



# *Lake Tahoe*

## Federal Advisory Committee

Final Meeting Minutes  
 August 23, 2011 – 9 a.m. to noon  
 Tahoe Center for Environmental Sciences  
 291 Country club Drive, Incline village

### **Attendees:**

- Lisa Foley, Ann Nichols, John Reuter, Steve Teshara, Peter Kraatz, Patrick Wright, Natalie Yanish, Heather Bacon, John Falk, Doug Martin, Michelle Sweeney, John Pang, Andrew Strain, Suzanne Garcia

### **Designated Federal Official (DFO)**

- Jeff Marsolais

### **Agency Representatives:**

- Maureen McCarthy, TSC; Karin Edwards, CTC; Jeanne McNamara, TRPA; Robert Gregg, NDSL; Katie Huff, USACE; Linda Lind, USFS via conference call; Arla Hains, USFS

### **Welcome, Introductions, Review of Agenda - Jeff**

- Welcome to another meeting of the Lake Tahoe Federal Advisory Committee (LTFAC). Thanks for your commitment to being here. Summer is not the best time to meet because of everyone's busy schedule, but it is important work.
- Everyone introduced themselves.
- Jeff - on the agenda we will start with the announcement of a LTFAC Chair. I've asked Linda Lind to join and review the Southern Nevada Public Land Management Act (SNPLMA) Round 12 secondary list. We will recap the August Event. We will ask what struck you on the dialogue. Steve Teshara will talk about the previous LTFAC role. Then we will have public comment and discuss committee logistics.

### **Selection of a Chairperson:**

- Jeff – the key role of the Chair during SNPLMA was to orchestrate LTFAC having dialogue about the projects and making decisions as a body to the Tahoe Regional Executives (TREX). During

that time, we were not required by law to have a Chair, so with a compressed schedule I opted to try to orchestrate SNPLMA portion for the sole purpose of condensed timelines. Every time we had Chair selection as an agenda item, a least two people interested were not present. I didn't feel it was fair. Through the process of SNPLMA, people were able to exchange information. I sent out a straw poll and based on feedback I've asked Steve Teshara to lead us. That choice goes with insights you shared with me.

- Steve – I appreciate my selection and am honored to lead this committee.
- Jeff – I know we will have a healthy relationship. Any questions from the committee?
- Lisa – how long is the term?
- Jeff – two years. For me, the Tahoe Summit was a huge learning experience. It led me to conclude that this FAC will play an important role in the future of Lake Tahoe. It is an important time and I am happy that Steve will represent the committee. He brings the community perspective right here. As role of the Chair he will lead this group with selection of agenda items, and ask agencies to support the needs of LTFAC. We can see a series of presentations by the Federal agencies. Much of the previous presentations were on SNPLMA projects, we never stepped back to talk about AIS on a full scale. If the committee wants to see more information, Steve will take the role to set that up with me. He will work to keep agendas moving forward and be a source for leadership and communications with congressionals. Steve would take the lead and possibly write letters. This body will be more on its own, without the agencies trying to help with sideboards to operate within.
- Steve – the Chair is responsible that all members feel a part and they're heard. We went through the SNPLMA process quickly, it felt rushed. We need to step back and take time with our discussions now, Discuss what we should be doing going forward. When I go over the packet I will have suggestions to consider what is important right now. The Tahoe Summit opened a new era on how we work with our partners and congressionals.
- Jeff – Steve mentioned there was a lot of heavy lifting with SNPLMA in a short amount of time, this committee did well with that. We are not under the crush of business now. That gives us the chance to have bigger, deeper discussions on the Lake.
- John R. – if we could discuss and define what ability this group has to work with the states and local government.
- Jeff – there may be two answers – legal and Tahoe. It would be good to discuss with Patrick. The federal government has certain responsibilities because of the committee charter. States/local agencies may opt to have those same responsibilities. It is not the same burden. We could opt to have the same relationship. The legal side is spelled out clearly for us.
- John P. – none of the local agencies would deny discussions.
- Steve – we make recommendations to the Federal Partnership through the Secretary of Agriculture. The Environmental Improvement Program (EIP) brings latitude. Local government may want help and advice. We represent a lot of perspectives. As long as it is appropriate, we welcome it. They could come and do presentations.
- Pete – there has been no consistency on working together on funding in the past. We are at a crossroads. Maybe this is the panel to provide that leadership. Regionalizing the funding effort

would be a good thing, with a greater potential for success. Funding opportunities are much more competitive. Placer County has turned over every rock and been successful. This panel could be a good leader to coordinate. We are seen as the spoiled child. The fact is we are still short funded.

