TAHOE REGIONAL PLANNING AGENCY

GOVERNING BOARD MEETING MINUTES

AUGUST 26, 2026

TRPA/ZOOM

1. CALL TO ORDER AND DETERMINATION OF QUORUM

   Ms. Williamson called the meeting to order at 9:34 a.m.

   Members present: Ms. Aldean, Mr. Rodriguez (for Mr. Aguilar), Mr. Bass, Mr. Cannata, Ms. Faustinos, Ms. Gustafson, Mr. Guthreau, Ms. Hill, Mr. Hoenigman, Mr. Kieckhefer, Ms. Laine, Ms. Leumer, Mr. Tolbert (for Mr. Rice), Ms. Williamson

   Members absent: Ms. Hays

2. PLEDGE OF ALLEGIANCE

3. PUBLIC INTEREST COMMENTS – ON AGENDA ITEMS

   Alan Miller, former senior engineer with the Lahontan Water Quality Board, commented on Agenda Items 8.A and 8.B in support of my written comments and the comments of Tahoe Clean Air and Sierra Club for Lake Tahoe. I wish Lake Tahoe wasn't degraded by pollution from historic development continuing to the present. I wish Lake Tahoe wasn't contaminated by toxic microplastics at remarkably high levels because TRPA and others allowed plastic shoreline structures that are deteriorating into microplastics. I wish TRPA wasn't so deceitful and corrupt in its practices that violate the Compact and Code, with cumulative and significant adverse effects from nearly every development, project, and planning effort. I wish TRPA was a science-based environmental protection organization instead of a soft-science globalist municipal planner and an anti-scientific cabal of political hacks. I wish the Total Maximum Daily Load (TMDL) regulatory program designed to restore Lake Tahoe was having a noticeable effect on increasing clarity and lake health, it is not. I wish TRPA was more considerate of public concerns with fire and evacuation, the environment of the region, and human health in general, as, for example, with glyphosate use or microplastics.

   Because of all these things, my comments include a proposed presidential order I sent to President Trump to stimulate federal agency actions that could begin now on fire evacuation and abating microplastics in Lake Tahoe. I also suggested federal investigations of corruption at TRPA. I discussed the most likely reason the TMDL has failed and two potential out-of-the-box proposals to address the declining health of Lake Tahoe. First, an engineering proposal with a unique service provider, AquaterreX, to ascertain whether it may be feasible to dilute the polluted waters of Lake Tahoe with high-quality water from very deep beneath the ground. Second, I suggested pursuing a feasibility study with Langenburg Technologies and its genius principle to treat the waters in or flowing to Lake Tahoe to remove pollutants, generate clean energy, and discharge high-quality, super-oxygenated waters.

DRAFT

These will be of no use if you disregard science and continue destructive development policies and misdirection. TERC is not required to work with you and Director Hampton doesn't want to enable and defend the results of your corruption. It's past time for TRPA to evolve or pass away from being a pretender to greatness and the worst toxic polluter in the basin. I suggest evolving rather than choosing continued corruption. My best regards to Dr. Hampton and those dedicated to true science.

Steve Dolan, Friends of Third Creek said several years ago, I addressed this Governing Board a number of times regarding Third Creek and the removal of the Incline Lake Dam. There were continual problems related to the Lake Tahoe Basin Management Unit from 2020 to 2023. I told you that the LTBMU Memorandum of Understanding (MOU) was preventing your staff from enforcing best management practices. On August 4, 2023, with the help of the new Executive Director, Ms. Regan, and a YouTube production that documented all of the many, many problems that were not monitored by TRPA for the LTBMU with the dam removal, no BMPs, nothing. At what I'm calling the summit, the LTBMU legislative liaison, Charles Clark; Forest Supervisor Erick Walker; LTBMU contract manager; three hydrologists; myself; the Sierra Club vice president; and the president of Tahoe Clean Air were present. Your environmental team, Shannon Friedman, Kat McIntyre, and Steve Sweet, Code Enforcement were there to observe the blatant violations. The kill zone for the Third Creek fishery spawn, from the dam area to the mouth of Third Creek in the lake, was sent to the Governing Board and TRPA staff. You recently told me that it was you who sent your staff and encouraged that meeting. Thank you for that.

Why are you now about to fall into the same kind of embarrassing situation this Board had with an MOU that may or may not be applicable or respected regarding basin health? This is a problem between the LTBMU, this Board, and staff enforcement regarding the quality of water, clarity, and the public enjoyment, which is the edict for all of you. At that time, at the Incline Lake Dam BMP Code Enforcement Manager, Steve Sweet, stood upon a hill of dirt where it cascaded into Third Creek. Third Creek admonished the LTBMU and, by default, himself, for trusting the LTBMU. In disgust, Erick Walker walked away from the living proof of his failure and the failure of his hydrologists to guide that project.

Ann Nichols, North Tahoe Preservation Alliance said yesterday, the Placer County Board of Supervisors approved seeking Opportunity Zone designation for Kings Beach and stated that TRPA had approved an Opportunity Zone for Kings Beach. That kind of blanket reliance on TRPA approval is powerful. If TRPA's name is going to be used to justify major decisions affecting Tahoe communities, TRPA should make sure those decisions reflect current community conditions and concerns. Before TRPA facilitates more growth in places like Kings Beach, it should check in with the community about capacity, evacuation, infrastructure, clarity, and not simply let its approval be used as a broad endorsement. The same principle applies here. TRPA should not outsource its environmental responsibility simply because another agency is implementing the project. TRPA was created to protect Tahoe. This is precisely what we need to do that job.

When you created the entitlement system in TRPA years and years ago, your unintended consequence was that it made everything more expensive. I'm a 50-year Nevada and California broker. That's how economics works and now everything's more expensive. Property's more expensive and it's harder to pencil out. An Opportunity Zone, giving tax benefits to investors, will make those properties more expensive. I like to say you need a good realtor.

DRAFT

Tobi Tyler on behalf of the Sierra Club's Tahoe Area Group. We are asking TRPA to support an immediate technical reassessment of the Lake Tahoe Total Maximum Daily Load (TMDL). The TMDL is reporting success, but the lake is not responding as predicted. The 2026 TMDL performance report says jurisdictions met and exceeded their targets and received over 3,600 clarity credits, representing modeled reductions of more than 736 pounds of fine sediment annually. Yet UC Davis reports that Lake Tahoe's annual clarity has essentially plateaued around 70 feet for two decades. In 2025, it was just 69.2 feet. Summer clarity was only 60.4 feet and, according to UC Davis, remains the primary limiting factor limiting improvements in annual average lake clarity. Even more troubling, the TMDL agencies themselves acknowledged that the lake does not appear to be responding as anticipated by the TMDL analysis.

The science is also changing. UC Davis found near-record concentrations of tiny particles that impair clarity, even when stream and wildfire particle loading was relatively low. Some of those particles may be biological rather than inorganic sediment. Total hydrolysable phosphorus, important because Tahoe is phosphorus-limited, has also been increasing over the last 18 years, and the agencies acknowledged that wildfire, increased stratification, changing lake dynamics, and invasive species were not fully foreseen at the time of TMDL development.

This does not mean we abandon sediment and nutrient controls. It means we need to determine whether the assumptions connecting those controls to lake clarity are still scientifically valid. We are now entering the TMDL 2026 to 2031 evaluation period. We should not wait until 2031 to discover that the model needs to change.

We ask TRPA to formally request that the Lahontan Regional Water Quality Control Board and the Nevada Division of Environmental Protection (NDEP) initiate an independent public reassessment of the TMDL now, including its load response model, pollutant allocations, climate assumptions, biological processes, and clarity credit system, and establish objective criteria for when the TMDL must be revised. Success cannot be measured simply by credits awarded or modeled pounds of pollution avoided. It must ultimately be measured by the conditions of the lake itself.

4. APPROVAL OF AGENDA

Ms. Regan stated that there were no changes to the agenda.
Ms. Williamson deemed the agenda approved as posted.

5. APPROVAL OF MINUTES

Mr. Hoenigman made a motion to approve the July 22, 2026 minutes as presented.
Motion carried by voice vote.

6. **TRPA CONSENT CALENDAR**

1. Quagga/Zebra Mussel Infestation Prevention Grant Program Application and Funding Agreement Resolution

DRAFT

2. Advisory Planning Commission (APC) Membership Reappointment of Jason Drew as the El Dorado County Lay Member
3. Governing Board Committee Membership Appointment

Board Comments & Questions

None.

Motion:

Ms. Aldean made a motion to approve the Consent Calendar.

Ayes: Ms. Aldean, Mr. Rodriguez (for Mr. Aguilar), Mr. Bass, Mr. Cannata, Ms. Faustinos, Ms. Gustafson, Mr. Guthreau, Ms. Hill, Mr. Hoenigman, Mr. Kieckhefer, Ms. Laine, Ms. Leumer, Mr. Tolbert (for Mr. Rice), Ms. Williamson

Motion carried.

7. ADMINISTRATIVE MATTERS

A. Resolution Recognizing Chief Operating Officer and Deputy Executive Director John Hester

Ms. Regan read to the resolution into the record.

Board Comments & Questions

Ms. Regan read a comment on behalf of Clem Shute, a former California Governor's Appointee on the Governing Board. "John, I appreciate and respect your accomplishments at TRPA. During my ten years or so on the Governing Board, you were always responsive to my questions. I chaired the Regional Planning Implementation Committee and needed your help often on things like area plans or complete streets. You never failed me. I can say that during my career I've worked with many planners, and you are the best. You found a way for people to get their ideas discussed, even those ideas that were controversial or undeveloped. I wish you the best in the future, and I hope that you find a way to continue using your skills in some way to help others."

Mr. Hester said about 50 years ago, when I was in architecture school and thinking about going into planning, getting my master's, I was working my first planning job in urban design at the City of Fort Worth. I read an article in the American Planning Association Planning Magazine and there was this story about this place on the Stateline between Nevada and California. And they were using this technology, and they had watershed jurisdiction, and they were trying to do all of these cool environmental things to help Lake Tahoe. This was kind of neat because back then, I was a kid of the 1960s and 1970s, and we all wanted to save the environment. And I looked at that, and I thought, someday I'd like to work at a place like that.

Thirty-one years ago, my wife and I got married at Incline Village. Then 15 years ago, when I retired after 30 years with Washoe County and City of Reno, I was looking at a job a little bit further outside the area but my wife wanted to stay here. I want to thank Joanne Marchetta, who I spent 11 years working with. Then for five or six months I was interim director, and Cindy was my chair of

DRAFT

the board. That was a great experience. Then Julie's been my supervisor as the director over the last three and a half, four years.

You all are very fortunate to have Julie as your Executive Director because I don't know anybody who works as hard as she does. But I've also had the opportunity to work with a group of outstanding people who are dedicated to this lake. I thank them along with everyone on the Governing Board. You come here every month, don't get paid, and a lot is demanded of you being on a board. I want to thank you; it's been a great experience.

Mr. Hoenigman said I can't believe this time is here. For the new board members, John has been working on all the planning issues, and I've worked with John as the chair of the Regional Planning Committee. John has had to field many of my emails with my half-baked ideas. It's been an incredible pleasure to work with you over these last four years.

John's incredibly knowledgeable, experienced, kind and patient with everyone. You helped me transition into the role on the Governing Board. And as head of the Regional Planning Committee, you can tell John's a great leader by the quality of the team he's assembled. You have great people. Your experience in Reno and Washoe County and your years in Tahoe has been incredibly valuable to the lake, the communities, and the TRPA. Nobody can ever replace you. But it's nice that you've left us with a great person to succeed you.

We're all going to miss you. Before having kids, crying children on airplanes drove me crazy. After having children, it became very relaxing to me because it was like, it's not my problem. I suggest, if you want some relaxation, you can just put these meetings on in the background and get a good chuckle that you don't have to worry about this anymore.

It's always sad to lose a great teammate but it's always a happy event to see them go on to something better, in this case, retirement. I know that we're all very excited for you to get to relax and enjoy the fruits of all those years and all your great work. I wish you a wonderful retirement.

Ms. Gustafson said thank you, John. I echo everything Vince shared. In the resolution where it says his most enduring contributions are the mentorship of staff, I would say, and board. Because you were quite a trusted mentor, friend, and colleague. You never made me feel like I didn't know anything about planning that I should have known. When I would say, can't we think about this? There would always be a polite way that he would say, well, you know, that's a thought. I appreciate the positive attitude of, let's think about this and let's find a way, find a path. It's not just no, it's how and how we get there.

During those six months when we were in an interim stage and a lot of things had changed on the board, you stepped in and were just that constant that allowed the board to function and make a great selection and move forward in our path. And I look at legacy. Why we do what we do is to make a difference. All of us serve in these volunteer capacities. And while you were compensated, you didn't need to be doing what you were doing and taking and making the efforts that you did. You know, you had passed your retirement, you'd already done that, and you chose to make a difference here, and you did.

DRAFT

Ms. Hill said John, I'm so excited for you to spend some time with your family and enjoy all the contributions you've made to our county and state, and now two states in Lake Tahoe. I do believe when you look at legacy, we have yet to see all the incredible outcomes on the housing work that you've done with the team and understanding how the counties interface with TRPA because of your intimate work at Washoe County. I feel so connected with you because of that service.

In addition to that, with your cultivating the relationship between TRPA and transportation. Helping me with that board and helping us understand how we can further that connection of planning and transportation, that is going to be instrumental to the future of TRPA. Thank you for your work.

Ms. Aldean said 15 years, you're a short-timer and that's coming from the official fossil of this board. I echo everything that's been said. I remember John's whiteboard; he should have been an illustrator.

I had concerns about increasing the height of buildings in core areas. We met in John's office to discuss my concerns about shadowing or shading of existing buildings near these buildings with increased height. And we came to what I thought was a reasonable compromise. I echo the comments that have been made about your willingness to consider new ideas, even some of them that are maybe unfounded or kind of outlandish. That sort of flexibility and willingness to listen and to explore new ideas that may or may not bear fruit, I feel, is very important in any role that you play.

