECTION II. MEMORANDUM OF AGREEMENT**

### **A. Purpose**

The purpose of this Memorandum of Agreement (MOA) is to provide a framework between the members of the ACCG for working together. This MOA provides clarity of intent, shared vision, membership eligibility and accountability, and basic policies and procedures for key organizational functions.

### **B. Authority**

This MOA is not intended to, and does not, impose any legally binding requirements on the individuals and entities that adopt and participate in this MOA. Participating in the deliberations, decisions, and activities of the ACCG does not create a legal obligation for any of its participants. Members recognize and respect that each participant is first bound to their organization and within their organization's constraints bring what resources that they can to the ACCG's efforts. Signatories to this MOA do not assume liability for any third party claims for damages that arise out of this instrument. The only Authority binding members to the actions resulting from ACCG decisions is the force of good faith effort from each of the signatories.

### **C. Modifications**

Modifications within the scope of this MOA must be made by mutual consent of the parties, by the issuance of a written modification signed and dated by all properly authorized, signatory officials, prior to any changes being performed. Requests for modification should be made, in writing, at least 30 days prior to implementation of the requested change.

### **D. Expiration**

This MOA is effective from the date of signature for a period of five years, at which time it will expire, unless extended by an executed modification, signed and dated by all properly authorized, signatory officials.

### **E. History of Modifications**

- 1) The [original MOA](#) was approved in September 2010
- 2) ACCG approved modifications extending the agreement in August 2015
- 3) The revised MOA was approved in July 2020

## **SECTION III. KEY TERMS**

### **A. Governance Structure**

- 1) **ACCG** – Amador-Calaveras Consensus Group (ACCG) herein means all of the signatories to the ACCG MOA, or members of signatories in a meeting duly noticed to all signatories. The ACCG represents a collaborative group of stakeholders that work jointly and cooperatively, within the framework of the ACCG MOA, in a common endeavor to create the local conditions and acquire the resources needed to realize the ACCG’s shared Mission and Vision.
- 2) **General Meeting** – The forum wherein ACCG membership discussion and consensus decisions occur. Work groups report to and seek guidance from the ACCG at these meetings.
- 3) **Member** – An individual or representative of an organization that has signed and participates in the ACCG MOA and its activities.
- 4) **Work Group** – Appointed by the ACCG and similar to a committee or sub-committee, but with expectation of doing the productive work needed to provide common organizational functions such as administration, planning, monitoring, and funding; or ad hoc work groups for either unique special issues or those determined to be outside the purview of a standing work group.

### **B. Decisions**

- 1) **Abstain** – To refrain from or stand aside from participation in either support or opposition to a canvass or vote of ACCG signatories for approval or disapproval on an issue under consideration for ACCG decision.
- 2) **Approve** – Any routine or obvious meeting action noted, after deliberation and without objection, by the meeting facilitator as an ACCG action to be noted in the minutes; or an approval by ACCG signatories in a canvass by the meeting facilitator which requires 100% of signatories present at the meeting to take a position to approve or abstain.
- 3) **Consensus Decision** – A decision agreed upon by 100% of signatories present at the meeting. The definition of “consensus” agreement spans the range from strong support to neutrality, to abstention, to “I can live with it.”
- 4) **Disapprove** – When a decision fails to gain 100% of signatories present at the meeting.

Refer to **Appendix 1** for the full glossary of terms.

## SECTION IV. BRIEF HISTORY

### **A. Formation**

The ACCG collaborative group originally formed as the Calaveras Consensus Group in 2008 with the purpose to bring together the diverse Sierra Nevada community of loggers, environmentalists, business owners, and local residents with federal, state, and local officials to find common ground on forest, economic, and community issues in Calaveras County. In 2009, the group was broadened to include Amador County.

### **B. Accomplishments**

Since then, the ACCG has established a track record of success to broaden understanding and awareness of the issues, foster new partnerships, and collaboratively develop and implement projects on the ground that support the ACCG triple bottom line. Accomplishments noted in annual reports include cumulative totals of tens of thousands of acres treated in the ACCG footprint, more than 10,000 acres treated inside the wilderness urban, and more than 600 full or part-time jobs created in local economies.

