

TAHOE REGIONAL PLANNING AGENCY
GOVERNING BOARD

TRPA/Zoom

October 23, 2024

Meeting Minutes

I. CALL TO ORDER AND DETERMINATION OF QUORUM

Chair Ms. Gustafson called the meeting to order at 9:50 a.m.

Members present: Ms. Aldean, Ms. Bowman (for Mr. Aguilar), Mr. Bass, Ms. Conrad-Saydah, Ms. Faustinos, Ms. Gustafson, Ms. Hays, Ms. Hill, Mr. Hoenigman, Mr. Kieckhefer, Ms. Laine, Ms. Leumer, Mr. Rice, Mr. Settelmeyer, Ms. Williamson

II. PLEDGE OF ALLEGIANCE

Mr. Marshall led the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Ms. Regan stated that there are no changes to the agenda.
Ms. Gustafson deemed the agenda approved as posted.

IV. APPROVAL OF MINUTES

Ms. Aldean moved approval of the September 25, 2024 minutes as presented.
Motion carried-voice vote.

V. TRPA CONSENT CALENDAR

1. August Financials
2. Release of El Dorado County Water Quality Mitigation Funds (\$20,000.00) towards the Pioneer Trail/US Highway 50 Intersection Safety Improvement Project
3. Release of El Dorado County Water Quality Mitigation Funds (\$35,000.00) towards the Apache Avenue Pedestrian Safety and Connectivity Project
4. Inflation adjustment to TRPA Filing Fee Schedule
5. Inflation adjustment to TRPA Rental Car Mitigation Fee
6. Inflation adjustment to TRPA Mobility Mitigation Fee

Ms. Gustafson said the Operations and Governance Committee recommended approval of item numbers 1-6.

GOVERNING BOARD

October 23, 2024

Board Comments & Questions

None.

Public Comments

None.

Mr. Rice moved approval of the Consent Calendar.

Ayes: Ms. Aldean, Ms. Bowman (for Mr. Aguilar), Mr. Bass, Ms. Conrad-Saydah, Ms. Faustinos, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Mr. Kieckhefer, Ms. Laine, Ms. Leumer, Mr. Rice, Mr. Settelmeyer, Ms. Williamson

Motion carried.

VI. ADMINISTRATIVE MATTERS

A. General Counsel Interview, hiring decision, and delegation of offer letter preparation

Ms. Atchley introduced the agenda item. General Counsel, Mr. Marshall tendered his resignation, effective October 24, 2024. Prior to his resignation, and in conjunction with a strategic succession planning process, the agency conducted a thorough recruitment for additional legal staff in late 2023 and early 2024. Governing Board members were involved in the selection process.

At our last Governing Board meeting in September, the board approved staff to conduct an internal recruitment to fill this role. Human Resources conducted the internal recruitment, and we received one applicant for the position: Graham St. Michel. His resume and cover letter are attached to the staff report for your review (pages 134 through 138). Mr. St. Michele is here today to provide a brief presentation on why he's interested in the General Counsel position, as well as to share information on his qualifications and experience.

Mr. St. Michel said I'm very grateful for your consideration of my application to become TRPA's General Counsel. On a personal level, I have a deep, lifelong connection to Lake Tahoe. I was born in Carson City and raised here in South Lake Tahoe. I understand the relationship between the Basin's economy and the environment, as my father worked for the Forest Service and my mother was a table games dealer at Harrah's. I grew up recognizing that Tahoe's natural beauty sustains our communities but is also challenged by the pressures of development and visitation. Even as a kid, I understood that protecting Tahoe means safeguarding something irreplaceable that gives our communities their identity and sustains our way of life. So, for me, the opportunity to return to Tahoe and serve TRPA in its mission of achieving balance between the human and natural environment really aligns closely with my personal connection to the area.

Professionally, I've spent the past 16 years working in environmental, land use, and administrative law, both in private practice and as in-house counsel for government agencies, including the California Department of Conservation, the California Tahoe Conservancy, and here at TRPA. I've been with TRPA for eight months, and during this time, I've developed a strong sense of work, experience, and relevant skills that are most important for this position. I'd like to highlight some aspects of my background that I believe translate well to this role.

GOVERNING BOARD

October 23, 2024

First, I am very comfortable serving government agencies as an in-house advisor, which is the core function of a General Counsel. In my 10 years working in-house, I've had considerable experience providing legal input so that agency management can make informed decisions, whether it's about an agency's authority, the environmental review process, compliance with laws like open meeting laws and conflict of interest rules or managing litigation risks.

Second, I have significant experience navigating divergent and often contentious perspectives, fostering collaboration, and ensuring public transparency skills that are essential at TRPA. For example, at the Department of Conservation, I helped guide the agency through a contentious public process to develop complex environmental regulations with real-world impacts, balancing concerns from the regulated oil industry, advocacy groups, the public, and higher-level policy direction from the State.

Third, I appreciate the perspectives of those on the other side of the table. In my early career, I spent six years in private practice, advising businesses on compliance with environmental regulations. This experience gave me insight into how many of the challenges we face here at TRPA can be resolved through negotiation and pragmatic approaches.

Another key requirement for TRPA's General Counsel is the ability to manage a litigation load, and I have experience in that area as well. I've participated in litigation involving extensive discovery, witness preparation, and legal research, both in offensive situations (such as bringing enforcement actions for environmental violations) and in defensive roles (such as defending agency decisions against lawsuits).

Additionally, I have experience helping agencies navigate legal rules to achieve their goals more efficiently. At the Department of Conservation, I helped the agency switch to a different contracting process that sped up the pace of awarding public works contracts to abandon or plug oil wells across the state. I'm proud of that accomplishment and believe similar opportunities exist here at TRPA to achieve environmental outcomes more efficiently.

I'm also well-versed in Tahoe-specific issues, having worked almost three years with the California Tahoe Conservancy. This role gave me a strong understanding of how important partnerships and stakeholder relationships are to an agency carrying out its mission in the Tahoe Basin. Additionally, I became very familiar with the legal landscape and local land use issues that intersect with TRPA's development rights framework.