I made some similar comments about the former city manager of Carson City, Larry Werner. He was originally an engineer in Carson City then he was promoted to city manager, and then he retired. Then he reappeared as the interim manager of Douglas County. So, I'm not convinced that we're not going to hear from you again. I hereby provide you with an open invitation to return as an unpaid volunteer to join this board in serving this agency. I'm sure, to the extent you can, that you will offer your services where needed. Thank you for your dedication and consistency over the years.

Mr. Hester said it's been an honor serving with Shelly. When we were doing the Development Rights Strategic Initiative, we had a picture of Shelly, "Vanna White" and Bill Yeates, "Pat Sajak" explaining different development rights scenarios, and a great picture.

Ms. Faustinos said we had a lot of time together since you were my chauffeur many times from the Reno airport into South Lake Tahoe. I echo what all my fellow board members have said about your tremendous style and effortless management of staff, policy, etc. It's been incredible. But I think the things I treasure the most in terms of our drives in are sharing molé recipes, talking about our kids, college experiences and such. You are just one of those Renaissance men. You have that full gamut of experience and ability to share it in a very compelling way.

I appreciate you so much, and hopefully we'll be able to stay in touch and see each other in our next iteration of retirement. Because I, along with you, have tried this many times, and I don't think we're very good at retirement. I wish you all the best.

DRAFT

Mr. Hester said for those who don't know, Belinda has a great molé enchilada recipe. I've sent her texts and her pictures of my version of her recipe, and the neighborhood liked it, including your former general counsel and his wife.

Ms. Williamson said John, you are one of the most unique people in that you can both educate and listen in a way that is so calm and humble and with humor. It is nothing short of an honor of having served on this board and the help you have given us all. That it's a unique gift and whatever you do next, they're going to be lucky to have you. I hope it brings you the joy that hopefully some of your working day has brought you here. Know that you have made such an impact on this community, on this board, on this lake, and we're so thankful for you.

Ms. Laine said I haven't had the chance as a board member to work closely with John. But we took a field trip to Carson City when they put the overpass in. You brought us to the downtown area and explained why the benefits of doing this in a city mattered. You talked about sales tax, curbs and gutters, and sidewalks and the beauty of that area, now that it doesn't have a freeway running through it. What you bring to the table is just ginormous, and you're going to be missed. And I like the idea that maybe you'll join us on the board.

Motion:

Ms. Laine made a motion to approve the Resolution Recognizing Chief Operating Officer and Deputy Executive Director John Hester

Ayes: Ms. Aldean, Mr. Rodriguez (for Mr. Aguilar), Mr. Bass, Mr. Cannata, Ms. Faustinos, Ms. Gustafson, Mr. Guthreau, Ms. Hill, Mr. Hoenigman, Mr. Kieckhefer, Ms. Laine, Ms. Leumer, Mr. Tolbert (for Mr. Rice), Ms. Williamson

Motion carried.

8. PLANNING MATTERS

A. 2026 Tahoe: State of the Lake Report by Dr. Stephanie Hampton, UC Davis Tahoe Environmental Research Center

Ms. Regan said we are delighted to have Dr. Hampton back to present.

Mr. Segan said we're pleased to welcome Dr. Stephanie Hampton, Director of the Tahoe Environmental Research Center (TERC). I want to reflect back to the comments that the Sierra Club made in the opening comment period. We are in a time when we're dealing with lots of challenges for our lake: the impact of wildfires, the impact of invasive species, changing climate dynamics that have changed storms and changed the internal functioning of the lake. In times like that, the most important thing that you can have is trusted partners to work through these problems with. Dr. Hampton and her team at Davis are those trusted partners, and we turn to them every day and ask questions that are probably stupid. And Stephanie entertains them as if they're not. I encourage you to listen and ask questions.

Dr. Hampton, Tahoe Environmental Research Center provided the presentation.

DRAFT

This builds off of the State of the Lake report that we do every year for UC Davis. The report represents an opportunity to synthesize the work that we do throughout the year and to put it in the context of the longer record of research and scientific progress that has occurred worldwide. I'll be talking about both monitoring and research. We've been having discussions lately in the Tahoe science community about differentiating monitoring and research because there are times when we do a lot of monitoring and it's important. But sometimes when we find puzzling trends, it's time for research.

We've been able to synthesize both the monitoring data that we collect and some of the new research that we've instigated with donor funding, with other sources of funding, and sometimes just with volunteer and a lot of heart and late nights. I want to give a heartfelt thanks to all the people who sponsored the report, including TRPA, the funders of the research, education, outreach and the talented and dedicated staff at TERC who make all of this possible.

UC Davis has been in Tahoe since the 1950s, when Professor Goldman first started to work here. Development plans around Tahoe were pretty wild in the 1950s and 1960s. Dr. Goldman first recognized, coming up here as a very early-career scientist, that this big blue lake was responding to changes that were occurring already, even before some of these proposed changes, like the proposed highway across Emerald Bay. And it would not remain blue if some of these plans came to fruition, like that proposed highway. Dr. Goldman worked with citizens like the group that ultimately became Keep Tahoe Blue and the agencies to provide the science that helped these groups to argue for stricter environmental protections, including the complete diversion of sewage out of the Tahoe Basin. And some of those bad ideas did not come to pass. Here's Emerald Bay and there is no four-lane highway. It would have been a disaster for Emerald Bay and for the lake overall. Thank you to Dr. Goldman, who's 95 now, and all the researchers who have worked toward this environmental protection, citizens' groups, the legislators, everyone who supported preserving this place, and to the people who are still working to preserve it.

It's a reminder of the great things that we can do when we get together as a community and work hard together. This is why we're working, living, or visiting here, why we volunteer our time to protect it. It is a truly special place. We know visitors sustain the economy in the Basin, and the community understands that the environment and our economy are tightly intertwined. All together, these decades of research have resulted in an infrastructure that is both broad and deep. We truly have fantastic scientific capacity here to bring to bear on these questions.

Questions of water clarity loom large for Lake Tahoe, as we've heard this morning and we all know that clarity is the depth that you can see into the water. That is a good indicator of ecosystem health. We don't rely on clarity alone to take the pulse of the lake, but it's an important indicator for us. One way we measure clarity is with the Secchi disk. A Secchi disk is a white, 10-inch plate that we lower into the water and determine how deep you can still see the disk as you lower it down. We have a lot of other technologies that we use to measure clarity, but the Secchi disk has the advantage of being simple, a very old measure in aquatic science. And so we can compare it to measurements that were made in some other lake 150 years ago. We can make comparisons all over the world and through time. It's very standardized and cheap. Every aquatic scientist uses the Secchi disk.

DRAFT

Slide 8. We flip the y-axis in aquatic science frequently so that you're sitting at the surface looking down at those data points. After steep declines in water clarity through the 1990s, the annual average clarity appears to have plateaued around an annual average of 70 feet. The good news is that the declines seem to have stopped. But as everybody is aware, the management target for Tahoe is more ambitious. This community wants more. The management target for us is to reach historical levels of 97.4 feet, to be reached by 2076, with an interim goal of 78 feet by 2031. We need to see that trend bending back down. There are seasonal differences that we're paying attention to.

Slide 9. The winter trends seem to have stabilized. The highest clarity values on this figure, meaning the data points that are lowest, you can see farthest into the lake. Those highest clarity values are those where we have a winter with a deep-water mixing event.

Most years, the water in winter fully mixes down to about 250 meters, and then that bottom water doesn't mix. But in years when the weather is cold and stormy, that puts enough energy into the lake to mix it all the way to the bottom. And that clear water comes up from the bottom and provides a short window of very high clarity. That water coming up from the bottom also brings nutrients and that can fuel blooms of algae. The summer is where we see the clarity continue to get worse. So it may be that a plateau is coming, but we don't see it yet. The clarity is generally associated with more particles in the water and particularly the smallest particles of one to six microns in size. These particles at that small size are highly effective in scattering light and so reducing clarity. And they stay suspended longer than some of the larger particles.

For most of the Tahoe monitoring history, those particles were too hard to track because they were so small. We have been monitoring them since about 2008 using sophisticated equipment that can measure particles in water samples, or when we lower instruments into the lake. This equipment operates by shooting tiny little lasers into a small volume of water that then measures the reflections and estimates the number and the size of the particles. Clarity mostly tracks the particles, but in some years and certain times of the year, the relationship is tighter or looser, suggesting other, possibly unmonitored, variables affecting clarity. Those instruments we use for measuring particles measure them as objects, but they do not give you the identity of the particle. Other technologies are needed for that. Some of the particles are inorganic. So, this can be sediment, ash, and smoke. This can be phytoplankton, the tiny, single-celled plants that live in water or this could be plant debris washing out of the watershed. Both inorganic and organic particles are part of that mixture.

A study in 2006 estimated that the major drivers of water clarity among the particles were inorganic particles, the sediment coming out of the watershed. We know that our management and our policy have taken into account the importance of this study, noting that those were inorganic particles. The science community is discussing that new research is needed to address some of these assumptions. Is this still the right percentage? Are we still looking at mostly sediment versus organic particles, and what is currently the primary driver?

One example of why this matters is that our expectations would be different depending on what the clarity-affecting particles are. Sediments eventually sink in the water, whereas phytoplankton are living organisms. They reproduce; they make more phytoplankton. They stay up in the well-lit parts of the water and continue to affect clarity. There would be different expectations depending

DRAFT

on what is the nature of those particles. Since the time of those studies at the turn of this past century, we know that the environment has changed over that past quarter century. And we all recognize the ways that it's changed. For example, we know that both the minimum and maximum air temperature is warmer. The minimum temperature is especially notable because we have fewer freezing days at lake level. That critically affects the proportion of our precipitation that falls as rain versus snow. Snowpack is important for recharging the region's water supply, slowly melting throughout the year.

Whereas rain delivers water really fast and is loaded with sediment. So patterns and timing of precipitation are changing, which should change delivery of the sediment, nutrients, and water to the lake. We know that the snow lines are getting higher in many years, and we see more precipitation falling as rain at lake level. Warmer temperatures in the air translate to warmer water in the lake. The lake is getting warmer, like almost every other lake in the world. Both at the surface and in the deep water.

The deep water is a vast volume of water. It also shows this warming trend, especially in between the times when the deep water fully mixes. When it mixes fully, the deep water gets exposed to the surface. A lot of that heat is lost, cooling it back down. Some of those drops in temperature look precipitous, but each of those is less than 0.3°F. That means that the top has warmed faster than the bottom is warming and that's important for how the lake mixes in general. The deep water is still a bit of a mystery. The deep water is where all that sediment and dead material fall as what we call lake snow, and the temperatures down here will dramatically influence mixing patterns as the surface warms in the future. When the warming is most pronounced at the surface, as it is in Tahoe, there are important implications for lake mixing. Warm water floats on top of cold water.

The warm water is floating on top of the cold water. And as the temperature difference gets greater, you get warmer water while it's not warming as much down below. The stratification, or the stability of the separation between those layers, becomes stronger. It becomes more resistant to mixing.

How does that relate back to clarity? Strong stratification creates good conditions for growing phytoplankton. They love warm temperatures and strong stratification like that. It stands to reason that phytoplankton may be a bigger driver of clarity as water warms. And so now this is where we're starting to get into research questions that need to be addressed.

Cyclotella is a tiny phytoplankton which is very good at scattering light and reducing clarity, as many researchers at Tahoe have seen over several decades. Phytoplankton may be a bigger driver of clarity in some years. Slide 26: If we just look at how phytoplankton biomass, which means the weight of phytoplankton in the blue line, compares to average biomass, which is in the gray envelope. The 2025 biomass looks average. Then plotted in yellow, 2021 and 2022 because those were years when wildfire changed the phytoplankton dynamics. But just looking at 2025, its total biomass, or weight of phytoplankton, is average. It wouldn't explain the low clarity we see in June and July. Looking at the total numbers, you're not trying to weigh the phytoplankton, you're just saying how many are there, you see the full picture.

DRAFT

What we did see was that it was a massive bloom of that tiny phytoplankton, Cyclotella. Very high numbers that altogether reduce clarity, even though if you scoop them all out of the lake and weighed them, they're not a whole lot of material, just great at scattering light and staying suspended in the water column where they affect water clarity. It's possible to see changes in clarity when the identity of the phytoplankton shift with Cyclotella blooms like we saw here, or when species shift during wildfire events.

This is something that we have started to work on much more intentionally. Previously, most aquatic scientists responded to wildfire as just an event. Study it and then that was your one wildfire study. We now recognize that wildfire smoke and ash is increasingly common. We have started to compile that long-term record of smoke and ash. So one of our postdocs compiled data on the number of days that Lake Tahoe has been subjected to smoke and ash, looking at historical records. Smoke and ash contribute to not just particles, but also nutrients to the water. The particles come in and they do reduce clarity for some time. There are also nutrients with them, too. Nutrients are good for humans, but when we talk about nutrients in the lake, we're talking about the stuff that fuels phytoplankton and algal growth. They bring in both nutrients and particles, both phosphorus and nitrogen, and can fuel growth of algae.

Slide 29: This is our team out monitoring during the Caldor Fire. This is a huge emphasis for our new research projects, aiming to determine how wildfire smoke and ash affect the lake, both in the short term and then ultimately over the longer term. What aquatic ecologists are learning is that these nutrients that come in during wildfires tend to promote the growth of phytoplankton. And sometimes it's a particular type of phytoplankton that grows. We looked back at some experiments that were done with Tahoe water in 2013, with somebody adding a little bit of experimental ash into some Tahoe water. And those researchers saw the growth of a tiny filamentous phytoplankton called Leptolyngbya. That is one of the primary species that bloomed in Lake Tahoe after the Caldor and Dixie fires and hung around for quite a while after that.