### **C. Collaborative Forest Landscape Restoration Funding**

Since 2011, the ACCG received funding support through the Collaborative Forest Landscape Restoration (CFLR) Program implemented by the U.S. Forest Service. The Program called for a commitment to forest restoration and the pursuit of an all-lands approach based on collaborative solutions for landscape-scale operations. CFLR funds are expected to sunset in September 2021.

### **D. Strategic Planning**

ACCG activities are guided by the goals and objectives described in the [2018-2023 ACCG Strategic Plan](#) and the [Collaborative Engagement Strategy \(2019\)](#). The 5-year Strategic Plan set a deliberate path forward to provide a productive and sustainable future for the ACCG. The Collaborative Engagement Strategy outlined the approach for the ACCG to refine its governance structure, policies and procedures, and to acquire the tools and resources necessary to increase the ACCG's collaborative capacity.

### **E. Looking Forward**

The short- and long-term success of the ACCG must address obstacles and constraints, including:

- 1) Loss of CFLR funding and U.S. Forest Service staff support
- 2) Competing agencies and/or organizations for limited funding and resources
- 3) Enhanced requirements for grant applications (e.g., broad stakeholder support, large-scale, and rapid application timelines)
- 4) Value conflicts
- 5) Declining or limited budgets
- 6) Evolving environmental stressors (e.g., fires, floods, droughts, and pest infestations)
- 7) Diminishing number of volunteers and skilled workers
- 8) Loss of key participants and institutional knowledge

Implementing the Strategic Plan and the Collaborative Engagement Strategy aims to advance the ACCG to accomplish the following:

- 1) Enhance the collaborative capacity of the ACCG
- 2) Achieve all-lands approach and meet ACCG's triple bottom line
- 3) Increase the pace and scale for achieving ACCG objectives
- 4) Ensure ACCG members, work groups, and partners interact with one another to support effective and as streamlined as possible processes for project development and implementation

- 5) Pursue funding opportunities more effectively that requires strategic coordination among multiple parties
- 6) Support long-term sustainability of the ACCG (e.g., after CFLR funding ends)

## **SECTION V. THE ACCG ORGANIZATION**

### **A. ACCG Governance Structure**

- 1) ACCG is a consensus-based organization where decision making rests with the full ACCG membership.
- 2) ACCG deliberations and discussion occur in (1) full ACCG General Meetings, (2) in standing and ad hoc work groups assigned by a meeting of the ACCG, and (3) amongst members and other stakeholders between meetings.
- 3) Consensus decisions are made at the full ACCG General Meetings.
- 4) ACCG work groups discuss and collaboratively develop recommendations for ACCG members to discuss at General Meetings. Work groups are further described in the sub-sections below and in Appendix 2.
- 5) ACCG meetings are generally facilitated by ACCG members and participants in an informal manner that encourages broad discussion and input. The ACCG may elect to retain the services of a third-party, professional facilitator.
- 6) The ACCG governance structure enables the ACCG to provide organizational strategic guidance, set policy, approve strategies, resolve policy and procedural conflicts.

### **B. Membership**

- 1) Membership is open to all stakeholders: individuals, businesses, agencies, and organizations – those who live, work, operate, manage public/private lands, and/or assist in local sustainability aligned with ACCG's triple bottom line.
- 2) Membership requires signing a copy of the ACCG MOA.
- 3) Members may be removed by the ACCG for lack of participation. Members are encouraged to inform the ACCG of extenuating circumstances that may prevent them from participating regularly. The ACCG Administrative Work Group may recommend removal of members who have missed six (6) consecutive General Meetings.
- 4) A member may leave the ACCG at any time and for any reason. The ACCG requests that members inform the ACCG Administrator that they are withdrawing from the ACCG.