The General Counsel must also be comfortable providing legal counsel in public meetings, and I have direct experience in this area. At the Conservancy, I worked closely with staff to prepare materials for public meetings and developed formal public meeting procedures in compliance with California's open meeting laws. This experience has translated seamlessly to my work at TRPA, where providing legal review and counsel during open meetings is a big part of the job.

Finally, I have hands-on experience working and building professional relationships with our staff and legal team, which will enable me to make a smooth transition into the General Counsel role. I've been fortunate to work under Mr. Marshall's mentorship over the past eight months, gaining insights into the agency's legal framework, political history, and key case law that guide our work. I've also taken a leadership approach to my work here, positioning myself to step into this role or at least be considered for it. I believe we have a very strong staff and legal team, and I'm confident that even with John phasing out, we will be able to make a smooth transition and continue to collaborate effectively.

GOVERNING BOARD

October 23, 2024

In closing, I want to emphasize that my diverse professional experience combined with my personal connection to Tahoe will allow me to hit the ground running as TRPA's General Counsel. I am deeply committed to the agency's mission, and I plan to bring a collaborative, positive, and dedicated energy to the position.

Board Comments & Questions

Ms. Williamson said I had the pleasure of being on the interview panel that originally hired Mr. St. Michel. He was as impressive in that interview as he was in this presentation. It's truly been a pleasure working with you over the past eight months.

Ms. Hill said I'm truly grateful that we have an environmentalist coming in as our legal counsel. Thank you for your commitment to Lake Tahoe. I believe the community should really appreciate your passion for the work we do, not just from a legal standpoint, but also for your genuine passion for TRPA and its mission.

Mr. Rice asked Mr. Marshall if he's comfortable with this decision.

Mr. Marshall said yes. We hired Mr. St. Michel knowing he was very well qualified, and he has done nothing but improve upon that impression over the last eight months.

Ms. Aldean said no one can truly replace John, he's irreplaceable. I'm comfortable with this approach. I think this is the fiscally responsible choice, especially when we have a qualified candidate. There's no reason to go through a full recruitment effort and I support this recommendation.

Ms. Conrad-Saydah said the General Counsel position is unique because you'll be advising both the staff and the board. I'd like to hear more about your approach to balancing those roles. Specifically, how do you think about the flexibility required when advising both teams? Given that in your previous roles you've been a strong advocate for the agency, how do you plan to navigate that dynamic and ensure you're serving both the staff and the board effectively?

Mr. St. Michel said that's a unique quality of this position. As General Counsel, you're representing both the staff and the board, and there may be times when their directions diverge. I think that's something I've learned from Mr. Marshall. For me, it's important to keep open communication and always be mindful of that dynamic. First and foremost, it's about recognizing and thinking ahead about potential areas of divergence. I think one of the keys is to use opportunities to provide confidential communication when needed. If I believe the Board needs to be aware of an issue, I'd want to make sure I communicate that clearly, whether that's through a memo or another form of communication. My approach would also be to avoid surprises. I'd work closely with the Executive Director to make sure they're aware of any important developments. For example, if I feel a situation might pose a different risk than what the staff is recommending, I would want to inform the Board about it in advance, rather than acting independently or "going rogue." Keeping everyone in the loop is essential.

Ms. Gustafson said there are many times, especially after hours, when we're responding to inquiries from the public or preparing for upcoming meetings. Those demands often come outside of regular working hours. So, I really appreciate your willingness to take this on, especially given your qualifications in environmental law. I think your background will be essential to our work.

GOVERNING BOARD

October 23, 2024

Ms. Regan said I just wanted to build on the question from Ms. Conrad-Saydah. We posed a difficult question during the interview process. We set up a scenario where there was a conflict between a legal recommendation and an Executive Director's recommendation. We asked how the candidate would handle that situation. Mr. St. Michel handled it excellently during the interview and did very well. There are two positions that report to the Governing Board; General Counsel and the Executive Director who have a strong history of collaboration and respecting each other's points of view. If there were ever a situation where a conflict arose, I am confident that we would work it out. If we couldn't come to an agreement, we would each bring the issue to you individually.

I also want to highlight something that I believe is an important consideration for Mr. St. Michel's candidacy, as it was for mine when I became the Executive Director two years ago. It's now a bit of a milestone moment, as two years ago at this meeting, you made the decision to bring in a new Executive Director. Graham's connection to the Tahoe community, and his understanding of both California and Nevada, is a unique strength. As a bi-state entity, we are fortunate that he has that understanding and respect for both states. Not many candidates can offer this, and it's such an inherent part of our agency's DNA and the Compact itself. That background and ability to balance the needs of both states is truly a gift.

Public Comments

None.

Ms. Aldean said the second motion states: "A motion to delegate to the Chair the authority to enter into employment terms consistent with the options contained in Attachment B." Since there is a salary range included in Attachment B, I presume there have been some considerations made regarding pay. The document outlines a pay range and discusses the applicant's current salary and is to be negotiated. But there is not a recommendation contained in Attachment B and shouldn't it be consistent with the options presented in Attachment B.

Mr. Marshall said if you would like to frame it that way, yes, that's okay. However, I think it's fine as it is. I believe the intent was simply to ensure that the final negotiated salary falls within the range outlined in Attachment B, making it consistent with that range.

Ms. Aldean made a motion to appoint Graham St. Michel as General Counsel subject to agreement of employment terms.

Ayes: Ms. Aldean, Ms. Bowman (for Mr. Aguilar), Mr. Bass, Ms. Conrad-Saydah, Ms. Faustinos, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Mr. Kieckhefer, Ms. Laine, Ms. Leumer, Mr. Rice, Mr. Settelmeyer, Ms. Williamson

Motion carried.

Ms. Aldean made a motion to delegate to the Chair the authority to enter into employment terms consistent with Attachment B attached hereto.

Ayes: Ms. Aldean, Ms. Bowman (for Mr. Aguilar), Mr. Bass, Ms. Conrad-Saydah, Ms. Faustinos, Ms. Gustafson, Ms. Hill, Mr. Hoenigman, Mr. Kieckhefer, Ms. Laine, Ms. Leumer, Mr. Rice, Mr. Settelmeyer, Ms. Williamson

Motion carried.