In that 2013 experimental study, the researchers also saw picoplankton respond. We don't know if picoplankton responded to the Caldor Fire in the same way because they have not been monitored in the lake.

Picoplankton are the smallest phytoplankton, 0.5 to 2 microns. In 2009, a study on Lake Tahoe found that these accounted for about half of the total primary productivity of the lake. About half of the work that's done by phytoplankton to take in energy from the sun and turn it into organic material is done by these tiny cells. Very few monitoring programs in the lakes, not just Tahoe, historically have tracked picoplankton because they're so small that you need specialized methods to study them. We've known picoplankton were in Tahoe for decades. Previously, they haven't been monitored because they're hard to monitor. But now we have very cost-effective, widely accepted standard methods to do it. We've got new biologists working with TERC who can also apply genomics, which is exciting for us to tell us more about what those microorganisms do.

We know that this size of picoplankton is really in the sweet spot for scattering light, reducing clarity. We also know that fine particles, including picoplankton and other phytoplankton, as well as sediments from streams in the air, can get bound up into aggregated particles. Fine particles stick together and they start to act like larger particles, sinking out of the zone where they affect clarity. That phenomenon was also known from Tahoe research in the 1970s, but that process was

DRAFT

also extremely hard to study until recently. Again, we're in the research zone because these are difficult processes to study.

These aggregates, what we call lake snow, as a corollary to marine snow, which is better studied. It's globs of goo. It's a lot of living and dead algae and sediments that are stuck together loosely with the liquid sugars that leak out of phytoplankton. The aggregates break apart easily. Divers will try to collect them, and they just break apart. The technology that we have successfully pioneered is using an instrument called the LISST-Holo that creates microscopic holographic images of particles and aggregates. It's a totally non-invasive way to study these guys.

We have been able to observe these aggregates, and that allows us to study how they take material out of the top of the lake and down into the deeper water. We think that this process is important for understanding lake clarity. These areas of research, I think, are key to understanding why summer clarity is not improving. Sediment loading, without a doubt, has been crucial to control. But it is not the whole story, as nutrients can also fuel phytoplankton. If phytoplankton is a more important player in clarity than it was 20 years ago, then it would mean that we need to be more cautious about nutrient loading. Luckily, most, if not all, of the actions that we've taken here to control sediment also reduce nutrients. And we had the huge success of sewage being diverted out of the Basin decades ago.

Nearshore is where many important lake processes occur. It's where people interact the most with the lake. It's where most of the pressure from aquatic invasive species occurs. UC Davis has been monitoring conditions nearshore for decades, both with older methods, collecting data by hand, and with newer technologies that provide consistent, real-time conditions. The greatest concerns the public has about nearshore conditions are about the algae. And these have been the subject of study for decades. Algae growing on rocks are called periphyton. And we also have them floating free, and they're called metaphyton. As has been shown on many other lakes that I've studied over my career of studying big blue lakes, blooms like these nearshore can reach nuisance conditions. And they are a real concern to the public. In every other lake where I've worked on these nearshore blooms, they have been reasonably linked to human actions and is important to study.

The problem is that we have 75 miles of shoreline and is difficult to monitor, and especially for these particular organisms. The periphyton mats will grow on the rocks. They'll die, they'll kind of slough off, they'll wash away, and then they grow somewhere else the next year.

The metaphyton, that unattached algae, just kind of rolls around. You don't really know where it's going to show up. The methods that scientists typically use of systematically going back to the same place and doing the same thing again, they don't work well with these nearshore algae. With the support of donors and volunteers, including people who have volunteered from my own staff, we're trying a more integrated approach, doing sample collections in the water, as well as taking images using drones and helicopters. With the helicopters and our volunteer time, we've been able to use machine learning to analyze the images that we take from helicopters of the entire 75-mile shoreline and estimate the extent of periphyton cover in the images, comparing that to what the divers see in the water. The helicopter approach is working. It's robust and ready to use for monitoring and tracking across the shoreline.

DRAFT

With the support of UC Davis for our graduate student Gabe Calistro, who is now testing the limits of using satellite remote sensing for monitoring nearshore algae. If it works, it would provide a cost-effective and potentially semi-automated way, automated way, to monitor the algae.

Bailey King is a new graduate student who is also working with Keep Tahoe Blue. They're helping to support her to work with aquatic invasive species. She started to look at using genetic approaches for seeing where algae patches form and how they may be associated with invasive species.

When I came in as new director, I told UC Davis leadership, as part of my negotiations, that a key aspect of my vision was to involve more faculty, to bring more of our university's world-class expertise up here for collaboration. I'm very driven by people, community, and collaboration. Instead of asking our Chancellor for a new boat which I probably should have done, I asked for the funds to support graduate students and postdocs who would help get faculty involved and keep them involved up here, so we can all benefit from their expertise. I am living the dream and am energized by all of these students and our incredible staff and researchers and collaborators.

Board Comments & Questions

Ms. Laine said we have a lot of human remains disposed of in the lake, and I don't know what could be done to monitor that. Have you thought about that, especially when you talk about these small organisms and that they grow with ash.

Dr. Hampton said that is an interesting question. When that happens, I think about the nutrient contributions. I suspect that it is still a small volume. You could do some back-of-the-envelope calculations about how many you might expect every day during a particular season or something like that. I suspect that it would still come up to be a small contribution relative to what's coming in through the atmosphere or through the Truckee River or some of the other big streams.

Mr. Hoenigman thanked Dr. Hampton all the work that’s being done. We're so lucky to have you and UC Davis. It sounds like the Total Maximum Daily Load (TMDL) work that we've been doing is still important, and that's still a direction we should pursue, but it's not quite enough. And we don't yet, it seems, have the answer to what else we should be doing or how we should change that work. How do we get to that answer quickly so that we can adjust what we're doing or add more onto it?

Dr. Hampton said I endorse the importance of the major restoration and conservation projects that have been done and are ongoing. I mean, the marsh restorations, the restoration that is planned on Ward Creek is important. I could go on about how important these restoration actions are. Keeping sediment out of the lake and other pollutants out of the lake, all of these actions typically help to reduce the nutrients coming in. The first fastest thing we could do is to synthesize some of the research and data that we already have and try to modernize the nutrient budget, for example. This would be an accounting of where the nutrients enter, for example, coming in through the atmosphere, through streams, through smoke deposition, through internal cycling. It's been a long time since those nutrient budgets were done, and the lake is in a different place than it was 20-some-odd years ago. Our technology and our knowledge are substantially advanced since then, too. I believe with the data in hand, we could make some substantial strides. And, of

DRAFT

course, we have great science partnership through the Tahoe Science Advisory Council and the ongoing discussions that always happen among all of the scientists. There's tremendous capacity up here to address these questions, but the fastest would be synthesizing the data that we already have.

Mr. Hoenigman said you talked about satellites. I imagine there's lakefront owners and other people who are fertilizing their lawns. You were talking about using satellites and it seems like that's something that's easy to monitor these days and help us enforce those protections. And maybe get people to change their ways because it seems like that would be a high concentration of nutrients flowing into the lake. Is that something you are doing or can do?

Dr. Hampton said all the remote sensing imagery can be used in these ways. Something like the color of a lawn or other land use can be analyzed. The question is, is it significant? I don't know the answer and we have not been doing that analysis of the land use color next to the conditions in the water. But it certainly is something that can be done. It is tractable.

Ms. Gustafson referred to the blankets of algae, metaphyton. It was mentioned that other lakes that you've worked on were directly tied to human impacts. Can you talk about that and if there are specifics corollaries?

Dr. Hampton said there was a study done within the last ten years with a group of scientists who work on lakes all over the world that were experiencing nearshore algal blooms. They are happening everywhere. And many of them are happening in big blue lakes where it doesn't seem like there is an obvious source. One of the aspects that is affecting all of these lakes is warming temperatures. Stuff grows faster when it's warm, but also, the chemistry changes in that shallow water in ways that can release more of the nutrients that otherwise are kind of bound up in the sediment. That can be affecting nearshore growth of algae.

The situations that I studied before coming here were Lake Baikal in Siberia. The algal blooms that would happen near shore there were clearly tied to human habitation. It's a very different environment there because there are still dirt roads and only a couple hundred people who live there year-round. But in those cases, it was probably sewage, with some contributions from the sediment from their dirt roads.

In Olympic National Park, it seemed to be aging septic systems on Lake Crescent. It looked like aging septic systems on Lake Pend Oreille and Priest Lake as well. We got the sewage out of the basin so long ago that we're not pointing fingers at sewage anymore. So we must look to some of these other sources.

Ms. Gustafson asked if there has been research on the algal blooms. I live near an area where I see the shoreline erosion during big storms. That’s a lot of nutrients just washing into the near shore.

Dr. Hampton said I believe after State of the Lake and some conversations, the estimates that were done in some previous research, were that the amount that would be contributed by that erosion was not substantial compared to the other sources of sediment. That study was done some time ago but it was a good solid peer-reviewed publication.

DRAFT

Ms. Gustafson said you didn't mention microplastics.

Dr. Hampton said I still work closely with Monica Arienzo at Desert Research Institute (DRI). Monica is on the cutting edge with microplastics. We collect samples for Monica and get updates from her. But right now, we're not monitoring microplastics ourselves. We collaborate with Monica rather than trying to spin up our own operation to do that.

Ms. Hill said TRPA banned the two-stroke engines on the lake and implemented policy change, I'm curious if we've thought about or studied other policy changes like that. I've heard from folks saying, for example, if we had fewer vehicles that were coming into Lake Tahoe, that would have a direct impact. What we're talking about today isn't necessarily linked there, or even if we didn't allow for gas-powered boats. What are your thoughts on those items?

Dr. Hampton said I think all these things are linked. I just did a podcast yesterday and emphasized that I think all these issues are linked. Then I was listening to Julie Regan's interview on the same podcast, and it was exactly what she said. These are research questions and I think the answers are knowable. But they require somebody taking the time to sit down with the data and figure it out. I would love to have somebody look at analyzing the data before and after the two-stroke engine ban, which I think is also a great success for Tahoe.

The traffic patterns and air pollution can be studied. We now have some researchers from UC Davis who are going to put some air quality sensors up on our buoys, in part because of wildfire, but also that will also give us the opportunity to look at the impact of air pollution, just more generally, on the lake. How much is coming in? I would love to have one of our atmospheric scientists look at whether inversions increase the amount of that pollution that makes it into the water. We have the capacity at UC Davis to bring somebody here to look at it. We just need to hook her with the right incentives. These are all great questions and these issues are linked.

Ms. Aldean said you've provided a lot of information in your presentation. There are a lot of variables and some of them are natural causes. We don't live in a closed system, airflow is airflow, pollutants come in and there's atmospheric deposition. How do you filter out all those unique variables if one of the questions we want answered is, how can we modernize our Total Maximum Daily Load (TMDL) technologies to be more efficient?

Dr. Hampton said we have great statistical approaches and a lot of data. This community has invested in long-term data collection. We have a lot of data and that means that we can disentangle a lot of the potential drivers and start to infer with stronger confidence which one of those drivers may be instrumental. That could help to identify what some of the management or policy levers are that could be suggested. It is possible some of them may be so entangled that it's hard to make a call about which one is more important, but we have a lot of data and excellent statistical approaches that can be used.

Ms. Aldean said to a certain extent, it's like holding back the tide. The ultimate evolution of a mountain lake is a mountain meadow. We know that there are natural processes that occur that may not be influenced by human beings. Obviously, human beings have had an impact here at Lake Tahoe. At what point does making increased progress become problematic? I've listened to all these presentations during my 23 years on this board. The problems haven't changed that

DRAFT

significantly but some of the solutions have been more unique. I applaud everything this agency and the communities have done to do their fair share to contribute to the enhancement of lake clarity.

Is there a way of distilling everything to such a great extent that we know this is what we have, we can influence this, and this is where we need to focus our efforts? There are natural processes that are underway that we have no control over. I believe synthesizing all that data is very important so that we as an agency can focus on the things that we can have an impact on.

Dr. Hampton agreed. I think also looking back at the history in the Tahoe Basin of doing audacious things that protect the lake.

Mr. Tolbert said Ms. Aldean asked part of my question. That was my question of how we distinguish given some of the things mentioned such as the phytoplankton that are increasingly responsible. But how do we distinguish between what is a clarity problem that we can reasonably manage locally? And what is just a natural lake process in our evolving times of warming, for example? Then should we start to consider adjusting our targets? Is it scientifically achievable to get to our goals, knowing what we're finding out now?

Dr. Hampton said I understand that it's frustrating for everybody to be at this point where we're not seeing improvement that we expected to occur. I do think that, based on data in hand, we could get a better handle on what some of the key drivers are for water clarity, and that could help to indicate what are some of the levers that could be pulled.

If we were to analyze the existing data to try to figure out which drivers seem important, we could also address it through modeling, trying to do some computer simulations that are updated that help us to understand if we're trying to control nutrients more. We can identify a nutrient budget as the most important research question potentially.

I feel it's sort of a cascade of research questions. What do the data already tell us are the most important drivers? Then let that inform the computer simulations of the way that nutrients and sediment flow through the basin, and that can help to identify where some of those key levers and knobs might be for managers and policymakers.

Mr. Tolbert said if we're looking at this, how do we distinguish between what our target is and is chasing clarity possibly a vanity thing that we're doing? Is the phytoplankton, and that type of stuff growing a natural thing? Are we holding back Mother Nature at this point? Or how do you address that question between playing “God” now suddenly?

Dr. Hampton said no, I feel we're too early in this process to say that it's a vanity project or to give up. I don't think we're there. We have a lot of great data that can answer some of these questions that will help to determine the right moves to be able to achieve some of those goals. We’re not at a point where we should try to shift the goals, in my opinion.