### **C. Process Agreements**

MOA member roles and responsibilities include, but are not limited to, the ACCG's expectation that members:

- 1) Foster collaborative dialogue and learning:
  - (a) Treat others in the ACCG with respect and expect to be treated with respect.
  - (b) Work towards collaborative resolutions of ACCG issues.
  - (c) Voice opinions and concerns openly and listen to the opinions and concerns of others.
  - (d) Participate in ways that encourage all voices to be heard.
  - (e) Commit to learning by approaching discussions with curiosity and suspending judgment in an effort to first clarify and better understand meaning and intent.
  - (f) Offer alternatives/options or make requests that strive for mutual gain.
  - (g) Share pertinent information with the ACCG, its work groups, and individual members.

- (h) Support and share as appropriate and available resources for achieving the projects, initiatives, funding proposals, and related activities collaboratively approved by the ACCG.
- (i) Assist in and advocate for achievement of the collaborative goals of the ACCG.
- (j) Share experience and expertise as a means of advancing the ACCG's common interests.
- (k) Educate others in the community and member workplace on the ACCG and its activities.
- 2) Support members being informed and engaged:
  - (a) Attend ACCG meetings regularly, participate in ACCG deliberations and decisions, and as and when appropriate, be involved in activities supported or sponsored by the ACCG.
  - (b) Inform their leadership and constituents about major outcomes of ACCG discussion and activities.
  - (c) Brief new representative(s) in the case of permanent changes in member representation to transfer knowledge and provide continuity.
  - (d) Facilitate initiation of new member entities (e.g., encourage mentorship with an existing ACCG member).

#### **D. Decision Making**

- 1) ACCG decisions occur only at the full ACCG General Meetings, unless the ACCG has already approved the conditions and process by which an appointed work group may make a decision on behalf of the ACCG.
- 2) Supporting materials that inform ACCG discussion and decisions will be distributed to MOA signatories and interested parties distribution list (or through another ACCG-approved notification method) at least five (5) days prior to the meeting.
- 3) Attendees who are not MOA signatories or representatives regularly participate in meeting deliberations, but they are not included in a canvass of positions for an ACCG decision.
- 4) ACCG approval and decision-making has the following characteristics:
  - (a) If there is no objection, meeting items discussed and considered routine or obvious may be stated as an ACCG action by the facilitator and noted for the minutes.
  - (b) After ACCG discussion and deliberation of an issue, any member may make a motion for a consensus decision.
  - (c) If a motion is considered, the meeting facilitator asks for and facilitates discussion on the motion, which is then approved, disapproved, or referred to a work group.
  - (d) When canvassed by the facilitator for a decision, a member may approve, abstain, or disapprove of a consensus decision. All (100%) of members eligible to participate in the decision at a meeting who do not abstain must approve for a consensus approval decision.
- 5) Unanimity, allowing for abstentions, is the goal of the ACCG.
  - (a) If a consensus decision is approved, it is assigned a member or work group to monitor implementation and make status reports at future General Meetings as warranted by ACCG request.
  - (b) If disapproved, the decision is so recorded in the meeting minutes. All ACCG decisions shall be recorded in the meeting minutes.
  - (c) The ACCG will determine if further discussion on a motion is warranted and recommend a process for future deliberation.
- 6) Additional deliberation/conflict resolution process:
  - (a) If extended deliberation is needed to benefit the decision on the motion, the issue may be referred to a standing work group or an appropriate ad hoc group appointed to address the issue representing the diversity of views on the topic under consideration.
  - (b) The work group/ad hoc group assigned a referred motion returns a recommendation whereby every reasonable effort is made to seek a solution crafted to achieve ACCG consensus.

- (c) If the work group/ad hoc cannot reach a consensus recommendation, it will develop a report listing the strengths, weaknesses, opportunities, and threats identified from deliberations related to not finding a consensus recommendation.
- (d) The work group/ad hoc will report to the full ACCG, providing an overview of the group's charge from the ACCG, issues considered, range of perspectives, and recommendations for the full ACCG to discuss and seek a consensus decision.
- (e) If the full ACCG cannot with good faith effort reach consensus, the meeting minutes will capture the points of view represented by proponents, opponents, and those neutral.