VII. PLANNING MATTERS

A. [Government Relations program Update on Federal, State, and Local Initiatives](#)

TRPA staff Mr. Middlebrook provided the presentation.

Mr. Middlebrook said today, I will provide an overview of the TRPA's Government Relations program, along with an update on key federal, state, and local initiatives.

Article 5 of our Bi-State Compact mandates that TRPA seek cooperation and consider the recommendations of our partners in implementing the Regional Plan and achieving threshold standards. The TRPA Government Relations program helps implement this mandate by coordinating with a wide range of public and private partners.

Tahoe is a complex landscape of overlapping jurisdictional boundaries, but we are one watershed and one region. Effective coordination is crucial to ensure that Tahoe speaks with one voice regarding our shared vision, goals, and needs. Historically, lack of coordination in the Tahoe Basin hindered progress, as state and federal officials were hearing conflicting messages about the region's priorities. The Environmental Improvement Program (EIP) was established to make real progress through collaboration, and it has proven to be an essential tool for the region.

A major success this year was the reauthorization of the Lake Tahoe Restoration Act (LTRA) in Congress. This was a significant achievement as it ensured continued federal support for the region's restoration efforts. The original 2000 LTRA expired six years before the 2016 reauthorization, and the recent standalone reauthorization bill passed before the expiration of the existing act, which is a huge accomplishment. This bipartisan and bicameral support for Tahoe transcends politics and demonstrates the power of working together toward a common goal.

The EIP is Tahoe's collaborative model for conservation success, with over 80 partners implementing EIP projects around the basin. TRPA serves as the coordinator of the EIP, supporting our implementation partners in putting projects on the ground. The Government Relations program plays a vital role in coordinating EIP partners on outreach, communications, and funding requests.

Field tours have proven to be an effective tool for educating decision-makers, elected officials, and staff about the challenges Tahoe faces and the solutions needed to achieve the region's goals. These tours also provide partner agencies with an opportunity to highlight their work and future needs. Since March of this year, TRPA has facilitated 14 field tours, helping to raise awareness about issues such as meadow and wetland restoration, transportation funding, and water infrastructure for fire protection.

The reauthorization of the LTRA is one of the most significant federal achievements for the Tahoe Basin this year. This extension provides more time for the region to receive approximately \$300 million in remaining authorization from the 2016 LTRA. However, reauthorization alone is not enough, and we must continue efforts to secure the annual appropriations needed to fund priority EIP projects. In March 2024, TRPA lead a "Team Tahoe" fly-in to Washington, D.C., with 22 partners, to engage and educate elected officials and staff about the importance of the LTRA. TRPA also helped coordinate the 2024 Tahoe Summit, which was attended by over 1,300 people and featured keynote speaker, Secretary Buttigieg. Additionally, TRPA facilitated congressionally designated spending and community project funding requests, resulting in a 76 percent selection rate of projects submitted to

GOVERNING BOARD

October 23, 2024

our congressional delegation.

At the state level, TRPA works closely with both California and Nevada. This year, a major focus was building Tahoe's presence in the state capitals. Staff traveled to Sacramento and Carson City numerous times to meet with elected officials and agency staff, discussing the importance of protecting Lake Tahoe. TRPA also helped develop transportation funding proposals in both states, including a draft transportation formula funding bill in California and several bill draft requests in Nevada.

In Nevada, staff participated in the 2024 Interim session of the Nevada Legislative Committee for the review and oversight of the TRPA and Marlette Lake Water System, resulting in the submission of eight bill draft requests for the 2025 legislative session.

Two important funding updates at the state level include California's Proposition 4 (a \$10 billion parks, environment, energy, and water bond measure) and Nevada's Department of Conservation and Natural Resources (DCNR), which recently sold a new round of EIP project bonds. Prop 4 includes \$54.5 million in direct funding for climate-focused EIP projects through the California Tahoe Conservancy, with key provisions supporting water infrastructure for fire projects.

As we look ahead to 2025, several priorities are shaping TRPA's Government Relations program. At a federal level, TRPA will continue engaging partners as the 2026 Highway Bill is drafted, which could provide additional transportation funding for the region. We will also focus on securing annual LTRA appropriations and developing new funding opportunities to support transportation, sustainable recreation, and science.

At a state level in California, the primary focus remains on securing a fix to transportation formula funding calculations. In Nevada, eight bills related to Lake Tahoe will be considered in the 2025 legislative session, three of which focus on transportation and funding.

At a local level, TRPA will continue supporting local partners in implementing the EIP and Regional Plan, with specific attention to advancing solutions on the State Route 89 and 28 corridors, supporting the Destination Stewardship Council, and participating in more field tours.

Ms. Leumer said this will be critical for California to fund the environmental programs happening here in Tahoe. A significant portion of the funding will go to the Wildlife Conservation Board, which is one of the major funders for the Motel 6 project. Additionally, \$1.5 billion will be allocated for forest health and wildfire resilience, which is a crucial issue for us here in the Tahoe region. It's exciting to hopefully see this pass in the coming weeks, and for the funding to make a tangible impact on our community.

Mr. Middlebrook said in Nevada, the Department of Conservation and Natural Resources (DCNR) recently sold their latest round of EIP Project bonds to support EIP projects at Tahoe. DCNR is also requesting authorization to sell \$19 million in bonds during the 2025 legislative session for that EIP bond program.

At the local level, we also support our local partners in implementing the EIP and Regional Plan. This year, a key focus was transportation, which is a top priority for this board. The Government Relations program supported efforts to secure sustainable transportation funding through several activities. We worked with partners to update the Transportation Action Plan for this year's Summit, which was

GOVERNING BOARD

October 23, 2024

focused on transportation issues. We also helped Washoe County Commissioner Hill secure \$200,000 in funding for TART Connect microtransit from the Reno-Sparks Convention and Visitors Authority. Additionally, we are collaborating with Supervisor Laine to develop pilot transit and parking management projects for Emerald Bay.