Mr. Bass said there's so much information and work going on and is great to see. I think about the areas of the lake that I visit such as Thunderbird Lodge, Glenbrook, and the Skunk Harbor area, and just how clear the water is in that area. When you talked about human habitation, that's

DRAFT

really like our biggest example of where there were no development and little human habitation, less than anywhere in the lake. Are we sampling in those areas? Then maybe comparing it to somewhere like in front of Sugar Pine Point, where there's some very good conservation but little bits of development. Then also in areas where there's major development around the city and in other areas throughout the lake. Are we seeing the difference in those areas because that might point to what our real issue is, development, human habitation, and human activity.

Dr. Hampton said that is one of the interesting areas for research for us. Getting the helicopter imaging working now, and especially with the satellite image potential would help address some of these questions. How the landscape and proximity to human habitation is? Whether it's associated, to what extent with some of those near-shore algal blooms or other nuisance conditions. We're poised for that kind of research question at this point.

Ms. Leumer asked a two-part question. What you can tell us about the impacts of herbicide application on forests and how that can impact lake quality. Then the second part of that question is if the U.S. Forest Service does go forward in the herbicide application they're planning around the Tahoe Basin, will you be studying the before-and-aftereffects of that?

Dr. Hampton said I understand the concerns around the potential glyphosate applications. I do not have direct experience with studying the effects of pesticides in water. I read as much as any other aquatic scientist about it and know that there are dangers of pesticides in water for aquatic health. I don't know the specifics of what could occur, what is planned. I do check in frequently with my colleagues at our conservation nonprofits and colleagues at TRPA for updates.

I know that Keep Tahoe Blue is planning to do some sampling before and after any potential application, and they let me know that they have talked about that in a public meeting. I'm certainly interested and TERC is here and ready to help in any way that would be

Ms. Regan thanked Dr. Hampton for her leadership in bringing more scientists from the campus. That was a vision that was set out early in your tenure here. Having fresh eyes with experience globally is going to benefit the lake.

B. Update on the Tahoe Science Advisory Council Clarity Work.pdf

Mr. Segan introduced Mr. Larsen, Program Officer, for the Tahoe Science Advisory Council. In light of the summit last week, we talk a lot about Team Tahoe and the partnership that makes it run on the political spectrum, and that partnership is replicated in the science realm as well. It's not one scientist or two scientists. It's a whole team of scientists that are working together to support our mission. And we're pleased to welcome Bob to talk about some of the work that they're doing.

Mr. Larsen, Program Officer, for the Tahoe Science Advisory Council provided the presentation.

The TMDL science, which is now about 20 years old, assumed that if we reduce pollutant inputs, clarity would improve. We heard very clearly from Dr. Hampton that the lake is more complicated than that and that things have changed. Our partners are doing the work. Local governments and state highway departments are meeting their pollutant load targets. The stormwater

DRAFT

infrastructure and our watershed restoration activities, these things are working. We know that we are reducing pollutant loads to the lake, but the exact impact of those investments and activities remains uncertain.

To address the ongoing questions related to the lake, the Council has established a Water Quality Work Group. That group meets almost every month to talk about seasonal conditions, monitoring data, and different research priorities. There is strong interest in the topic, and we do see regular participation from both our agency partners as well as a broad suite of different academic institutions. It's really in the spirit of partnerships. This group is a collaborative bi-state effort. It offers a venue for scientists and managers to get together, roll up their sleeves, and talk about everything from nearshore health and wildfire ash to Lake Tahoe's clarity.

The clarity issue is not new. The Council has been working on this topic since its inception. There are a variety of different reports and projects that you can look at on the Council's website. The Council's focus can really be distilled down into these two areas: in-lake processes and pollutant loading.

We've learned a lot in the past few years, and Dr. Hampton discussed all these points. This first point is important and worth reiterating: We don't see uniform patterns across seasons. Winter clarity seems to have stabilized. It occasionally hits impressive milestones, while summer clarity continues to decline. That tells us that there are different drivers operating in different seasons. These points are just the CliffsNotes, I'd say, of Dr. Hampton’s presentation.

Biological factors and changing physical conditions are key parts to that puzzle. Zooplankton grazing and phytoplankton blooms play an important role. At the same time, we know the lake is warming, and those warming conditions are changing the stratification and mixing patterns. There are a number of outstanding questions about the mechanisms that cause particles to clump and settle.

To dig deeper into the clarity issue, the Council convened a two-day workshop on Lake Tahoe's clarity. We brought together the region's leading scientists and resource managers to talk about what we've learned and what we still don't know. That workshop led directly to an independent review of the lake's monitoring program, essentially asking: Are we monitoring the right things in the right places and at the right times?

The findings highlighted critical data gaps. We have data gaps in both biology and particle dynamics that need to be addressed. Building on that work, the Council successfully secured new funding targeted at both in-lake monitoring and modeling tasks. I'm pleased to say that some of those monitoring enhancements are underway now, and that new data is going to help our understanding and inform the next generation of the tools that we talked about to guide future policy and investment.

That brings us to the pollutant loading question. Reducing sediment and pollutant loads has been the core focus of our lake restoration efforts. We haven't conducted detailed basin-wide loading analyses since the TMDL was developed, and there are three key reasons why we should update

DRAFT

those estimates. First is implementation assessment. Given our focus on load reduction, we need to know how conditions have changed in the past 15 years to better understand the value of our investments and see what we've been getting for all of the work that we've been doing at Lake Tahoe.

Second, the climate is changing. We know that the lake is warming. We know that there are more frequent atmospheric rivers and rain-on-snow events. Wildfires and all of these things influence how loads are brought to the lake, and we need to account for those factors in our loading assessment.

Finally, technology and empirical data have improved significantly. Again, it was 15, almost 20 years ago, since that first watershed model was developed. We have learned a lot since then, and we can take advantage of those advancements to refine what we know now. There are a couple of actions underway that I'll highlight.

On the tracking and regulatory side, the Water Board is leading a project now to review the Lake Clarity Crediting Program and the associated tools, with the intent of outlining a clear plan for modernizing that system. At the same time, the Council's Water Quality Work Group has been having a robust discussion about the opportunity to update and improve our watershed model for Lake Tahoe that will provide new insight into the current pollutant load levels.

Where do we go from here? I believe the path forward is twofold and simple. First, we talked about this in the last presentation, we need to continue the important work of reducing pollutant loads. Despite the uncertainty about the different processes and the exact benefit of our actions, we know that Lake Tahoe's waters will benefit from fewer fine sediments and nutrients.

Secondly, and importantly, we need to support the science. We know that there are additional data needs. We know that we need a new model to predict clarity. We know that we need new tools to consider the value of our previous assumptions and set our expectations for the future.

The Council has had some success in reaching in and bringing new money to the basin for science, but we need consistent, predictable science funding to truly protect Lake Tahoe.

<u>Board Comments & Questions</u>

Ms. Aldean asked Mr. Larsen to touch on how the Science Council is integrating its research with other organizations such as UC Davis. In the presentation materials, there's a reference to advances in environmental stewardship, as well as scientific and engineering advancements. It seems to me that the Science Council functions at a different level than UC Davis in terms of the work it does to collect data, but there are clearly areas of important overlap. How do you integrate all of that and interface with one another to make sure there's not unnecessary duplication, and that the two organizations are benefiting from the research of the other.

Mr. Larsen said the Science Council is a true science partnership. UC Davis is one of the founding members of the Science Advisory Council. They sit on the Council and play a critical role. All of our

DRAFT

science partners know that UC Davis has been working, gathering data, and leading science in Lake Tahoe since the 1950s. Oftentimes, it's a conversation with UC Davis directly in terms of what data are available, what work has been done, how we can build on that, and how we can bring additional expertise to bear.

I would say that it's less a question of how the Council works with UC Davis and more that UC Davis is a key member and part of the Council, driving a lot of the Council's conversation as it relates to Lake Tahoe's clarity.

Ms. Aldean said hopefully, if there are improvements to the Total Maximum Daily Load (TMDL) technology, it will involve a retrofit of existing infrastructure. Local governments have invested a huge amount of money in the TMDL. I want to be mindful of the fact that whatever advancements that we realize, whatever technologies are improved upon, and whatever the adaptation is, it's required that it can be done within the existing system.

Mr. Larsen said I'm going to assume that by "existing system," you mean the Lake Clarity Crediting Program and the associated compliance assessment. I would say that the physical infrastructure, as far as stormwater management, street sweeping, treatment basins, and all the things that we do to reduce loading, will continue to remain a key part of our implementation approach.

The question moving forward is how far we can get with those improvements and how we can set expectations associated with that. My closing slide highlighted, reducing pollutant loads is going to continue to be a key part of the conversation. It is what we can control. It is the one area where we know we've had an impact, and we know how we can address that impact.

Reducing pollutant loads by local governments and state highway departments will continue to be a key factor. It's just a matter of how far that will get us and what additional elements we can do to further advance our goals for improving Lake Tahoe's clarity.

Mr. Rodriguez said the presentation mentioned that water clarity is diminishing during the summertime with the previous research that was explained with the Plankton. Do you see the same correlation and are you looking to expand on that research?

Mr. Larsen said I don't want to suggest that my research or the Council's research is somehow different from what you just heard. It's all one and the same. I was more or less summarizing what Dr. Hampton summarized and what the knowledge is there. The short answer is yes, I'd say there's a correlation there. There's been a long conversation for many years now about increasing phytoplankton blooms and how that's impacting Lake Tahoe's clarity. The challenge that Dr. Hampton highlighted, and that I'll highlight again, is that we don't have the data. We haven't been gathering enough data. There's also core research necessary to understand those impacts, and it's highly variable. So we need additional data and additional research to understand that. There's nothing that the Council is doing that UC Davis is not, or vice versa. They're one and the same, in many ways.

Mr. Bass said I'm glad to see pollutant loads continuing to be a priority. I'm curious about the monitoring of our natural marshes, specifically, the Upper Truckee River, where we've been able

DRAFT

to have the California Tahoe Conservancy acquire Motel 6 and rehabilitate it into a natural marsh again. Are we monitoring the effect of that and the pollutant loads that are potentially being reduced, and what those natural marshes are handling?

Mr. Larsen said Dr. Hampton and I were having a conversation this morning just about this question of how we can do a better job of assessing the benefit of individual projects and then collective actions overall. There's been a lot of work done in the Upper Truckee Marsh, both pre-project and post-project, for different phases of that work. As we move forward with additional work in the Upper Truckee, whatever that looks like as it relates to the Motel 6 site, I know that the team there is already thinking about opportunities to gather data ahead of time and then collect data to understand what's happening afterward.

Mr. Bass said one thing that comes to mind is the Caldor burn scar, which is near the airport in that area. As it's being talked about later today, there's potential for using conventional herbicides there. It would be important to do research on what the effect on the Upper Truckee Marsh would be and the potential impact on plant life downstream and downflow of the burn scar. As you are doing that work, it's important that we have that scientific look at it before we make any type of decision.

Mr. Tolbert said with what we're learning about the biology of the lake, is clarity still the best measure of Lake Tahoe's health? If plankton and other natural processes are affecting clarity more than we thought, does our current clarity goal adequately account for that? Or are there other measures we should be considering in conjunction with clarity for the health of the lake and its environment?

Mr. Larsen said this is an age-old question. I want to hearken back to some of the comments that Dr. Hampton made. The Secchi disk and Lake Tahoe's clarity via the Secchi disk are not the only measures that we take. There are a ton of different ways that we measure the health of Lake Tahoe and track trends in terms of water quality and improvement, including clarity. Clarity is measured in different ways other than just using a Secchi disk. I believe the core question is whether there are things that are changing and whether that target remains the right target. That is a fair question. I don't think we know yet what the right target is. We built the TMDL 20 years ago around a target that, at that time, we knew seemed achievable based on the science and information we had.

We are learning more, and we need more tools to be able to understand what the potential restoration could look like based on all of the work that we have done and what we could do. There are new factors, and we've talked a lot about the biological drivers and other elements.

Understanding those impacts in relation to our opportunity to reduce pollutant loads and influence other things is important. Again, we just don't know the answer as to whether or not we can get to 100 feet or whether that should be changed. That's where we need the science to inform that discussion.

Ms. Regan thanked Mr. Larsen and Dr. Hampton for their presentations. I wanted to underscore a couple of points and connect the dots. If you think of big lakes like Lake Tahoe, we're talking about

DRAFT

39 trillion gallons of water. It's the oldest lake in North America and the third oldest in the world. When you think of the time span of ecological processes, they don't necessarily line up with our short window. What can we do now? That is always the tension. We still may be experiencing issues from grazing, mining gravel pits in the lake, and so much disturbance from the clear-cutting of the Comstock. We're also seeing these big pulses of storms that we're having in these critical watersheds that were once really disturbed.

We're learning as we go. The bottom line is that we can keep pollution out of the lake. I want to assure the public who commented earlier, and everyone who is listening, that we can affect change. We can keep fine sediment, nitrogen, and phosphorus out of the lake, and we're going to keep doing that.

A big commendation to the local jurisdiction partners who are on the front line of striping the roads to make sure that sediment doesn't go down, and who are dealing with things to keep the roads safe in the winter, including sanding and the particles that go down there, and then immediately picking them up as soon as possible. Over the course of a winter, they're picking up more than they put down. These street sweepers used to be half a million dollars. They're probably $1 million now per unit.

The Total Maximum Daily Load (TMDL) was $10 million of science and 20 years of work with researchers from all over the world. When you think of the amount of work that's been done at the lake compared to other lakes globally, it's incredible. But there are so many questions that remain.

Mr. Larsen made the comment about funding. We need more money for science. That was a conversation we had at the summit last week. There's a lot of good work being done, and then there's a lot of work that is sometimes invisible to the Board or to the community. Our staff are working with homeowners' associations on their native landscaping plans. The Tahoe Keys Property Association, which is often looked at in terms of the grassy areas in the Tahoe Keys, has no phosphorus fertilizer going on in that whole community of 1,500 homes. A lot of other homeowners' associations are doing that as well. We have fertilizer management plans that we work on with golf courses and other big users and landscapers.