#### **E. General Meeting Organization**

- 1) The meeting agenda is merely a method for the ACCG to provide an orderly meeting process and a meeting may, among other actions add to, change order, table or refer agenda items to a sub-group for deliberation and recommendation.
- 2) Regularly scheduled full ACCG General Meetings are held monthly on the third Wednesday of the month. The ACCG can schedule additional meetings when and if needed or drop regularly scheduled meetings.
- 3) General Meetings are to alternate between sites in Amador and Calaveras counties. The ACCG may change the regular meeting schedule, time, and locations.
- 4) Much of the work, deliberations and actions resulting from ACCG decisions occur between full General Meetings in standing and ad hoc work groups.
- 5) Work group deliberations and recommendations are brought forth to the ACCG through the meeting agenda process.

#### **F. Work Groups Purpose and Organization**

- 1) The day-to-day functions of the ACCG are largely guided by work groups.
- 2) Work groups, except the Administrative Work Group, are open to participation by any interested party.
- 3) The ACCG shall strive to include members representing the triple-bottom-line interests (i.e., economic, environmental, and social/community) in each standing or ad hoc work group.
- 4) Only ACCG members make consensus-based recommendations to the full ACCG.
- 5) The ACCG may establish, modify, or drop any work group.
- 6) Standing work groups carrying out the routine organizational functions of the ACCG currently are Administration, Planning, Monitoring, and Funding Coordination.

#### **G. Standing Work Groups**

The responsibilities of the standing work groups are:

- 1) **Administration** – The Administration Work Group provides guidance for the day-to-day management of the ACCG, including oversight of any ACCG administrator or coordinator, developing monthly agendas, scheduling and coordinating ACCG meetings, internal and external communication, media relations, recordkeeping, member education and training, and evaluating and recommending policy and budget options.
- 2) **Planning** – The Planning Work Group reviews, discusses, and makes recommendations for policy and program development; designs implementation projects consistent with approved policy and resources reasonably available; prepares project proposals; drafts position papers; and assesses opportunities. Planning WG may engage in joint fact-finding (e.g., research and analysis, as needed).

##### **(a) Landscape Assessment**

The Strategic Landscape Assessment Work Group (SLAWG), a subgroup of the Planning Work Group, coordinates and guides efforts to conduct a landscape-level assessment of the

ACCG footprint and develop processes and tools to help advance projects aligned with the ACCG's all-lands, landscape-scale vision and triple bottom line mission.

- 3) **Monitoring** – The Monitoring Work Group provides ecological, economic, and social monitoring oversight to 1) meet the objectives for the CFLR program and ACCG, and 2) translate the benefits and lessons learned from restoration efforts to future management activities. The work group accomplishes this in a collaborative multi-party environment to oversee the implementation of the monitoring strategy and guiding monitoring activities on the ground.
- 4) **Funding Coordination** – The Funding Coordination Work Group promotes collaboration and partnership to seek funding in order to maximize the ACCG's funding potential and capacity to pursue grants and avoid duplication of effort and competition. The work group helps the ACCG work toward financial sustainability after CFLR funding ends.

Further information on the current work groups can be found in **Appendix 2**.

**SECTION VI. MEMBERSHIP / AUTHORIZED REPRESENTATIVES**

By signature below, each party certifies that the individuals listed in this document, as representatives of the individual parties, are authorized representatives in their respective areas for matters related to this MOA. In witness whereof, the parties hereto have executed this MOA.

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## Appendix 1: Additional Terms

The words or special phrases used in this MOA have the following meanings.

Word or Phrase	Meanings or definitions
Ecological	Pertaining to an ecosystem: A biological community of interacting organisms and their physical environment.
Governance	The organizational structure and process that enables the ACCG to provide internal strategic guidance, set policy, approve strategies, evaluate general performance, resolve policy and procedural conflicts, and consolidate political differences into ACCG policy development and practice. The ACCG governance process is documented in the MOA for managing its activities, making and executing decisions, resolving conflicts, and similar agreements on purpose and behavior.
Local	For the ACCG MOA, local generally means the upper Mokelumne River Watershed and immediately adjacent lands, and the natural environment, communities, and economies within this area.
Stakeholder	An individual or organization (public or private) who may be affected by, influence, or affect the work of the ACCG or the landscape and communities within which the ACCG operates.
Sustainable I Sustainability	Meeting needs of the present generation without compromising the ability of future generations to meet their needs. Sustainability is composed of desirable social, economic, and ecological conditions or trends interacting at varying scales of space and time.
Watershed	A land area that channels rainfall and snowmelt to creeks, streams, and rivers, and eventually to outflow points such as reservoirs, bays, and the ocean.
Work Group	A standing or ad hoc subgroup of the ACCG appointed to carry out specific tasks and make recommendations to the full ACCG, consistent with the descriptions in this MOA.