Looking ahead to 2025, our program priorities will include the following: Federal Level: We will engage with partners as the 2026 Highway Bill is drafted, which offers opportunities to secure additional transportation funding for the region, especially for programs focused on recreation and travel to rural communities like Tahoe. We will continue making annual appropriation requests for the Lake Tahoe Restoration Act (LTRA) now that reauthorization has passed. However, LTRA does not cover all priority areas in the region, so we must continue to pursue new funding opportunities, such as for Aquatic Invasive Species control under the Alpine Lakes program, housing programs under the current Farm Bill, and additional support for transportation, sustainable recreation, and science.

State Level: Our primary focus will remain on transportation funding. In California, we are still working to fix formula funding calculations. In Nevada, the state legislature will consider eight bills related to Lake Tahoe, three of which directly address transportation and funding.

Local Level: We will continue supporting partners in implementing the EIP and Regional Plan. This will include advancing solutions for the State Route 89 and 28 corridors, supporting the Destination Stewardship Council, and participating in more field tours, to which you are all invited.

In summary, it takes the collective efforts of Team Tahoe to advance our goals of protecting this beautiful place, supporting our community, and ensuring a vibrant local economy. Regional collaboration will continue to be at the core of what TRPA is and how we work to support our partners and secure resources for the region. As we move into the new year, I will return to the Environmental Improvement Committee with updates on our key priorities and overall work program.

Board Comments & Questions

Ms. Hill gave Mr. Middlebrook a huge shout-out for his incredible work during the interim for the Lake Tahoe-Marlette Lake Subcommittee. I can't believe we have three transportation bill draft requests, this would not have been possible without TRPA's support. I'm hopeful we'll secure sustainable transportation funding on the Nevada side, especially for Washoe County. I appreciate all the support and look forward to working with you during the legislative session. I know Washoe County will support these efforts in any way we can.

Ms. Aldean said three of the eight bill drafts relate to transportation. Can you give us a summary of the remaining five?

Mr. Middlebrook said one of the bill draft requests is a cleanup in Nevada Revised Statutes to recognize our 600-foot no-wake zone, which was adopted in our Shoreline Plan. This will provide local and state law enforcement with more authority to implement our rules in the area. Several bill draft requests have also come from the Department of Conservation and Natural Resources, including a request for \$19 million in EIP bonds for priority EIP projects. This is one of the largest bond requests for that program. Additionally, there are some clean-up measures to improve how they manage reporting for their land bank and to streamline operations at Sand Harbor for more efficient handling of funds. Another clean-up measure focuses on language adjustments to make forest health projects more efficient. On the transportation side, one of the proposals includes enabling legislation to

GOVERNING BOARD

October 23, 2024

potentially create transportation business improvement districts in Nevada, similar to what California and the North Shore Community Alliance have recently done. There is also a provision related to housing, which aims to help local jurisdictions offset some of the mitigation and hookup fees associated with affordable housing development.

Ms. Laine said the Emerald Bay project is such a joy to take on, because it has been a long-overlooked issue for many years. TRPA really set the roadmap back in 2018 when they studied the corridor and gathered a lot of valuable data. If anything, we see that we could expand upon those numbers, but not much has changed since then. Without Devin Middlebrook's support, I wouldn't have been able to get anywhere near where we are today. We're still in the early stages, but momentum is definitely building. Also, I want to recognize the additional support from Kim Caringer, as well as Julie Regan. All of their contributions have been foundational in helping me make progress on this project.

VIII. REPORTS

A. [Executive Director Status Report](#)

Ms. Regan said a reaffirmation of what I heard the Board say to Devin Middlebrook: Devin has been doing an incredible job in his new role as Government Affairs Manager. He has really hit the ground running, and the success of the Restoration Act extension is certainly the big headline from this year.

There was a press conference that Congressman Kiley organized at the top of Heavenly. Our Board, Ms. Gustafson and I had the great pleasure of speaking with Congressman Kiley, Senator Cortez Masto, and Jesse Patterson from the League to Save Lake Tahoe. The wind was fierce, but it was an incredible celebration to mark the passage of the Lake Tahoe Restoration Act. The event certainly symbolized, both visually and for the country, what's possible when you work across the aisle, across state lines, and across different houses of Congress to get something done for the lake. Special thanks to the Board members who were able to attend and to support us throughout the year, as well as to Heavenly and Vail Resorts for hosting and for taking us up to the top of the mountain. It gave us the perfect vantage point to take a moment, as Member Kieckhefer likes to say, for a "mission moment" and appreciate what we're all doing together, rowing in the same direction.

A meeting was held recently at the Tahoe Blue Events Center, just a couple of weeks ago. It was the California Wildfire and Forest Resilience Task Force, which was formed by Governor Gavin Newsom. What was exciting about this meeting was that it truly was a bi-state discussion. As you can see, I was there with Secretary Wade Crowfoot and Director Settlemeyer, and the entire conversation around fire issues in Tahoe served as a model for both the state and the country on what can be achieved when we work together on this critical issue facing our community. I know you've all received a lot of public comments, and we will hear some more later in the agenda, and I'll address some of them in my report. It just underscores the fact that fire issues affect the entirety of both states. The meeting brought together more than 500 people and was one of the most well-attended sessions hosted by the California Tahoe Conservancy, the Tahoe Fund, and the State Natural Resources Agency. I had the opportunity to participate in a panel with Kacey KC who heads the Nevada Division of Forestry, and Jason Vasquez, Executive Director of the California Tahoe Conservancy. We discussed Tahoe's work on fire resilience, which we've been undertaking even before the Angora Fire in 2007. We shared insights into how the lessons learned from that experience helped us manage the Caldor Fire. Only three years ago, in October, the Caldor Fire was still being extinguished. The panel allowed us to reflect on the progress we've made in preparation for such events. The work we've done to harden homes, manage defensible spaces, and remove fuels really made a difference during the

GOVERNING BOARD

October 23, 2024

Caldor Fire. Patrick Wright, former Director of the Conservancy and now the head of the Task Force, noted in his remarks that no other region has made such an interagency commitment to wildfire resilience as we have here. It's particularly gratifying to see the commitment paying off in areas like defensible space, home hardening, and fuel removal, both during and after the Caldor Fire. It was also valuable to learn from other areas and share information and lessons learned. We certainly have faced many challenges, but the progress we've made gives us hope for the future.