- Patrick – nothing prevents counties from accepting recommendations from this group. We need to have this group think about what they want to focus on. Ask for reports and weigh in.
- John R. – the Regional Plan is due in a year, which is not a lot of time.
- Jeff – the federal government will be a part of LTFAC because we chartered it. We can hear from local and state agencies depending on where the LTFAC wants to be, they may want to bolster the role the LTFAC plays for them.
- Steve – we face some of the same challenges faced when the committee was new. Out of discussions we came up with a facilitated workshop and prioritized topics for the next 12 months. I suggest that our next meeting be a workshop where we come up with a strategic workplan. It is a good way to see where we are at.
- Jeff- any questions about the Chair expectations? They are a bit static as the role of the LTFAC changes. We need to stay moving in a positive way.
- John F. – it is premature to make decisions at this juncture. At the next meeting we need to decide if we need a vice Chair to help with the heavy lifting.
- Steve – we formed a couple committees in the past to help with the workload.

#### **Lake Tahoe SNPLMA Round 12 Secondary List – Jeff**

- We don't know the future of SNPLMA funding, there may be money left on the table. A secondary list is a means for funds to be recycled from the SNPLMA pot back into projects considered by this body.
- Linda – with the expiration of the Lake Tahoe Restoration Act (LTRA), we worked with the Bureau of Land Management (BLM) to look at the language for returned funding. For LTRA 2011, the language states the funding goes back to BLM, and then is brought back to Lake Tahoe. We wouldn't lose it to BLM. LTRA 2011 is held up in congress so the BLM and I decided to develop a secondary list as a safety net. We can't fund new projects. It is unlikely that much money will return. The primary responsibility before funding goes to the list would be to complete projects in rounds 5-12. TREX approved extra funds for Blackwood Creek to finish that project. In 7-8 years, any funding left over, we can go back to this list and look at our priorities. The Tahoe Working Group (TWG) and LTFAC will decide priorities at that time. At a TREX meeting we brought up this concept and they agreed to make whole all scaled projects. On the handout - red numbers are consistent priorities in the Basin. We thought about what it would take dollar-wise to finish them. TREX was overzealous in their numbers.
- Jeff – the way the dialogue went with TREX, they wanted to give this body and the Tahoe region options and stay nimble for what is on the horizon 3-8 years out. Without a secondary list, BLM would have had us go through a formal process. So instead we have this list in the queue waiting for the dialogue. Something may be out there but not on this list, but we tried to be general.

- John R. – our needs may be different in seven years, then this group has the option not to go with this list?
- Linda – if nothing is a priority, we would go through our process (TWG, LTFAC, TREX, and Secretary of Interior).
- Andrew – the total funding column is \$27.6M – is that based on a forecast?
- Linda – absolutely not.
- Jeff – we had a more modest list but TREX said they wanted to make sure the agencies had the best opportunities, so they added a lot.
- Andrew – if we ended up with less than 10% return, we are not far off. It seems like we have used the Implementation Agreement (IA) to tinker with small needs in the past. It may be the avenue to move forward with.
- Linda – we are working with BLM on the IA. I can give you a summary at the next meeting **Action item.** After the Secretary of Interior had an audit of SNPLMA projects, there has been more pressure to complete projects and spend money. Lake Tahoe has a great record of completing projects. SNPLMA Executives are putting limits on how long to get projects done. Extensions will be few and far between. Tahoe is special; we need adjustments due to the weather and a short field season. We could probably get time extensions. We will be talking with agencies on how to address that and will be using the IA.
- Jeff – this was a tool to set the stage for the role that LTFAC does in the future. Accounting of projects and helping the federal agencies make decisions. There will be discussions 7-8 years down the road. Don't read more into the list than there is. This list will be put in the corner for years before it is pulled out again.
- Patrick – I have a cost overrun question. There may be projects with a higher priority than some of these.
- Linda – we are required to deliver on deliverables. We can't just stop, we must finish. We can reduce acres on fuels but stream restoration is harder to stop. It depends on where project is. In the IA there is a process of going to TREX to approve additional funds out of the return pool. We did that for Blackwood Canyon recently. We are having a discussion on criteria in the Lake Tahoe Basin Executive Committee (LTBEC).
- Jeff – there is an assumption that approved projects have higher priority because they were brought through with public involvement. Only time will tell.
- Patrick – you have a built-in incentive for Cadillac projects. They keep going back for money. Projects with cost overruns need to compete. Give that money to Aquatic Invasive Species or fuels projects. You are building in incentive to do anything they want. We did not agree to fully fund projects.
- Linda – it's not quite like that. The Blackwood money came with a lot of evaluation. Technical things came up that we didn't know in the past. From the Secretary of Interior's perspective, projects have to get finished. LTBEC can put together criteria for that.
- Patrick – you can come back to this group and make that case.
- Jeff – we are not recycling millions of dollars, there will be rare exceptions. We are not having huge cost overruns. The agency-wide track record is returning money. I acknowledge what you