There's a lot going on behind the scenes that our staff are doing with our partners at the conservation districts and others to make sure that we're doing all we can to keep that sediment from running into the lake.

It's also important to keep in mind that there are 12 institutions that make up the Science Council, including our federal partners like the USGS and the Forest Service. At all levels at universities, in the federal government, and with scientists from around the world we have a broad science partnership working on these questions.

C. Tahoe Meadows Winter Safety Management Master Plan Briefing.pdf

Ms. Regan said thanked Ms. Friedman, the Forest Service, and the State of Nevada representatives who are here to share some of the latest information about what's going on atop Mount Rose. You

DRAFT

hear this in public comment, both on a winter and summer basis. It's a very active area for the community to experience nature. I appreciate our partners for coming to participate.

TRPA staff, Ms. Friedman and Nevada liaison with the U.S. Forest Service, Intermountain Region, Ms. Gabor provided the presentation.

The master plan is being developed collaboratively with the U.S. Forest Service, the Nevada Division of Outdoor Recreation, and the Nevada Department of Transportation, with the goal of supporting safe, sustainable, and well-managed winter recreation access at Tahoe Meadows.

Tahoe Meadows is located off State Route 431, or Mount Rose Highway, just south of the summit in Washoe County, Nevada. It is a popular year-round recreation destination, but sitting at nearly 9,000 feet in elevation, it receives snow earlier in the year and retains it longer. It's very popular for winter recreation, especially because of its close proximity to the Reno area. State Route 431 also serves as the main connection between Lake Tahoe and the Incline Village area to the Reno metropolitan area, so it serves both daily commuters as well as people using the corridor for recreation, similar to other highways in the region.

The primary access to recreation along this corridor is the highway. Particularly in the winter, people are parking along the highway shoulder to access recreation, which creates conflicts and an unsafe environment for users. A majority of the planning area does fall right outside of the Tahoe Basin, so outside of TRPA's jurisdiction. But we still felt it was important to bring this item to the Board and for TRPA to be engaged in the planning process, because what happens right outside the Basin still impacts the plans and policies of TRPA.

Safe access to recreation is a goal, even if it's directly outside of the Basin, and the need for safe, sustainable access doesn't stop at jurisdictional boundaries. So we're staying engaged and pleased to be a partner and help with this planning effort.

(presentation continued)

Ms. Gabor thanked Director Guthreau for helping to arrange this and introduced her state colleague, Ms. Beronio, Administrator for the Nevada Division of Outdoor Recreation.

Ms. Gabor said we'd also like to acknowledge the Nevada Department of Transportation. "A picture is worth a thousand words." Slide 3 shows a heavily populated highway with winter conditions and a snowmobile being maneuvered across the street. This could be families with sleds, snowshoers, or cross-country skiers.

This area is designated as semi-primitive and managed for dispersed recreation, so there's no designated parking here during the winter. There are no trash or restroom facilities. The heaviest use is on holiday weekends and on what are called bluebird days after winter storms. That draws a lot of visitation. It's one of the nearest places to pull off the highway on the way up from Reno and the Tahoe Basin. As our surrounding communities have increased in population, the use has increased but it's been known as a problem area for a couple of decades.

DRAFT

Snowmobiling is allowed on the north side of the highway. The north side of the highway is also the informal sled hill. Nordic skiing, cross-country skiing, and snowshoeing are more common on the other side of the highway. Parking, and even double parking, is a problem. It interferes with the commuter route from Reno to Lake Tahoe, and it interferes with the Nevada Department of Transportation's (NDOT) priority, which is maintenance of the highway for safe access.

The safety issues aren't just for the visitors and commuters. They're also for our maintenance personnel, law enforcement, and first responders. We've known about this for decades, and there were a couple of attempts to address the issue, including about a decade ago. It resulted in the flashing sign that goes into that area that warns people about congestion and the lower speed limit during snow conditions of 25 miles an hour. There were some other potential solutions identified, but it was just recently that the Forest Service, both the Humboldt-Toiyabe and the Lake Tahoe Basin Management Unit, the Nevada Division of Outdoor Recreation, and the Nevada Department of Transportation signed an agreement called the Nevada Recreation Shared Stewardship Agreement and committed to work together to address recreation issues. We selected this issue as one of our marquee initiatives under that agreement.

The Forest Service manages the majority of the land on both sides of the highway. NDOT manages the highway, including the right-of-way. Our partners at the Nevada Division of Outdoor Recreation are helping us convene the discussions. We started by working with the National Park Service Rivers, Trails and Conservation Assistance Program. They helped us develop a situation assessment that led us up to the master planning efforts. They conducted interviews to help narrow down the issues, identify the key stakeholders, and advise us on a potential public engagement process.

We finished that in the spring of 2025. We've now started into the next step, which is the final step except for implementation which is development of the Master Plan. Design Workshop is the consultant and it was funded through an Economic Development Assistance grant that the Nevada Division of Outdoor Recreation received from the Department of Tourism and Cultural Affairs.

We're looking to the end of November to complete that plan. The purpose of the plan will be to identify realistic strategies to make winter use safer in the area. It will spell out the next steps that we need to implement those strategies, identify any hurdles and challenges, and help us work to get those strategies funded and in place to be implemented.

Slide 5 shows the Mount Rose Wilderness in green at the top. One of the white squares is the Mount Rose Ski Resort, and the other is Sky Tavern which is operated by the City of Reno. The meadows are in the orange area. In reality, it crosses the highway. The upper part is the sled hill. The flatter part is what's called the meadows. But the whole area is what we're talking about.

The plan is a framework to address winter safety and access. We are working with stakeholders and the public to tell us what they would like to see in the area and what they think might work to get us to those conditions. This is a guide to help us once we start to implement, including identifying funding sources.

DRAFT

What it is not: We are not looking to revisit allowable uses or resolve all user conflicts. There are stakeholders that would like us to revisit snowmobile use or motorized recreation in the area. We are not planning to do that. I'm not going to speak for my colleagues from the Lake Tahoe Basin Management Unit. I know they have some winter planning that's not finished yet. But on behalf of the Humboldt-Toiyabe, we are not looking at that. We are looking at winter safety along the highway corridor.

We are also not discussing changes in landownership as a part of this. I know there's been some discussion about conveyance to different entities to manage it but that's not part of this discussion.

There is major recreation use along a highway with winter conditions, and that's not going to change no matter who manages that land.

We are talking only about winter recreation. But when we look at strategies, we are going to look at how they might function during the summer. We're not turning our heads and just saying we're separating everything. If we build additional infrastructure that's available during the summer, that might cause impacts. We're trying to be aware of how we might squeeze use around and not create unintended consequences. But if something can benefit summer use, we will look at that. We are also looking at the entire Mount Rose corridor for strategies, even though we're only focused on that portion for the problem statement.

We did the situation assessment and finished that this past spring. There have been various studies over the years, and we had a road safety audit in about 2010 or 2011. It was just after the last collaborative effort. It talks about some potential strategies. The Forest Service was a part of those discussions, as was the Tahoe Rim Trail Association. So we're going to be looking closely at that and some of the ramifications they identified at the time. We'll also be looking at the Nevada Statewide Comprehensive Outdoor Recreation Plan and the Mount Rose Scenic Byway Plan. And then, of course, the forest plans for both forests.

There are some projects underway. The Tahoe Meadows interpretive loop is primarily a summer project. There's also the Tahoe Meadows South parking concept. That's the Incline Village General Improvement District parcel that was conveyed as part of the Incline Lake acquisition, with a commitment to support winter recreation. Mount Rose Ski Tahoe developed a 400-plus parking-space sled hill/tubing hill last year. We don't yet know the total impact it's going to have, but that might help alleviate some of the pressure.

Public observations are the stage we're in now, and have been, because this is not the first time we've reached out. We had about a year-long situation assessment. We are taking everything we hear, review our agency missions, our sideboards, what our priorities are, and then determine what's feasible to do and how we might do it. And that's going to be the master plan. Essentially, it's a filtering process of what's been suggested, how does that align, and then what's feasible will end up in the master plan.

We held a stakeholder workshop two weeks ago which was well attended. We'll be holding a public meeting, possibly around September 9, partially because of the fires affecting Reno and our

DRAFT

ability to get a notice out. Then we will have one more stakeholder meeting toward mid-October. Then we will work on the master plan proposal.

Slide 10 is a list of stakeholders. In this last round, Design Workshop did small-group interviews for people who missed the main meeting to get their input. We are constantly asking, "Who else do we need to talk to?" These are some of the stakeholder groups so far but are happy to add others.

Extra parking and infrastructure are not necessarily where this is going to go but is something we're looking at. One thing we've heard from some of the stakeholders is concern about changing the character of the area. You might jump to a solution like more parking, but it's going to change the area if you add parking and restrooms. And it's been clear that some people are looking for a different experience. There's going to be a lot to balance.

Board Comments & Questions

Ms. Hill thanked everyone for their efforts on this. This is in my district, and my constituents want to see something be done about. I agree that a solution is needed. It's not just a safety issue but also making sure that all people have access to recreation. It's a recreation corridor that you can easily get to, and Tahoe almost feels even harder for folks from outside the basin because there's just more logistics. With this, it's easier for a lot of different, diverse folks to access recreation in the meadows. I appreciate the update and the leadership.

Ms. Gabor said I'm a 19-year-resident of the basin. I own a home with my husband up in Stateline, and my brother lives in Reno. Tahoe Meadows is where I used to go with my family to play in the snow. It is an important place. One thing that consistently came up in the comments was the broad range of users who go there. Another part is it's free. Some places aren't free to go. That's another big consideration: What happens if you do something that is free into a paid area? That's going on in the basin right now with the discussion of recreation fees. What happens when you change a place that's free to a paid area? Maybe not parking on the forest, maybe elsewhere, or having a mix of opportunities there depending on what people want.

Mr. Guthreau said thank you for the presentation. This is a little bit outside of TRPA's jurisdiction, but I appreciate you coming. Thank you for mentioning how those complicated management challenges do not change based on who the land management agency is. I appreciate you also highlighting some of the challenges such as the bathrooms, for example. Thank you to Commissioner Hill for her attention to this area. We've talked about this offline and we'll continue to have those conversations.

Ms. Gustafson said thank you and I appreciate hearing this update and the efforts that have gone into this. I mentioned at our Governing Board retreat, we need to be looking out 20 or 30 years, or longer, in everything that we're doing. As we see the growth in northern Nevada and Northern California and the demand for recreation and recreational access of all abilities, we've got to be planning for it. That is our responsibility.

Even though it's just outside the basin, I as a Nordic skier, Nevada Nordic is a phenomenal experience and I recommend carpooling. Because of the high elevation and the early snowpack,

DRAFT

many residents head over that way from the North Shore to ski there. I hope that we as a board and you as agencies continue to look at the long-term changes that we're seeing and people's outdoor recreational needs, and that we find a way to make that safe and accessible. Part of our longer-term solution is, how do we manage the people.

Ms. Gabor said I've been told by numerous people that what we do is people management. We're not really managing the resource. Even the water quality discussion just now, it's all about how people are impacting the environment. One of the things I've seen over 19 years is failing to anticipate how the development and the surrounding areas would change things at Lake Tahoe for outdoor recreation. It seemed like during COVID, everything peaked, and suddenly, you turned around and there were people everywhere. Trying to anticipate is one of the hard parts.

I'm pleased to announce that we are going to do more of that. We're about to sign a new recreation shared stewardship agreement. It's been five years since we signed the first one. We're going to try to do a better job not constraining ourselves to the current situation and looking out ahead.

Ms. Gustafson said also looking to the future. And we look at different generational interests. When I look at my kids and now my grandkids, they're trying to get them outside. They want to be outside and have outdoor experiences away from screen time and away from some of the other influences. It's important for us to focus on what that's really going to mean in transportation and safety.

Ms. Aldean said I commend you for doing this with all the interested parties involved. I do feel the idea of self-regulation is a bit unrealistic when you see what happens on the July 4th weekend in the Tahoe Basin, for example. We put out more trash cans and do our best to educate people about the importance of depositing the trash properly or removing it from wherever they're recreating. But in many cases, it falls on deaf ears. That is going to be a huge challenge with the overlapping responsibilities. There's a reference to having ambassadors, but ambassadors aren't law enforcement officers. The vast majority of people who respect the environment are going to do their best not to have a negative effect and not insist that their recreational needs are superior to others. But there are going to be those people who are going to push the envelope and are going to have to be held accountable.

From the stakeholder's agreement matrix, enforcement, jurisdiction, and conflicting uses were considered medium importance, or there was a disagreement about agency roles and diverging views on the severity of conflicts. Only time will tell. I don't want to be pessimistic but there's going to be a need for an active enforcement element.

9. EXECUTIVE REPORTS

A. Executive Director Status Report

Ms. Regan said I appreciate the public's participation in the next committee meeting.

DRAFT

Governing Board
August 26, 2026

Thank you to the ten Governing Board members who attended the summit. I believe It was the highest participation rate we've ever had of the Governing Board. So much work went into the summit. I wanted to take the opportunity to thank our staff at TRPA, who are the backbone support for the summit and have been since the very first one in 1997. TRPA had a very important role in that summit. Jim Baetge who was the Executive Director of TRPA in the 1990s, was very much involved in launching what now is the Environmental Improvement Program (EIP).

Slide 2: To be able to celebrate that with the principals that you see in the picture, in front of our Team Tahoe banner, to have our four sitting U.S. senators attend, we had our two members of the House of Representatives, Governor Lombardo, and Governor Newsom was also around for other festivities around the summit. It's just incredible to be able to amass that kind of support from Washington, from Carson City, and from Sacramento year over year for 30 years, to recommit to Tahoe and collaboration, to attack the very challenges that you just heard about in the briefings this morning.