On the other side of the state line in Nevada, the University of Nevada, Reno is celebrating its 150th anniversary. For some of you in the region, you may have heard about this milestone. I was fortunate enough to be invited to participate in the sesquicentennial celebration. Frankie Sue Del Papa, who was Nevada's first female Secretary of State and Attorney General, was honored alongside other remarkable women from Nevada's history.

Former Governor Brian Sandoval, who is also President of the University of Nevada, Reno, delivered the State of the University address. He shared fascinating stories about the university's origins. The university started with just seven students in Elko, later moved to Reno, and was nearly relocated to Carson City until it was decided by a single vote in the Legislature to stay in Reno. From those seven students, the university has grown to 5,000 students annually, and hopefully, in the next couple of years, I will be one of those graduates, working toward my PhD. It was truly inspiring to be part of the celebration, particularly to see so many women being honored, including Senator Cortez Masto, who co-chaired the event. The event was well attended by many community members, making it a special moment. Of course, the University of Nevada, Reno is also a valued member of our Science Council and an essential academic and research partner in the Tahoe Basin.

Moving on to housing news, there have been a couple of bright spots in our efforts. First, a quick update from Kings Beach. We've had several housing workshops since our last meeting, with many more planned. So far, over 100 community members have participated in these workshops to discuss housing. This is all part of our "Cultivating Communities, Conserving the Basin" initiative, which is a key component of the strategic priority on housing that the board has supported. It's been incredible to see our staff engaging with the community in a bilingual capacity, especially at the Kings Beach meeting, where we had a lot of Spanish-speaking participants. We had an interpreter present and were able to capture the community's concerns and ideas. There's still a lot more work ahead, but the momentum is growing.

Turning to another significant achievement, we had a big celebration with many of you in attendance, including City of South Lake Tahoe Mayor Bass, El Dorado County Board of Supervisor Ms. Laine, myself, and other speakers like Lyn Barnett, who worked at the agency for many years and is now with the St. Joseph Community Land Trust. We celebrated the ribbon cutting for Sugar Pine Village. What stood out in the discussions and presentations during this event is that if we can make this happen here, we can make it happen anywhere. Affordable housing is a complex issue, with complicated financial structures and environmental considerations. Just two years ago, we had the groundbreaking ceremony, and now we're celebrating the first phase, 60 people have moved into a 248-unit affordable housing complex. It's heartening to see this progress, especially after the hurdles presented by COVID-19, rising interest rates, and other challenges.

We are being held up as a state and national model for what can be achieved when we work together with a wide range of partners. One of the most moving moments of the day came when Wendy, a new resident of Sugar Pine Village, shared her story. Wendy, who has worked multiple jobs in Tahoe, has had to endure substandard housing options. She was overjoyed to be moving into a quality place to

GOVERNING BOARD

October 23, 2024

live. Her story made it all the more rewarding to know that the work we are doing is making a real difference in our community.

I also made the point that housing is inherently linked to the environment. At Tahoe, our life is the lake, and the two are interconnected. By providing housing options locally, we reduce the need for long commutes, which has environmental and safety benefits for all. This is a win-win for both the community and the environment. I want to acknowledge everyone's hard work, especially TRPA staff member Brandy McMahon, who was there with us and played a critical role in the project. These kinds of projects are never easy, they are complicated and require a lot of effort. This is the kind of work we're committed to, and we look forward to celebrating many more milestones like this in the future.

We've mentioned the field tour, but I want to emphasize how incredible it was to begin at the City Council chambers, where we were joined by Mayor Bass, Supervisor Laine, who organized the event, as well as staff from the City, El Dorado County, Caltrans, law enforcement, the League to Save Lake Tahoe, the Forest Service, and California State Parks. It was a collaborative effort, and the momentum we felt was palpable. As Member Laine pointed out, we all drive around Emerald Bay in the summer, biting our fingernails, much like we do around Sand Harbor and the Highway 28 corridor. It's only a matter of time before we see serious injuries if we don't take action. Fortunately, we already have a strategy in place, and we have a corridor plan. While it's complicated and difficult, we are making progress. A big thank you to Member Laine, the City, and all the partners working with us to make significant advancements that will not only protect the resources at Emerald Bay but also greatly enhance safety.

One of the key pieces we're particularly proud of is the trail feasibility study around Emerald Bay. This study raised a lot of questions from the community, particularly around the possibility of building a new trail, which could cost anywhere from \$100 million to \$200 million. We took a hard look at this and, with the help of Kim Caringer, collaborated with our partners to shift focus to the areas around Emerald Bay first. The idea is to improve safety, get more shuttles, and reduce cars on the road shoulders before we move forward with an environmental analysis for the trail connection. In the meantime, we can focus on connecting the trail from Meeks Bay to Bliss State Park, which will support overall progress in the corridor.

This is just one example of the added value that comes from working with such a broad range of partners. With so many different entities involved, it's easy to go in five different directions, but we often help guide the process, working with those partners to identify a path that everyone can support. It's about growing alignment that will move us forward in the right direction.

We are continuing with Move It Mondays until the snow flies at Tahoe. We left the office and walked down to Nevada Beach, through the Kahle Community Center, and stopped to discuss the Burke Creek Restoration. For those who are familiar with the area, it's near the Sushi Pier and the Nugget Casino, which is replacing the old Thai restaurant. The Burke Creek Restoration project has been in the works for over ten years, and we're finally seeing progress. The creek restoration is underway, the parking lot which was essentially a war zone is getting fixed, and we're seeing improvements in connectivity.

We walked down the Lam Watah Nature Trail, where we talked about the Barton project, which is currently being discussed in the public space. We also covered improvements in the Kahle Complete Streets project, and I want to give a big thank you to Member Rice, who has been a champion in improving the condition of Kahle Drive. This work is crucial, along with the other watershed

GOVERNING BOARD

October 23, 2024

improvements and restoration efforts being led by the Forest Service and the Nevada Tahoe Conservation District.