raised and I will ask Steve to discuss as a future role of LTFAC. **Action item.** LTFAC can play an important role in approving recycled funding.

- Linda – we have an upcoming LTBE agenda to sketch this out.
- Patrick – in two years we may not have any money for AIS; it is a tough sell for the money to go to Blackwood.
- Linda – we need to discuss with the BLM. If new invasive species come in, I'm not sure we could legally access returned funding. I can investigate that. I have been told we had to make sure all projects in SNPLMA Rounds 5, 6 and 7 were funded when the last money was turned back by BLM.
- Jeff – we will investigate and make it a future topic. **Action item.** With the IA and law, how have we worked in the past? We can use that as a piece of LTFAC in the future.
- John R. – we can give TREX advice, it is their decision. Can the projects on the secondary list be broader?
- Linda – we had to come up with actual proposals that were not as specific as Round 12.
- Jeff – we will make sure to bring this back and report to this group.
- Doug – can we get big SNPLMA funding?
- Jeff –no, just Lake Tahoe money.
- Peter – if LTRA got funded, could this list be a starting point?
- Jeff – that is the discussion the LTFAC could help lead. TREX would listen to that. Andrew – how much money has been returned so far? How much spent?
- Linda - \$3M has been returned, \$3M is yet to be returned. We can monitor and have figures for the next meeting. **Action item.**
- Patrick – why not allocate now? Why wait?
- Linda – there are limitations on how to use the money. We have to make sure the Round 7 project secondary list is closed out first. We will check with the IA.
- Patrick – if we are lobbying money from Congress, and for example just need \$1M, the Senator will ask why we didn't use SNPLMA funding. Our excuses won't fly. To automatically go to a secondary list from ten years ago in today's world is foolish.
- Linda – the agencies make a decision whether a project is a priority. From a legal standpoint, BLM has gotten rigid after the audit. Proposals are contract agreements with the Secretary of Interior. I will investigate.

### **The August Event – Recap**

- Jeff – I was hoping to take a few minutes and talk about the Tahoe Summit. Each of us will have our own perspective. This was my first Summit. I want to discuss the key themes you took away from it. This discussion should play into our future perspectives of the LTFAC.
- John R. – there was a lot of fire power on the stage. Not sure that happens anywhere else. They spoke how the Regional Plan will be done in 12 months. What will it look like? How will the Total Maximum Daily Load (TMDL) fit into it? SB271?
- John F. – I was pleased to see both governors attending (California and Nevada). And the Senators from both states. It buoyed my hopes for the future. The substance was not as

significant as other summits. The key for me was that the group was unified. Bodes well for the future and the Basin.

- Doug – I enjoyed hearing the public/private perspective from Governor Sandoval. Speaking about opportunities for compliance with TMDL was a good message for other areas of the Lake.
- Michelle – there was well-deserved fanfare around the Tahoe Fund. I'm concerned because we have something in the void that could serve as a panacea. It is small in comparison to what we are use to. I was not that impressed with Governor Brown's message at first. I listened the next day and it was very right on. Our strength is what we can learn here and share with other places. We can also learn from other places with the same set-backs.
- Ann – I boycotted, I thought it inappropriate to have the Summit at that location. Seemed like the focus was on additional development, whether you think that's right or wrong, the location was inappropriate.
- Steve – Senator Feinstein asked for a community roundtable. I have copies of the recommendations for the committee. There are 14 recommendations with a summary page (handout). They are topics this group could continue to track. AIS –they discuss expanding the network into the region to protect more than Tahoe. With shrinking resources, we can make sure agencies are aligned within. This group has been about that since day one. Mediation first – litigation chews up time and resources. The State of California has officials that maybe Tahoe could use for mediation. This group can play a role in tracking some of these recommendations to make sure something happens from the roundtable. In the post SNPLMA, post earmark era, we are going to need to work with agencies on appropriate budgets and what they can provide. It is important to keep relationships with congressional delegations. The Summit was a lot more energetic than last year.
- Michelle – we need to keep connections open. There are a lot of people in decision-making seats favorable to environmental improvements. The political climate on stage was good. This being the FAC, we can give advice to the state and local governments.
- Jeff – it may be about this group strategically choosing how to do that. My sense is there was a tremendous amount of strategy in the past to engage congressionals.
- Heather – what was different this year was the concept that we must be creative in our financing. We do have opportunity with communication. We have the ability to be a leader and help facilitate potential funding at the state level. We can be role models and share information with other protected areas.
- Peter –this was the re-charge I needed. Governor Brown's speech was from his heart. Transportation – I'm always chasing transportation funding. You can't get funding now unless your project is multi-level. It is not about the automobile anymore. Projects have to be safe to walk, ride a bike, etc. Transportation is a big part of the Basin, EIP, and air quality. I took a lot of good things away from this event.
- Natalie – it was the first summit I've been to. I heard from a lot of the community that it was the same thing, boring. I carpooled with a group. They said it was inspirational, energetic. I thought it was fantastic. Governor Sandoval did his homework. The workshops really engaged the community; there was a lot of buzz. They were paying attention to the local people.