## **Appendix 2: Work Group Functions**

### **A. All Work Groups**

The following policies and procedures apply to all ACCG work groups:

- 1) Work groups have at least three (3) members that represent the triple bottom line values: environment, community, and economy.
- 2) Work groups will aim to maintain a balanced representation of interests representing the triple bottom line.
- 3) Similar to the full ACCG General Meetings, a work group's meetings and activities are not limited only to appointees directly responsible for that work group's particular function.
- 4) Initial work group appointments are approved by the ACCG.
- 5) Work groups will offer the opportunity to engage new members by discussing work group representation at least once a year. The intent is to encourage inclusivity, share in support of the ACCG, foster new ideas, and cultivate the next generation of members.

### **B. Administration**

The administrative function provides management for executing the policies and decisions of the governance function, assures documentation and management of the organizations' information and records, manages the balance between the ACCG's different functions, oversees accountability, develops and manages procedures for the policies and practices of the ACCG. It provides key coordination that facilitate communications within the ACCG and with external parties and helps document/track these activities. The Administration Work Group (Admin WG) is responsible for this organizational function.

- 1) For coordination and liaison, each work group will have at least one representative that serves on the Admin WG.
- 2) One willing member of the Admin WG or a third-party facilitator will be responsible for taking ACCG meeting minutes and managing ACCG documents storage and access (i.e., signed MOAs, meeting minutes, agendas, reports, email distribution lists, etc.).
- 3) The Admin WG establishes its own meeting schedule as and when needed to prepare for full ACCG General Meetings, including coordinating development and timely distribution of General Meeting agendas.
- 4) ACCG General Meeting preparation includes logistical planning and support and agenda development. The Admin WG assesses meeting needs and provides appropriate space and technology for facilitating full ACCG General Meetings. Agenda development includes but is not limited to collecting and reviewing supporting materials for agenda items, commenting on and/or recommending actions on items as appropriate, coordinating regular status and monitoring reports on ACCG approved standing or ad hoc work group activities.
- 5) The Admin WG also researches, deliberates, and recommends on issues of policy, procedure, and other items referred to it by the ACCG.
- 6) The work group resolves communications and coordination issues that may arise between work groups to minimize duplication of effort or working at cross purposes.
- 7) The Admin WG also recommends training activities to improve members' abilities to participate effectively and to be able to cooperatively self-organize projects that implement ACCG-supported activities.

### **C. Planning**

The Planning Work Group (Planning WG) reviews, discusses, and makes recommendations for policy and program development; designs implementation projects consistent with approved [Policies and Principles](#); prepares project proposals; drafts position papers; and assesses opportunities. Planning WG may engage in joint fact-finding (e.g., research and analysis, as needed). The Planning WG is responsible to the ACCG for this function.

- 1) The Planning WG selects a willing member to represent the group as a member of the Admin WG.
- 2) The Planning WG establishes its own meeting schedule as and when needed to research, deliberate, and recommend on issues of strategic and implementation planning, monitoring, and evaluation for ACCG-supported projects and other items referred to it by the ACCG.
- 3) The work group assesses planning, monitoring, and evaluation needs and provides background and recommendations to ACCG meetings.
- 4) The Planning WG assesses and coordinates planning and reporting issues that may arise between projects to minimize duplication of effort or working at cross-purposes.
- 5) The work group also acts as the liaison contact with regional, state, federal and corporate entities as appropriate for coordinating planning and research activities.
- 6) The Planning WG oversees long-term ACCG effort and coordinates with the Monitoring Work Group to identify and/or develop metrics and best practices for monitoring and measuring local indicators for a healthy and sustainable equilibrium between local natural environments, communities. and economies.
- 7) The work group communicates and coordinates with the Funding Coordination Work Group to seek and share information about funding opportunities applicable to initiatives or project plans supported by the ACCG.