I had the great honor of meeting with Jim Baetge yesterday. Some of us recall Jim as the executive director, and he was one of the most consequential executive directors in TRPA's history, especially during the 1990s. It was really under his leadership that the Environmental Improvement Program (EIP) was born.

Ms. Regan introduced new staff member, Julia Carlson, who replaced Mirjana Gavric in the Finance Department. She will be working with the transportation and housing grants, among other programs.

We've been receiving a lot of public comments around regional evacuation planning, and I just wanted to follow up on what was said earlier about the fire task force meeting here. Regional evacuation planning, and living through the age of mega-fires, is a top priority for our community. It's a major area of concern, and I want to assure the board that we are taking all these public comments seriously. We appreciate the spotlight being shown on the work that's been done and the additional work that still needs to be done.

We're actively working to implement the grant that Secretary Buttigieg announced when he was here for the summit, the \$1.7 million Protect Grant. This focuses on adapting to climate-related emergencies, not just wildfires, but all types of emergencies. We also have to contend with rockslides, blizzards, extreme weather, and more. Bolstering our regional capacity to adapt to these challenges is a top priority.

We're collaborating with professionals who have statutory authority to manage evacuation, namely, law enforcement, in cooperation with the fire service and unified command. We're also looking at our role in land use and how we can contribute to planning in terms of the Regional Transportation Plan. Later today, after the Board meeting, we'll have our transportation committee, which has been focusing on the policy pieces for the Regional Transportation Plan update. We'll be looking at how this fits into evacuation planning as well.

There are a couple of key points I want to emphasize, especially in terms of managing people flow in the basin. For example, back in 2000, when Governor Schwarzenegger negotiated treaties with Native American tribes in California, casinos began to be built throughout the state. This led to a significant loss of jobs and the closing of schools. Between 2000 and 2010, we lost about 1 in 4 jobs, and those jobs are not coming back. In response, we've pivoted regionally to an economy based on outdoor recreation, but we haven't had the necessary infrastructure investment to support that shift. So, we're now playing catch-up on that front.

Even though it sometimes feels like there are more people in Tahoe, we haven't hit the pre-COVID population levels or traffic numbers. What we have seen, however, is a huge increase in visitation to public lands, with more people flocking to our corridors. In the past, visitors would park at the casinos in large parking lots; now, they are using our public spaces, which has added significant congestion to the area. This is an important challenge that we're working through as we adapt.

Our goal is to ensure that our land-use decisions align with our adaptation strategies for climate change and emergency preparedness. A key component of the Restore Grant is to get our land-use patterns aligned in a way that supports better evacuations. The Environmental Improvement Program (EIP) and forest health initiatives are crucial to bringing federal and state funding to support thinning

GOVERNING BOARD

October 23, 2024

efforts around evacuation corridors, which are already underway. The utility corridor work, which was highlighted in the tours, is also making great strides. We are one of the few places in the country doing utility corridor thinning to reduce fire risk, particularly from infrastructure like power lines. At the same time, this work is helping to build more resilient evacuation corridors.

Between 2000 and 2020, our full-time population has dropped by 12 percent. In terms of residential units, we're about 2 percent below the forecast, and in hotel tourist accommodations, we're 7 percent below where we expected it to be. Even though we're still seeing an increase in outdoor recreational use, it's clear that we are facing unique challenges in adapting our infrastructure and planning to the demands of a changing environment.

We talked a lot about the Individual Parcel Evaluation System (IPES). The IPES system, which we've been implementing for roughly 30 years, has been discussed extensively. The Legal Committee also had a closed session to review this matter. There have been some questions about the system, given that it was established 30 years ago. It's important to look back and make sure that we are implementing it with new information and the best available science in mind. Our staff is evaluating the IPES line in Placer County. All jurisdictions that receive building allocations, except for Placer County, have seen the line drop as low as it can go. This is a positive development, as it means more land is being conserved, and development is occurring in areas more suitable for growth, what we call high-capability land. However, Placer County presents a unique situation. There are many so-called "sliver lots" in the area, small, narrow lots created through paper subdivision maps. It's a simple math equation: the line hasn't been able to drop in these areas for many years. We recently caucused with Placer County staff to evaluate the possibility of revisiting this issue. We are not sure where it will lead, but based on last month's discussion, we are open to looking into this aspect of the IPES system in Placer County.

There are several upcoming topics and initiatives that will be addressed in the coming months. In the next 3-4 months, the Regional Planning Committee will present amendments for the South Lake Tahoe Area Plan. A briefing will also be provided on community wildfire protection plans, which will include an update on ongoing forest thinning and efforts to address fire risk. This program, initially funded by a Bureau of Reclamation grant before the Angora Wildfire, remains closely connected to the Conservation District.

Additionally, updates will be provided on the Aquatic Invasive Species program and the efforts surrounding a permanent station in Meyers. There was a recent town hall meeting on this subject, and further updates will be shared as the project progresses. The Threshold Evaluation, which assesses 150 environmental standards across 10 categories, will also be presented in the upcoming months.

The Tahoe Living working group, focused on housing, conservation, and community development in the basin, will provide updates on their work and potential amendments. Members of the board involved in this group will be engaged in the ongoing efforts.

Discussions around Homewood have been significant, particularly following the announcement that the ski mountain will not open this winter. Public access to the mountain remains a major concern, and the Homewood team is working on a new language to address these issues. Staff are collaborating closely with the community and stakeholders, and updates will be shared through the Homewood website.

Barton Health is also a topic of attention, especially regarding the site where the Lakeside Inn and Casino once stood. The site has been cleared, and the BMPs (Best Management Practices) are being

GOVERNING BOARD

October 23, 2024

monitored to ensure compliance. The team is working with Douglas County staff to bring forward an area plan amendment to create a health district. An environmental assessment will be conducted due to the scenic considerations of the site, and alternatives will be developed as part of this process. The health of the community is also a priority, with a focus on raising healthcare standards. The current hospital in South Lake Tahoe is in need of significant updates. Interestingly, a community clinic, founded years ago, will remain in its current location, and there are plans to expand it into a rural health clinic as part of the larger project. This ensures continued service to the community while addressing the area's healthcare needs.