Thank you to TRPA staff, who worked with our many partners, the Tahoe Fund, Keep Tahoe Blue, dozens and dozens of partners that worked on the booth fair, the education opportunities, all the pre-work. We had a 30 for 30 campaign that was underway. If you haven't had a chance to look at it, it chronicled 30 projects to celebrate the 30 years of the EIP, and it's incredible to see the before and after. I had the opportunity to recognize on the stage Congressman Mark Amodei, who is retiring from Congress after 15 years. A special shout-out to Devin, who was working nights and weekends for a couple of months. He made that Silver State Secchi disk that was presented to Congressman Amodei.

Slide 3: A great picture with Chair Williamson and board member Ben Kieckhefer ahead of the summit. Thank you all for sharing in that important moment and to recommitting to the work ahead.

The Tahoe In Depth is around your place at the dais. This is looking back at 30 years. It's easy to forget, but a couple of stories went back and interviewed people such as Gray Davis, former governor of California, Bruce Babbitt, Secretary of the Interior, who came to the first summit. It explores the history that really has gotten us where we are today to tackle these incredible challenges and the investment that's come from all sectors the federal government, Nevada, California, local governments, the private sector, the Washoe Tribe, and all the community members that play a role in public-private partnerships to save the lake.

As part of the summit, the day before, we've had a couple of years of taking out legislative staffers that are here for the summit from D.C., California, and Nevada. This was a record participation. I believe we had 50-plus staff members, some officials that we took around to see projects in action.

Last year we were over on the West Shore at Meeks Bay. This year we were in the 28 corridor and ended up at Sand Harbor. Slide 5: This is at the boat inspection station at the top of Spooner Summit, and it gives us the opportunity to spend time with those staffers who, as we all know, participate in the legislative process. The members' support at the top level is critical, but the actual nuts and bolts of getting work done, getting bills passed, getting funding appropriated, it comes at the staff level. We try to use the summit as an opportunity to work at the principal level,

DRAFT

as well as the staff level, and see examples of projects that the delegation and our state officials are supporting.

Meanwhile, a couple of key things were going on with both legislatures in California and Nevada. Slide 5: The top right picture there in Carson City, the very next day, on the 20th of August, we had our last hearing in the legislature with the Nevada Interim Oversight Committee for TRPA. There was multiple bill drafts advanced out of that committee, which will flow into the Nevada legislative session. A couple to note: Our support for funding for the next level of the next tranche of EIP bonds. The states of California and Nevada have passed bonds to support the share of the EIP from the states that advanced.

In addition to a $70 million recommendation for Sand Harbor's master plan, really retooling the entire Sand Harbor State Park to better accommodate the visitation and recreation challenges of today versus, you know, decades and decades ago when that plan was done to implement state parks in Nevada.

There are a number of bills related to evacuation plan bill drafts and fire insurance and many things related to fire. But the one of note I wanted to call attention to this board was one that we advanced as part of our suggestions for bill drafts, and that is around illegal concessions on the lake. You've heard at Legal Committee and in enforcement matters, you know, we have platforms that are promoting boats for rent, like GetMyBoat.com being one where it's almost like a timeshare for boats.

These operators are not necessarily properly insured or licensed or permitted. We've had enforcement cases that you've heard about from Legal. This would advance legislation. The first concept was limiting that to Lake Tahoe, but interestingly, the committee members in the discussion in the legislature said this is a statewide problem. We want this to be a statewide bill.

Again, TRPA has the opportunity with our Tahoe partners to advance legislation statewide in Nevada, and that could be something we could look at in California. So that's moving into the legislative process in Nevada, in the California legislature.

You've heard from our team and from our board member, Alex Leumer, who's been very engaged in Sacramento. It's the last, you know, remaining days of California's legislative session, and we had two bills that didn't make it over the finish line.

AB 2679 on a recreation safety corridor around the California side, around Emerald Bay. We think we can still effect the change through agreements with El Dorado County and Caltrans. And we're very engaged. We were engaged at the summit with representatives from CALSTA, from Secretary Omishakin's office, to engage in those conversations.

If we can't achieve the goals through agreements, we might come back around for next session. And there also was a golden mussels bill that many of you were tracking. We were testifying in Sacramento that did not get over the finish line either. That's something we'll take up in the next session.

I represent you as the Governing Board on the Tahoe Transportation District Board with many of

DRAFT

you individually representing your jurisdictions. There is a strategic planning session that the Tahoe Transportation District Board is undertaking on September 16th. We'll be engaging with the TTD staff and other board members around some of these same issues: capital investment in managing the roadways for safety. State Route 28 in Nevada will be discussed. There's a lot of engagement with law enforcement, with NDOT. Same in California. And those three E's—education, the opportunity for engineering, and then enforcement.

What we're finding in these projects, the pilot at Emerald Bay, the work on 28, is that engineering is a vital component. We just physically must put barriers because people will park anywhere. They will park vertically to climb up the side of the mountain if they have a good four-wheel drive. Law enforcement voices at the table have been instrumental in helping us find the right solutions to recommend for infrastructure. And those conversations are also being held at TTD.

What's coming up? Our Transportation Committee will be meeting. The Federal Transportation Improvement Plan gets advanced in terms of what projects are funded in the next cycle. That's sometimes administrative in nature, but it is vital to move the projects through their multiyear steps before the funding can flow from Washington into the hands of the partners that implement transportation, before that can get done on the ground.

We have some legal appeals pending. The September 23 Governing Board meeting will include a field tour in the afternoon to see the progress on the Spooner Park and Ride and Invasive Species inspection station, because there's a lot of site work that's been done in the last several months. And we're going to talk about the entire plan for the corridor as well.

In October, we'll do our annual adjustment of our filing fees for permits for inflation. We're going to hear about the aquatic invasive species programs, inspections, and other noteworthy accomplishments this year. What's going on with the golden mussels, a fire look-back, forest health updates from our partners. We're updating our next suite of thresholds around biodiversity and recreation. We're engaging the community in that. Then, of course, our annual Best in the Basin Awards, which is a chance for us to showcase those projects that are doing such a good job to harmonize our goals and to achieve our mission.

B. General Counsel Status Report

Mr. St. Michel had mentioned in the past that we had notice of a filing of a lawsuit related to the agency's denial of a permit involving a boat ramp conversion to pier, and transfer. It was a complicated project back earlier this year. On the very last day, we received service of that lawsuit. We feel strongly that the decision is consistent with the code, and so we'll be defending that action.

Another one that kind of goes along with the legislation bill that Ms. Regan mentioned with our ongoing fight against the unpermitted boat rentals. We have been keeping up that fight in court. We've been pursuing the legislation, and we've started to get more creative in the field.

Our compliance team enlisted the help of the AIS inspection stations to start preventing the launch of those boats that we know are unpermitted concessions. And those operators, which are the

DRAFT

defendants in our litigation, went to court and sought a temporary restraining order to basically block the agency from enforcing that, which is essentially keeping these boats out of the water.

We briefed our arguments there, and it was referred to a magistrate judge who recommended a denial of that temporary restraining order. It's not necessarily final there, but we think it bodes well for us being able to keep an aggressive stance on keeping these boats out of the water. We're finally seeing something that is affecting these people.

Unfortunately, they're altering their registration numbers to get past the inspection station. It remains an ongoing challenge.

The Legal Committee has heard about a homeowner on the East Shore who built a substantial structure in the shorezone without TRPA review or approval. We had a previous settlement agreement with this person on a different situation. So they're a repeat offender. We have not been successful with a settlement agreement. We're still waiting and hopeful, but we probably will be filing a complaint soon if we don't have a settlement wrapped up in the near weeks.

Board Comments & Questions

None.

10. GOVERNING BOARD MEMBER REPORTS

Ms. Williamson welcomed our newest member, Joe Cannata. Joe, thanks for being on the board. We welcome you warmly. Joe is our new California governor appointee from Governor Newsom.

Mr. Cannata said thank you so much. I'm honored to be part of this group. I've been following TRPA and what you've done for years and am very proud to be part of it. I was born and raised in California and spent all my summers in Tahoe. I'm based in San Francisco but still spend quite a bit of time up here. I'm excited to be part of this organization and keeping the lake blue.

Ms. Gustafson said yesterday the Placer County Board of Supervisors made a request to the State of California to reconsider Kings Beach as an Opportunity Zone. It is a financing mechanism. It is not in any way related to a specific project or changing anything with our area plans or planning regulations. It's trying to encourage more private investment in the infrastructure. We know that so much of the water quality degradation is coming from our urban cores. That was part of the 2012 Regional Plan. We just haven't succeeded in getting a project privately financed, so we're hopeful that it will be reconsidered. Kings Beach does meet the criteria of an under-resourced disadvantaged community status and made it eligible, but we're encouraging the state to reconsider that designation.

11. COMMITTEE REPORTS

A. Legal Committee

No report.

DRAFT

B. Operations and Governance Committee
No report.

C. Environmental Improvement Program Committee
No report.

D. Transportation Committee
No report.

E. Regional Planning Committee
No report.

F. Local Government Committee
No report.

G. Tahoe Living Working Group
No report.

12. PUBLIC INTEREST COMMENTS – ON ANY ITEM

Steve Dolan, Friends of Third Creek, commenting on Agenda Item Nos. 8.A and 8.B regarding the meetings that you had earlier with Bob Larsen and Dr. Hampton. It's important to note, as you did, that we're looking at something that is atmospheric by nature when we're trying to study the smoke and the ash coming from fires around us. For the board, it would be better to focus on the things that we can control rather than the things that we can't. I've spoken with Dr. Hampton, Sudeep Chandra, Patricia Manley at a meeting here regarding brine (salt) reaching the bedrock of the lake and running into the shore.

That promotes phosphorus, which we've seen a spike in phosphorus over the years. It would be great if you guys could try and shift from atmospheric things that we can't control to things like Washoe County's brine solution on the highway before predicted snow, because that brine has reached the bedrock and is going into the nearshore environment and is increasing the algae growth. If we could go back to sand or something like that, it's better, especially since, as you said, we're removing more sand than we're putting down. So that is a good solution as opposed to brine.

Alan Miller, professional environmental and civil engineer. First, about the agenda. I've written to you on several occasions about the way you do your public hearings for action or possible action items. It is not legal or proper to only hold public hearings at the beginning and end of the meeting. There needs to be an opportunity for the public to speak during items that are going to affect the environment. That's how it was until you and Julie Regan changed it to be illegal. It needs to be changed to before and during items, and one at the end if you choose to. That's minimal and more important than your efficient meetings.

DRAFT

Second, the painting of the storm drains that I've seen and construction-related sources of microplastics I've been seeing around town. Caltrans has painted the storm drains green on Highway 50 through the city of South Lake Tahoe. And those are also the bike lanes. It's clearly done for safety to mark the bike lanes. But those lanes are widened and are safer than they've ever been. I don't know what the need is for painting them green. It flakes off and/or gets caked-up layers. It's like a plastic coating and it wears off. People drive on that, and the storm drains are running there. Why are we putting out tons of paint that then just must be removed if there's no justifiable need?

Something that Brooke Laine mentioned at one time are these baby monopine needles that were seen cropping up in our storm drains and along the sides of the road where people are doing road work. Congratulations on getting the monopines ordinance passed. But now people are putting out construction markers that are these little plastic things driven into the ground, and then they just walk away and leave them. There needs to be some follow-up or public education brought to bear that those things turn into microplastics and they're going to end up in the soil and the water.

Jeb Scicluna from Truckee. Who's ever seen a grown bear nibble on the pine needles of smaller-growth conifer trees? How about rubbing their bodies all over them? I have, in Meyers, right below Caldor. So lick your lips past the gums. Look out nervous system here the poison needles come. Brush your fur. Scratch your bum. What's that on the ground, a dying bird and insects going numb.

I have spent the last 30 years in the Tahoe National Forest as a career professional firefighter, with a fire technology degree, as a career snow sports and water sports instructor, and am a small business owner in Lake Tahoe. I've served my time implementing California Public Resources Code Section 4291, living with fire defensible space state regulations, and making Tahoe a more fire-safe place. Killing the understory ecosystems with a little glyphosate here and there, a lot of tons of it, adds to the compilation of flammable groundcover to increase one-hour fuels, risking fire danger.

This is a fool's ludicrous, nonsensical plan with no regard to Earth's way to heal, restore, and recover. If man wants to intervene, then do it with clipping, trimming, snipping, small cutting, chipping, composting trees through sustainable, eco-safe, ethical tree-thinning practices. As a local resident, I drink Tahoe tap and swim in the lake like most everyone else.

If I was in kindergarten and it was explained to me that the frothy Tahoe's snowy peaks melt into the rivers and creeks that feed nutrients to the fish and fill the lakes, then the bald eagle soar and dive down to catch the fish, to fly to their favorite tree branch or on top of a tree to eat their fresh meal. From the Truckee to the largest little city to Washoe, Carson, and beyond, more and more people and farmlands and natives enjoy these emerald-blue waters. I think I would understand now, as adults, we would be dumber than dumb to disregard the basic principles of watershed. What about the southwest local winds that blow anything and everything towards Mount Rose.

Now back to the eagle – poisoning our watershed, which includes resident salmon, trout, etc., violates the U.S. Bald Eagle Protection Act, which states it is a crime for man to interrupt natural feeding, such as poisoning the fish. Where is California Fish and Game? Taking this all in, due to the beaming and heart-illuminating, joy-giving intelligence of the room, we can all agree that this pocket-lining corruption of glyphosate spraying needs to be shut down.

DRAFT

People mistake anxiety signs and symptoms for being courageous. The same signs and symptoms to just communicate. Let's protect Tahoe, for if there is any common sense left, said the silly cinnamon bear, we as well can all enjoy some.