### **D. Landscape Assessment**

The Strategic Landscape Assessment Work Group (SLAWG), a subgroup of the Planning WG, coordinates and guides efforts to conduct a landscape-level assessment of the ACCG footprint and develop processes and tools to help advance projects aligned with the ACCG's all-lands, landscape-scale vision and triple bottom line mission.

### **E. Monitoring**

The Monitoring Work Group (Monitoring WG) provides ecological, economic, and social monitoring oversight to 1) meet the objectives for the CFLRP program and ACCG, and 2) translate the benefits and lessons learned from restoration efforts to future management activities. The Monitoring WG accomplishes this in a collaborative multi-party environment to oversee the monitoring strategy and monitoring activities on the ground.

- 1) The Monitoring WG will select a willing member to represent the group as a member of the Admin WG. If a member from the ACCG Monitoring WG is not represented on the Admin WG, the ACCG Monitoring WG will commit to continued communication on a regular basis.
- 2) The Monitoring WG will establish its own meeting schedule (recommended monthly) and when needed to research, deliberate, and recommend on issues of monitoring oversight in support of the CFLR program, informing future management activities, and other items referred to by the ACCG.
- 3) The Monitoring WG will complete post-project monitoring occurs for ACCG-supported projects to ensure a feedback loop to inform future management activities.
- 4) The Monitoring WG will work closely with the Planning WG and the Funding Coordination Work Group to ensure that monitoring is included as a component in grants proposals when appropriate (e.g., addresses the strategy or a key topic of interest to the ACCG).

- 5) The Monitoring WG will maintain a robust outreach program inviting speakers that have completed monitoring in the area to meetings, hosting symposiums and field trips to offer broad educational opportunities.
- 6) The Monitoring WG would oversee and maintain a comprehensive monitoring database that details all metadata for monitoring projects. This information will be stored in a USDA Box a cloud storage location that allows content to be shared with all members of the Monitoring WG. All final documents (e.g., reports, presentations, publications.) related to monitoring will be housed on the ACCG website.
- 7) The Monitoring WG will update the monitoring strategy at minimum of every 5 years to make sure questions are still relevant. When a question is no longer relevant it will be documented as to why (e.g., monitoring/research can be synthesized that answers the question) and archived.
- 8) The Monitoring WG will evaluate if there are additional questions that should be addressed on an ongoing basis. Additional questions for the strategy would be identified based on new uncertainties or assumptions (e.g., change conditions on the landscape due to widespread insect mortality) or where there is controversy within members of the ACCG that monitoring could help address.

#### ***F. Funding Coordination***

The Funding Coordination Work Group (Funding WG) promotes collaboration and partnership in seeking funding in order to maximize the ACCG's funding potential and capacity to pursue grants and avoid duplication of effort and competition. The work group helps the ACCG work toward financial sustainability after CFLR funding ends.

- 1) The Funding WG establishes its own meeting schedule as and when needed to research, deliberate, and recommend on issues of funding coordination for ACCG-supported projects and other items referred to it by the ACCG. The group is expected to meet at least quarterly after its first convening.
- 2) The work group assists the ACCG to leverage the members' resources and identify priorities, which enable the collaborative to be more opportunistic and effective in pursuing funding.
- 3) The Funding Coordination Work Group also acts as the liaison with local, regional, state, federal, and corporate entities as appropriate for coordinating funding activities.
- 4) The work group will help address funding obstacles and challenges for increasing pace and scale of treatments on the landscape, including but not limited to:
  - (a) Lack of sufficient forest products infrastructure
  - (b) Limited capacity of major land managers in the ACCG footprint (e.g., U.S. Forest Service and Bureau of Land Management)
  - (c) Limited funding
  - (d) Lack of adequate/current conditions data (e.g., LIDAR)
  - (e) CEQA/NEPA
  - (f) Contracting challenges (e.g., local contracting)