Victoria Ortiz said TRPA is committed to fostering the growth of future environmental stewards through various initiatives, including scholarships for graduating high school students in the Tahoe region who are pursuing environmental studies. Since its inception in 2004 by Julie Reagan, the TRPA Environmental Scholarship Fund has awarded over \$15,000 to 33 deserving students.

This year, two exemplary scholars, Makara Steeves and Sonnet Van Doren, were each awarded \$1,500 scholarships in recognition of their academic excellence, extracurricular involvement, and commitment to environmental causes.

Makara Steeves, from South Tahoe High School, has already made significant contributions to environmental sustainability. She worked with the USDA Forest Service to assess water quality for Kokanee salmon and helped design tiny homes using sustainable materials. She was also an active member of the Climate Crew, participated in campus cleanups, and took advanced biology and environmental science courses. Makara was the longest-standing employee at Cuppa Tahoe and now attends Montana State University, pursuing a degree in environmental science.

Sonnet Van Doren, from Whittell High School, left this fall to study environmental engineering at Stanford. Since eighth grade, she has volunteered as a docent at the UC Davis Tahoe Environmental Research Center, which inspired her to conduct plant research and develop an app for invasive species prevention. Sonnet also worked as a ski instructor at Kirkwood and completed an internship with the USDA Forest Service's Generation Green Program. She served as the lead program manager for the Lake Tahoe Ambassador Program, educating visitors about how to protect the Tahoe environment.

The funding for this scholarship program comes from generous contributions from the TRPA Governing Board, Advisory Planning Commission members, and staff. Over the past few years, many donations have been received, and the TRPA is grateful for this support. If others are inspired to contribute, donations can be made to TRPA, with a memo for the environmental scholarship before the November Board meeting. For added convenience, donations can also be made via credit card. Contributions can be made directly to staff or at the front desk during the lunch break.

A. General Counsel Status Report

Mr. Marshall said I want to take a moment to express my appreciation for all the people I've had the privilege of connecting with during my time at TRPA. Over the course of 25 years working with both the board and the staff, I've had the opportunity to engage with some truly meaningful and complex issues. These challenges have been not only significant and important but also intellectually stimulating. I'm deeply grateful for the dedication and passion of the people I've had the honor of working with. It's truly been a pleasure to serve this agency.

GOVERNING BOARD

October 23, 2024

I'd like to give a quick shout-out to Katherine, who has been an incredible partner over the past several years. Thank you for all your time and effort.

Board Comments & Questions

Ms. Gustafson said when I think about what you've led us through, even in my short time serving on this board, I'm reminded of the wise advice you've offered. I've certainly benefited from your counsel. Your honesty and steady leadership have been invaluable as we've navigated various challenges during my time here. I truly appreciate all of your support and wisdom.

Ms. Aldean said I've worked with John for a long time, and I have a deep respect for his abilities. His wise counsel has been invaluable. We've butted heads at times over issues, and I think that's a good thing. It's important to have those kinds of exchanges, they spark new ideas and open the door to fresh perspectives.

Farewell Poem for John: *"Adept at writing briefs and squaring off in court John has chosen lazy days instead of suits and torts. Adventuresome by nature, he may one day conclude that sitting at a desk at work is a safer interlude to riding on uneven ground to seek a biker's rush and ending up in traction with another shoulder crushed. So, as we bid our friend adieu and wish him all the best I'd like to help him ward off hurts from any future quests. Contained within this package is a nifty little aid to cushion him from injury when he misbehaves."*

Ms. Hill said you'll be missed. When I was new on the board, you were always open to my phone calls and questions, and you really helped me learn. I'm excited about your retirement because that's such a big milestone, but I also know you'll be taking on all sorts of new adventures. I hope you stay involved in Tahoe. Congratulations, and thank you for your service.

Ms. Williamson said I have the privilege of working with a lot of lawyers in my role, and you are one of the best lawyers I have ever met and have had the pleasure of working with. You are thoughtful, respectful of the law, and always even keeled. You have been a mentor to so many of us, and I know you've instilled that same spirit in your team. It has truly been an honor to have you as part of this agency for as long as you have been. We all hope to carry that legacy forward, lawyers and non-lawyers alike. Thank you for your service.

Ms. Faustinos said I can't tell you how much I'm going to miss our conversations during the long drive from Reno to meetings, where you would always educate me on what's coming up. To echo what others have said, those of us who have worked with attorneys over the years, I'm always amazed at the depth of knowledge you have. Thank you for everything you've done, and for making me feel welcome in the Tahoe world as someone who isn't originally from here. You've been fantastic, and I really, truly appreciate you.

Ms. Laine said the two different times I've served on TRPA over different terms, you've been a solid rock for us as a board, providing us with confidence. Your individual counsel, as others have said, really helps us navigate and understand the complex matters we deal with. I appreciate all of that deeply. You will be greatly missed. Thank you for your service.

Ms. Regan thanked John. While we'll still be working together and seeing each other over the next couple of months, this will be our last "elbow bump" at the dais. I truly appreciate your support in my new role. Over the last two years, we've had a lot of transitions, and you've always been there to

GOVERNING BOARD

October 23, 2024

make everything run smoothly. We come at things from different places, but that's been incredibly helpful to me over the 20 years we've worked together, especially during the last two years. Your knowledge will definitely be missed, but I have complete confidence in our legal team moving forward and in building on the legacy you've established. We'll hold that legacy close as we continue on. Thank you for making my transition into the executive director role as smooth and important as it has been.

When we first started the Environmental Scholarship Fund years ago, John was one of the first riders in what we called the Lake Lapper Challenge. It was a race around the lake that sparked the scholarship fund. Thanks, John, for always inspiring us to ride hard and do it safely.