Mr. St. Michel said people have different perspectives. Please don't clap. There may be someone that has a different perspective and it could make it uncomfortable for them to voice their opinion. Thank you for being respectful.

Natallia Mazina, South Lake Tahoe urged the agency to prohibit the use of glyphosate-based herbicides throughout the Lake Tahoe Basin. I'm surprised that this item is on the agenda. There's so much information, so many medical cases, legal actions, all proving that glyphosate presents grave danger to human health, animal well-being, birds, quality of water, air, and we all have it here in Tahoe. Not only is it unnecessary to use glyphosate under this set of facts, but it will irreparably damage the fragile ecosystem of the Lake Tahoe Basin. Tahoe's watershed is subject to the strictest environmental protection in this state. The Legislature itself has recognized Tahoe's fragile environment and established specialized protections to achieve environmental thresholds in the Lake Tahoe Basin, and it's codified in Public Resources Code Section 5096.351. It's in our Legislature.

Yet glyphosate threatens this unique ecosystem. California courts have also repeatedly found substantial evidence that glyphosate poses serious health risks. Just to name a few legal actions that returned verdicts for plaintiffs, proving that glyphosate caused lymphoma and other tumors: *Johnson* v. *Monsanto*, *Phillips* v. *Monsanto*, *Dennis* v. *Monsanto*. This is just a handful of cases in this state. There are hundreds of these cases throughout the nation. All verdicts returned for the plaintiffs. Even the U.S. Supreme Court itself acknowledged in Monsanto v. Dernell that the International Agency for Research on Cancer classified glyphosate as a carcinogen.

Recently, we had the Sierra Club case in the Tahoe Keys, demonstrating that introduction of herbicide in the water presents a grave risk to the water's health system. The El Dorado Superior Court enjoined the whole project, finding it presents danger to the quality of water and the fragile ecosystem. It's time to ban this chemical in this pristine environment, stop playing the big game of the herbicide manufacturers, and finally prioritize the health of people, animals, as well as the quality of our waters.

Melissa Soderston, South Lake Tahoe Eco Integrity Alliance said I've come before this board numerous times to speak on these issues. Now is the time for you to listen. Our public lands are being decimated in real time with your assistance. There is no science which supports this, including that published by the Forest Service. This plan to further salvage log and spray with glyphosate and other herbicides in the Caldor area is especially egregious. This area is in a remarkable state of rejuvenation, hosting more biodiversity than surrounding areas. Even high-severity fire is creating essential habitat, which is lacking in our forests.

Any plan to restore and replant these areas with primarily monoculture pine species will set these ecosystems back for decades, if not permanently. Logging and herbicides kill more trees and release more carbon than wildfire and bark beetles combined. Cal Fire and the Forest Service both admit that thinning does nothing to prevent, slow, or stop wind-driven fires, and that it is likely to exacerbate extreme conditions.

DRAFT

The Western Fire Chiefs Association stated clearly that the best thing agencies can do in the face of our rapidly changing climate is to harden homes and infrastructure. These projects aim to poison and remove native trees, plants, and chaparral species. They are drying soil and destroying mycelium networks, decimating forage, and permanently depleting seed banks. Driving more bears into our neighborhoods, increasing wind, dust, and sediment loads into our lake.

These are not overgrown hazards in need of help from humans. They are dynamic ecosystems attempting to cope with what humans have caused. You must do better, follow the science, use your bloated budget where it counts and for what it was intended.

We have microplastics on our lake, trash on our beaches, no stormwater infrastructure, hardly functional transit, no buried utilities, no evacuation routes, no semblance of community-wide defensible space. You are not developers, nor are you commercial loggers. This is not restoration. It is rape. End the lies. We need infrastructure, not ecocide.

No name provided, said I'm a forester, ecologist, and scientist who has lived in this town since 2004. I've had stage three breast cancer. I've watched my mom die from cancer, and many friends and I continue to watch my generation get diagnosis after diagnosis. I've done the work to eradicate as many chemicals as possible from my life and have fought to get chemicals out of and off our food.

I am probably in the minority here speaking out today. I'm speaking as a private citizen on a complicated topic that deserves nuanced discussion. It's important to understand why herbicide is used in reforestation: to control competing vegetation so that baby trees don't die. Usage has increased recently because of the massive rise in high-severity fire acres. Without it, we risk permanent conversion of forest to shrubland. And this isn't a grand statement. It's backed by empirical and modeled data.

I've fought fire on the Angora burn. I've worked salvage, I've planted the trees. I've manually removed the competing vegetation, and I've counted the survivors. I've spent years on thinning projects around the lake that played a major role in protecting our community during Caldor, and it still wasn't enough to prevent a 2,500-acre high-severity patch within the basin.
Historically, high-severity patches in pine and mixed-conifer forests averaged under 40 acres, rarely exceeding 250. Caldor alone produced over 100,000 acres of patches greater than 100 acres, with close to half unlikely to recover naturally. Caldor, Dixie, and Sugar together produced roughly 400,000 acres of these large patches in a single year. Without live trees within about 100 meters, there's no natural seed stores, and severely burned soils compromise the seed bank. That combination is what drives permanent conversion to shrubland, altering wildlife habitat, water quality, carbon storage, and fire hazard. California's Wildfire and Forest Resilience Task Force cites a 1.3-million-acre backlog of reforestation, with worst-case modeling showing potential loss of 15 million acres statewide over the next 50 years without aggressive reforestation.

Success requires clearing dead trees for worker safety and reburn risk, plus control of competing vegetation, which is where herbicide comes in. Manual removal is possible but costly, physically brutal, and the workforce to do it at scale doesn't exist. Alternatives to herbicides, like goats and prescribed fire, have their own feasibility constraints. At an estimated $1 billion a year to clear the backlog and a general seating shortage, the investment needs to succeed. I respect the people here

DRAFT

who hold a hard line on this, and I think we should keep scrutinizing how to do this better, but I ask that any decisions weigh the full complexity and trade-offs of not reforesting successfully after high-severity fire.

We need real, sustained public engagement, not form letters, but people willing to learn the science, help do the hard work that this scale of restoration needs, and be willing to entertain different types of solutions. I'm asking you all to be willing to do that.

Tayna May said I'm studying forestry myself. I just graduated from our local community college, and I've been trained by a lot of your professionals. I spend about 100 days a year at Emerald Bay and all these areas that we spend time in. I personally am shocked that we have Cyanobacteria bacteria in at Kiva Beach area.

Is your reputation preceded yourself? I lived in this area my whole life, in the valley, and TRPA was and is very reputable. I respect your decisions, and being able to learn from you all has been a benefit and huge honor to transfer to Humboldt. My goal is to become a registered professional forester and bring a different life experience and a totally different view. I am currently at risk of being homeless again as of today, because my landscaper told my landowner that I am upset about the fertilizer he wants to put down three times when I use the grass in my backyard with my bare skin and my dog. So that, coupled with Caltrans publicly spraying our side of our waterways with these chemicals going right into our water system.

I am a breast cancer survivor. I am being rehabilitated by the state, by the grace of God. Our Creator has let me have a couple more days on this planet and I'm going to fight climate change. It’s kind of surprising that the board isn't willing to hear all the measures – the different sides of the coin. I think there's a purpose for herbicides. I think there's a good opportunity to get some workforce back on the side of the hills. We can use drones; we can deliver packages same day and we can get to space. I think we could manage the natural resources we have and sequester carbon through agroforestry. We can eat out of the forest. If we plant it, we can get our medicine from there.

Thank you from the bottom of my heart for standing up for your reputation of justice, legality, and we are the apex. So whatever we put in, we're going to eat. It is like six times stronger in my science research.

Tara Thornton, co-founder of Protect, along with my partner Kelly Ryerson said she and I are both experts on the issue of pesticides, on policy, legislation, and community organizing. We also have science and legal partners that we're well willing to bring to the table. Our mission at Protect Tahoe is to make a bi-state, bioregional model of healthy forest regeneration and wildfire mitigation without the use of conventional herbicides. And the Lake Tahoe Basin is the heart of it. TRPA has the regulatory authority. You're the only entity in the United States, even beyond the California Coastal Commission, that has full regulatory authority over every entity, including the U.S. Forest Service.

We have been meeting with the board members as well as staff. We have been meeting with the U.S. Forest Service in D.C. and some of the regional districts here. I'm very happy with all those meetings. Every place I speak or have meetings; nobody wants the conventional herbicides. They

DRAFT

want alternatives. The issue of forest regeneration, the issue of wildfire resiliency, and even the issue of timber board feet, which doesn't count here in the basin, but it does outside, is not dependent on glyphosate. It is not because we have a lack of glyphosate or conventional herbicides in our forests. In fact, those things create fire hazard problems and nutrient and water uptake issues. Weather affects it as does early identification of fires and attacks on them. Everyone's seen that in Nevada recently. Also the work we do in the forests.

What Protect Tahoe is trying to do with this model is to create a line. Somewhere has to be the place in this country that we decide we're going to make the model for how to do this right and how to do it better. There is no better place than right here in Tahoe. We have all the resources we need, and if we have a model, then we have a pilot that we can fund federally. bi-state, and privately, because we do need to get the people out into the forests and on the land doing the work. We need to be an example for all other areas. This is achievable and you have the power. We want to see TRPA change their code of ordinance from discourage to explicitly prohibit conventional herbicides. We can help with the language. We've been working on legislation at the state level to do that.

TRPA has every resource to do this, and this is a win-win for everyone. This is a partnership where public, private, Forest Service, TRPA, and nonprofits can win on this. We should all be proud that we can model this here. TRPA has the power to start that and to hold the line in the basin.

Michelle Miller said Protect Tahoe has done a fantastic job. Ms. Miller showed a photo of the Sierra Nevada yellow-legged frog that my son took two weeks ago in Desolation Wilderness at Jabu Lake. The Sierra Nevada yellow-legged frog is protected under the Endangered Species Act. Most people also know that this is the habitat: its lakes, rivers, streams, and sometimes talus. What's standard is they've come up with a system of how to protect the Sierra Nevada yellow-legged frog. And they try to make sure that any glyphosate application is not going to interfere within 500 feet of where the frog lives and breed. The frogs breed in the streams and the creeks.

Glyphosate is meant to bind to the soil. But in Tahoe we have a lot of snow. The glyphosate can be stuck in the soil, then it snows and melts, and all the soil and sediment rushes into the lakes, creeks, and streams, which is the breeding habitat for the Sierra Nevada yellow-legged frog. In theory, somebody could do a report, but how accurate could the report be? When we all see when snow melts, it comes running in, and we all know that the frog exists. The scientific evidence is undisputed about the damage that glyphosate does to amphibians, including this frog.

Amy Kacher from Truckee said my sister is Kelly Ryerson, the co-founder, along with Tara, of Protect Tahoe. She and Tara do a lot of policy work across the country in D.C. She lives half the time in D.C. and is surrounded by scientists that aren't corrupt through the Monsanto channel. When we started looking into this spray, it's really disheartening when you see that the U.S. Forest Service is basing their spray, thinking that it's safe, on the now-debunked Monsanto papers, which the EPA has been required to go back and do their own new testing to see whether glyphosate is safe.

It’s sad because the forest workers don't know that they're putting themselves in harm's way by spraying this. Protect Tahoe is just getting started and we can all work together. We have this national platform. TRPA can be the leader and guiding light for the rest of the forest system in the U.S. and maybe throughout the world. It’s an exciting, positive time. There’s a lot of angst and

DRAFT

upset around this, but there's also a huge positive opportunity. I think everybody at this table wants the right thing, and there are other ways to do it without poisoning our land and our workers.

Scott Robbins, member of the City of South Lake Tahoe City Council spoke on behalf of himself only. It's important that at least someone from the City Council should be here in person to speak on the issue of glyphosate and the environmental issues in our regional forests.

As long as I can remember, federal policy towards environmental remediation and environmental management of our wildlands has been, at best, indifferent. But in the last two years, what we've seen from the federal government is a real shift from indifference to belligerence. That change in policy has come home to us locally. We are now seeing a shift from what would have been a functional process of manual reforestation to the use of herbicides, which are known carcinogens and poisons, as a potential cost-saving measure at its best interpretation.

The City of South Lake Tahoe will undoubtedly be considering a ban on the use of these types of pesticides by public agencies within the city, but the city's authority is extremely limited, both in capacity and, importantly, in jurisdiction. The city's authority only extends to its municipal borders and does not extend into Forest Service land. That responsibility and authority rests with the Tahoe Regional Planning Agency. TRPA has the unique authority in the basin to make a difference here, when federal authorities have not so much as abrogated their responsibilities, but have shifted towards environmental belligerence.

While we are here primarily, and all of us are focused on the glyphosate issue, importantly there is also another issue that is coming up that's worth consideration. That is that the Forest Service has ended or is about to end its roadless rules, in that it will now be allowing the development of new roads into previously prohibited areas. This will attract more vehicles, their pollution, and the increased risk of wildfire coming from that vehicle access.

The TRPA, as a federally chartered organization, has unique authority in our region to make a difference here. No other agency or organization is in a position to push back against this kind of environmental belligerence that's coming from the federal government, except for TRPA. I implore TRPA, on behalf of the citizens that I represent, to ban the use of glyphosate and similar pesticides throughout the basin and encourage the use of manual reforestation. That is more expensive, but we have no shortage of wilderness professional workforce which could do that job.

Jacquie Chandler, basin resident and founder of Sustain Tahoe said I want to take you back to 1850–1860, when over 60 percent of the Tahoe forest was clear-cut for the gold over in Comstock. And we know how that went. When the trees came down and they went through the lake, up to Mill Creek and over. The lake was devastated, maybe a few feet of clarity. It's called a pulse disturbance. Something happens very out of sorts, and we step back. We didn't care about the lake; we cared about the gold and silver. We stepped back and nature came in. And by 1920, we had 100 feet of clarity.

What we have done since the 1960s is called chronic disturbance. We continually go in and try to manage because we think we know better than 4.5 billion years of Earth intelligence, maintaining such an incredible ideal system, life-support system for us and the bears and the wildlife. It might

DRAFT

be time to abandon the thought that we can poison the forest back to health, and we just step back and not do chronic disturbance and let the 4.5 billion years of Earth intelligence guide us. Not trust our best thinking, because our best thinking got us here. Now it's AI and now we're freaking out, that's all our data. If log into nature's touchscreen and you access, through your direct nature access (DNA), 4.5 billion years of Earth intelligence.

Corinna Faley, South Lake Tahoe resident, said I don't know any of my neighbors that support spraying the herbicide in our surrounding forests. We spend tens of millions of dollars a year through multiple organizations and agencies around the lake to try to keep Tahoe blue. We're going to blow that in one irresponsible vote if we vote to allow the Forest Service to do this to our public lands.

It's time that, as a board, we stand behind the environment and we set an example for the rest of the country. I think a lot of people are looking upon us for some leadership here. The rest of the world is also burning, but we owe it to this community, the wildlife, our children, our children's children, to make sure that this environment stays safe. We remain cancer-free. Our lake doesn't turn green with pollution. We have food for our wildlife to eat. If you look at what's happened around Lassen National Forest since they sprayed this horrible chemical. There's a green line that is completely natural. Plants are growing, insects are there, birds are back. There's food for animals in the environment to eat. And then you look over that line where they've sprayed, there's nothing. It's a dead zone. It looks like a wasteland. Let's not do that to Tahoe.

Lynnette Hoy, South Lake Tahoe is speaking today on behalf of all of District 5 citizens, and especially the west side of the slopes. My family's been here since 1958 and I was born here. I have seen the decisions of the TRPA and how they do not justly represent the people of the community, the safety of the community, and the clarity of the lake. Isn't this somehow all related to your cutting of the prescribed burns back in the early 1980s? If that had continued, and the forests and land had been maintained as had been done for thousands of years, we wouldn't be looking at this problem.

My resources today are Kit Veerkamp, Kathleen Midas of the Maidu Indians of the Cosumnes River Coalition, and Betty Albert, who is writing a book from several decades on how the soil of El Dorado County, and specifically, has been treated. I care about this environment and the whole life cycle because if you interrupt any part of that, the fungus, the plants, the insects, all of that is disrupted.

I and the citizens would like to know exactly what studies and research you did to deduct that this was the best resource to do in this situation. I would like to know the governing agency and the person that made this decision. And how do you plan to do a better job in the future? How don't your actions directly correlate you to the lumber industry, and not the beliefs of anybody in this county, other than the greed of the few people that make money? What is it going to take as far as research of this week? There are no documentation or studies that indicate this was right at all. And how are you going to rectify it? We want precise answers and want them now.

No name provided said it's clear how people feel. There are so many studies that show how bad these poisons are. If you read through the reports around this project, the Socio Economic Research and Analysis (SERA) report and the human effect report. In the introductory line, it talks about one of the main goals to use herbicides to destroy native plants. Anybody who has tried to

DRAFT

do a project here knows that we don't always agree with the regulations of the TRPA, but we kind of give in to them for the betterment of Tahoe because Tahoe is a special place.

Why are we allowing this project to trample on every threshold? Every four years, you do a threshold evaluation for building, development, an overall state of the union of the basin. If you go through this report, this thing destroys every threshold you put in place. You are the only regional agency that has been ratified by Congress. How is it that we allow the National Forest to use an emergency action declaration to just trample everything we do here, that we live by, that our tax dollars go to do? The reality is that these meetings probably mean nothing, because with the emergency action declaration, they can do what they want to do. It's the reason why the comment period got cut from, whatever, six months down to 30 days back in 2025. Now 2026, we're already behind the ball. We're constantly in this country reacting to problems. TRPA has a system in place to prevent problems. TRPA can go through their threshold and talk about air quality.

University of Montana State released an article based on particle drift from backpack and other types of sprayers. They find particles that are supposed to be in the application zone miles away. One of the mitigation factors to risk in this is to add dyes in there to bind this to the soil. We heard another commenter talk about the freeze-thaw, snowmelt theory. That's going to carry these things well outside the application zones. That goes into our thresholds for water quality. In the report, it states that they are going to maintain that chemical levels are below the EPA recommended levels for drinking water. In Tahoe there is a zero tolerance for drinking water. When you go through it and you see which parts don't meet the thresholds, TRPA, we sign off on it, it doesn't meet it, because they promise to make up for it.

Wildlife such as Mule deer breed and give birth in shrubs in hidden locations. They don't do it underneath conifer trees. They admit they're wiping it out, but they're going to replenish it later down the line. You have the standards in place, and you gave in.

Renee LaFabrae resident of South Lake Tahoe said I’m here to represent a lot of people who can't be here today. There are lot of people who are very concerned about glyphosate spraying in Lake Tahoe. I appreciate you guys paying attention to what people are saying here. Tara and Kelly with Protect Tahoe have an enormous amount of information available. I hope you will go beyond this fraudulent report that says that glyphosate is safe and educate yourselves by looking at the Protect Tahoe website. It’s not something we need to do. A lot people think it is, but there's an enormous number of people here who don't believe that. We fiercely love Tahoe. TRPA is the line.
I also want to mention to the person who was appointed by Governor Newsom that his stance leans towards using glyphosate. Please get information to him about how strongly we’re against using glyphosate our country, but most definitely not here in Lake Tahoe.

Adele Margolis, year-round resident of Al Tahoe. Both my brothers raised their families here. One set of kids were Whittell Warriors and the others were South Tahoe Vikings. My son and his wife own a home here as well. They work during the day and couldn’t attend this meeting. I hope there'll be another opportunity some evening or a weekend for those that can't attend today.

This is very close to my heart. I took my two-year-old granddaughter on her first stand up paddle ride this morning. I swam in the lake next to her. My daughter paddled, and my heart broke because I thought, how much longer can we safely do this? How much longer is it in the face of

DRAFT

such an unforced error? An unforced error means you screwed up and shot yourself in the foot. I'm tired of our government at various levels doing that. I know that TRPA does not want to do that. Your mission statement, preserve, enhance, restore.

How does spraying a toxic herbicide on our forests preserve them? I ski Sierra. I learned to ski on the where the football field is now at South Tahoe High. I rode up Grandview Chair last spring, and my heart broke because I could see the little seedlings naturally starting to grow, where the wind blows the seeds amongst the rock crevices. We don't need to help nature in this unforced-error way. Look at the Angora burn scar, there's so much shrubbery growing there, wildlife, and conifers also growing. The first things that happen are the smallest shrubs, the smallest bushes, and the smallest animals. And then the conifers come, and then the larger creatures that feed on them. But if we are going to poison the soil and the mycorrhizal fungi that nourish those conifers that we're trying so hard to reforest, what does that say about our intelligence? Not a whole lot.

We need to try harder and make the United States Forest Service understand that the TRPA is in a unique position. You have the power. Don't hide behind preemption, stand up.

Dr. Staci Baker resident of Tahoe for more than 35 years. I'm deeply concerned about what we're doing to this forest. We're being told that glyphosate and other herbicides are necessary to restore forest damaged by the Caldor Fire. I don't accept that we should have to choose between forest restoration and protecting the health of people, pets, wildlife, soil, and water. I don't accept the idea that chemicals should be applied anywhere near streams and riparian areas in a watershed as environmentally sensitive, precious, and vulnerable as Lake Tahoe.

The Forest Service says it has safeguards and buffers. A line drawn on a map does not change the reality of the landscape. Water and soil move. Wildlife moves, rain and snow moves chemicals downhill. I believe the decision has been made. What happens in the forest will not stay in the forest. Once these chemicals are released into this ecosystem, they cannot be taken back. I understand the Caldor Fire devastated this forest and the desire to restore it. But restoration should mean helping the forest recover, not replacing one disturbance with another. Nature is doing an extraordinary amount of work for us. We should be using every reasonable non-chemical tool available before reaching for a known carcinogen.

Replanting, monitoring, time. We're talking about Lake Tahoe, the jewel of the Sierra. This is not an industrial plantation. This is an extraordinary ecosystem, a drinking-water watershed, wildlife habitat, and somebody's backyard.

Please do not confuse the existence of an authorization with the existence of an obligation. There is a difference. Just because herbicide was authorized does not mean we have to accept it. You have an opportunity to stand up for the precautionary principle and say that Tahoe Basin deserves a higher standard.

I ask you to oppose this ridiculous, despicable glyphosate, synthetic herbicide, and demand restoration to be accomplished through methods that do not introduce unnecessary chemical risk into our forest and waterways. Five years after the Caldor Fire, we have an opportunity to decide what kind of forest we leave to the next generation. Please don't make the decision that we're willing to sacrifice the health of this ecosystem because a chemical treatment was easier or faster, or maybe you get a kickback. Please protect Tahoe. Every time people make comments, you still choose to overdevelop, chop down this forest and wildlife has nowhere to go.

DRAFT

Oliver Starr, South Lake Tahoe resident, author, and the executive director of the Tahoe Wolf Center. This is not a local story, it's global story. Personally, I have over half a million followers across social media. And what they want to know is whether these poisons are going to harm our wolves. People in Europe, Asia, and Africa are following what happens here. I've spent most of my life studying animals and natural systems, and one lesson nature teaches repeatedly is that our desire to control an ecosystem can sometimes do more damage than the thing we are trying to control. This is especially concerning when we consider glyphosate. A burn scar is not dead land. It is a living ecosystem in recovery.

Before we introduce a broad-spectrum herbicide into that recovery process, the burden of proof should be extraordinarily high. I'm also concerned about what happens after approval. We already have a cautionary example in the Tahoe Program Timberland Environmental Impact Report (Tahoe PTEIR). That document carefully prescribed how forest treatments were supposed to occur, including management of the slash they created. I see treatment areas become fields of enormous burn piles that remain for years. While one's complex forest habitat is reduced to something that provides substantially less cover and value for wildlife. Rules on paper only protect an ecosystem when they are followed in the field. The Tahoe PTEIR did not propose herbicide treatment. Before we give land managers another powerful tool, we should ask whether we have demonstrated the oversight necessary to control its use.

I urge TRPA to reject glyphosate in the Caldor burn scar and adopt a basin-wide presumption in favor of non-chemical remediation. Tahoe deserves restoration with restraint, accountability, and enough humility to let nature participate in its own recovery.

James Maskell, representing El Dorado County and the wider bioregion. Could that bioregion be Tomales Bay, where they've got issues with glyphosate? Could it be Ladera Ranch, where they have a cancer cluster? Will it take a cancer cluster in Lake Tahoe for us to take this seriously?

I don't think I could have said anything better than what was said by all the other people here today. You're going to go to lunch and maybe not be able to concentrate as well after lunch. This reminds me of the movie and the play *12 Angry Men*, where you, as the jurors, are sitting there and listening to a very compelling argument. In that movie, all it took was one person to convince the rest that they needed to do the right thing. Which one of you is going to be a hero at lunchtime and decide that TRPA says this far and no further because they need it in Tomales Bay? They need it in Ladera Ranch. They needed it across a whole bioregion, including the whole of America and the rest of the world. The buck can stop here, and you guys can be the heroes.

Brian (no last name), Meyers resident said you've heard a lot of passion, a lot of anger, a lot of fear, and a lot of concern out of people who spoke today. You've already given us two years. 2026, 2027 to understand this issue. My understanding is that the glyphosate spraying will not begin until 2028, if it begins at all. Thank you for that. Hopefully, you can use your power, responsibility, and your authority to end the risk of glyphosate spraying in perpetuity, well beyond that.

Every day I see the burn scar from the Caldor fire that's coming up on its five-year anniversary. But when I walk in those woods, I see is life. I don't see just the burn scar. I see white thorns and manzanita, which I know are being vilified. But they are native natural plants who are a key to the success of recovery for our ecosystem. They protect the soil and provide shade. They allow morels and other organisms to grow. They are sheltering conifers, which I see growing which would not be

DRAFT

able to grow with glyphosate being sprayed. I understand that the spraying is only going to be limited to 2,400 to maybe 3,600 acres, which is not a very large area for us to responsibly manage.

There are hundreds of people here and thousands in this community who would give their time to go out and use non-chemical methods to protect those growing conifers if that was something we felt we needed to do. If we felt we needed to manage a forest, which I don't think we do. If you walk among the burn scars, you see life of all forms, including all those important conifers. We don't need to spray. We don't need to intervene. But if you do choose to intervene, I hope that we can find a way to reach out to the community, the California Conservation Corps, public schools, and other environmental groups, and see if we can get out there and use our own manpower to do non-chemical methods to protect our forests and to create restoration.

We've all seen pictures of the last Lassen Spring, where they use these supposedly super-accurate backpack sprayers. But what we see are dead zones. What we don't see is what we see in our area. We don't see green, we don't see insects, we don't see butterflies, birds or flowers. All that has been lost to these backpack sprayers. There are other ways to mitigate what we feel is an issue. And so I ask you to use the power that you've used to give us two more years to give us a lifetime of no glyphosate. Because with glyphosate, who knows what the lifetime will look like.

13. ADJOURNMENT

Ms. Aldean made a motion to adjourn.

Ms. Williamson adjourned the meeting at 1:16 p.m.

Respectfully Submitted,

Marja Ambler
Clerk to the Board

The above meeting was recorded in its entirety. Anyone wishing to listen to the recording of the above-mentioned meeting may find it at https://www.trpa.gov/meeting-materials/. In addition, written documents submitted at the meeting are available for review. If you require assistance. The initial draft of these minutes was generated with the assistance of artificial intelligence tools using the official meeting recording and transcript. The draft was reviewed and edited by TRPA staff for accuracy and completeness prior to approval.

DRAFT