IX. GOVERNING BOARD MEMBER REPORTS

Ms. Gustafson said the closure of Homewood Ski Resort will have a significant impact on businesses along the West Shore. We are working closely with local businesses and the Chamber of Commerce to address employment challenges and the broader issues that will affect small businesses that rely on recreation amenities. Additionally, we've seen other smaller businesses close on the North Shore, such as Caliente in Kings Beach and Willard's Sports Shop in Tahoe City. These closures, combined with other factors, have raised concerns within the county about the cumulative effects on the local economy. As we look at these changes, it's important to remember that the decisions we make not only have environmental consequences but economic ones as well. Finding a balance between these two considerations is crucial.

I had the opportunity to test a pilot electric hydrofoil boat from Navier, which is being demonstrated in the Bay Area. It was an incredible experience. The boat, designed for up to six passengers, glides smoothly over waves without any bumps. This technology has the potential to revolutionize waterborne transit, something we've always seen as a distant dream, especially due to Lake Tahoe's challenging wave and wind conditions. But with boats like this, we could explore new transit options that would reduce the number of vehicles on the road and improve transportation around the lake. Navier is also developing a larger 30-passenger version, which could be a great fit for the Tahoe region, and I look forward to learning more about how this could work here when they return next summer.

Lastly, I recently toured the Grass Valley Air Attack Base, which is just 11 minutes by air from the Lake Tahoe Basin. Placer County contracts with Cal Fire for fire department support, and the tour highlighted how their aerial resources are used to manage fires and evacuations. They showed us a video of a firefighting operation where crews used aerial retardant drops to prevent a fire from reaching homes along a private driveway in a foothill community. The primary focus was evacuating residents safely, which they accomplished, while also managing to save the homes. It was a powerful reminder of the importance of resources like Blackhawk helicopters in firefighting operations. Cal Fire's aerial support now accounts for 20 percent of their overall budget, which is impressive, especially considering the costs associated with air support during large-scale fire operations, like those we saw in the Davis Fire.

X. COMMITTEE REPORTS

A. Local Government Committee

No report.

B. Legal Committee

GOVERNING BOARD

October 23, 2024

No report.

C. Operations & Governance Committee

No report.

D. Environmental Improvement Program Committee

No report.

E. Transportation Committee

Ms. Regan said the committee will be meeting beginning at 12:00 p.m.

F. Regional Planning Committee

No report.

XI. PUBLIC INTEREST COMMENTS

Doug Flaherty, TahoeCleanAir.org provided written public comment, a copy of the Independent Lake Tahoe Basin wildfire evacuation analysis, today's press release, and frequently asked questions which can be found on the meetings and materials page: [October 23 Governing Board Meeting](#). I want to emphasize that the purpose of the independent analysis from its inception, and as it remains so today, is to raise awareness and inform land use planners and the public of potential wildfire evacuation public perils that exist within our unique Lake Tahoe Basin. As just one example of an agency stated potential public peril, it is important to refer to the 2017 Placer County Tahoe Basin Area Plan Environmental Impact Statement on page 3.1-32 that admits in Placer County's case, "emergency evacuation conditions would likely result in traffic demand that exceeds roadway capacities under any scenario, at any hour." That's Placer County. Yet TRPA and its partner agency, land use policies, code amendment and permit processes continue to lack any requirement whatsoever to undertake a roadway-by-roadway, wildfire evacuation analysis indicating how long it may take to get residents and visitors safely out of harm's way and out of the basin during a fast-moving, no notice evacuation. I appreciate your Executive Director's email to me on September 26, 2024, stating, "Your study," referring to the independent analysis, "is raising more awareness of the urgent need for regional evacuation planning."

Kristina Hill, former TRPA planner, planning consultant, and a 40-year full-time Tahoe Basin resident. I'm representing the Tahoe Area Group of the Sierra Club. We are very concerned about the Connections 2050 plan that is being considered by the Transportation Committee today. I will also comment following the committee meeting.

I can appreciate that you're a planning agency, and as such need to plan for the future. However, this new plan calls for over 4,000 more residential units, 490 more short-term rentals, and 161+ square footage of commercial floor area. How will this additional development impact environmental thresholds? The Tahoe Basin does not have the environmental capacity or the capability to withstand this additional proposed development. Consider the analogy of when there is a huge snowstorm with ten feet of new snow. Truckee, as well as Heavenly Valley, has asked visitors not to come. There was no parking, roads were closed, etc. It was unsafe. This is the approach we need to implement to

GOVERNING BOARD

October 23, 2024

protect Lake Tahoe from further degradation. We are at capacity. Please go elsewhere. We have enough existing population and development to economically sustain our communities.

Trish, Tahoe Area ALS and MND Research Library said for the last three years, we have been doing water monitoring around the Lake Tahoe area and up at Serene Lakes because of the number of ALS cases. There have been two more since I last spoke to you all, and the numbers are increasing. Jim Haney's report is posted it on our library page. The findings are substantial. Jim will be having a Zoom call for everyone, hopefully by the end of the year. In addition to the collections we did, there are 17 grab samples on the library page as well. We have 5 more samples that he's still working on: Two for Serene Lakes, the stream up there outside the Water District office, and three samples that I took at Burke Creek and two at the Cayley Ditch. Both showed evidence of some cyanobacteria activity. We should have those results soon. There is a group of four scientists who are interested in the Tahoe area.

I am concerned about Alterra and the algae activity going on in Washeshu Creek. I feel like the cavalier response of "Oh, we're just going to move the creek," or "We're just going to remediate the creek" doesn't work because you have to understand what's going on there first.

Secondly, I'm also concerned about what's happening at Homewood. I have a lot of friends working on the West Shore working and are worried about how they're going to stay afloat all winter. I'm concerned about the groups of people that are attached to JMA Ventures, Mohari, Discovery, Oman, and maybe even Weller. I feel like the map is not the territory with everybody over there. I'm hoping that TRPA will be incredibly clear with them about the rules, and they don't just issue a permit because they need the revenue for the area. Homewood is a sweet little resort, and the hill is not that complex. I don't understand why they want to build these expensive condominiums in an area where everybody basically lives in these original cabins.

XII. ADJOURNMENT

Mr. Hoenigman moved to adjourn.

Ms. Gustafson adjourned the meeting at 11:40 a.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 locating this information, please contact the TRPA at (775) 588-4547 or virtualmeetinghelp@trpa.gov.