- John F. – the displays/exhibits were really valuable.
- John R. – there were all kinds of people to talk to. It was fun to cruise around, shake hands, and make links.
- Doug – on August 30<sup>th</sup>, Senator Reid is hosting the annual Green Power Summit. Governors Brown and Sandoval will be there to discuss renewal energy portfolios of their states.
- Jeff – this all plays into the next agenda item.

#### Role of LTFAC in the Future – Steve

- Handouts - the first six pages include a memo that reflects the LTFAC history pre-SNPLMA. The purpose of this memo is to summarize the focus and activities of the LTFAC from its first meeting on January 28, 1999 until 2004, the first year LTFAC was asked to expand its role to include the development of recommendations on the expenditure of funds from SNPLMA.

Other handouts presented and described to the LTFAC by Steve included:

- The first charter and meeting agenda
  - Information and a sample agenda from the FACA Watershed Assessment Subcommittee
  - Correspondence for past budget recommendations
  - Newspaper articles
  - Information on the strategic planning process
  - Sample minutes
- Jeff – part of the perspective is the history. Where we are is trying to get LTFAC to carve out its own space.
  - Steve – what we lost was the ability to build relationships, keeping them in play. We lost the capacity to act as a community forum. There was energy around those issues.
  - Andrew – we lost dialogue with the community.
  - Steve – do we have agreement that a strategic planning session is a good idea?
  - Group – yes.
  - Steve – We will look for the next meeting date (October) to meet with a facilitator. **Action item.** I am looking for ideas for LTFAC to pursue, please share your ideas as we go around the room.

Committee Representative	Comments
Natalie	Of AIS, fuels, and erosion control - AIS gets a lot of attention. Forest fuels reduction – there is a lot of misinformation. Looks ugly, what’s going on? Angora Fire put a spotlight on that. It is a big issue but people don’t understand it. At the community workshop people listened to government agency groups and learned a lot. We need more communication.
Ann	We need to figure out a way to fund BMPS for the community. Put it on their taxes? Only 25% of BMPs have been done. TRPA isn’t getting it done. We need a governmental way to do that. No funding, no loans, they take too long. Some see this as an appropriate venue for the Prosperity Plan – I don’t want this group to be an arm of the economics of Lake Tahoe. Or a way to provide certain agendas. TRPA is going

	that way. Enough people are working on that, we can do other things. SB271 – people in this group want Nevada to pull out of TRPA. We need to do something more positive, it is the last thing we need right now. How do we fit into all that? I can't see California changing the voting. If they divide California and Nevada for the TRPA governing board, how are we going deal with that?
Lisa	I thank Ann and Natalie for their excellent input and second them. I'm disappointed that education has not been discussed at meetings. Public education is important. How about a LTFAC column in the paper? Ten things people should know to save the Lake. LTFAC needs to support curriculum for K1-12 and college level.
John R.	In the next few meetings, Heather Seagle (Tahoe Environmental Research Center) has a great program, have her give a talk. She is doing exactly what you are talking about. We all know science is important. We have to become an advocacy group for conservation. We do place-based work. This is a unique opportunity with all the different people to play a watchdog, advocacy role. When we say something, people listen. If we play that role, maybe there won't be so many lawsuits. If we push the boundaries of who we are, it is okay to get our hands slapped. Our mission is to ensure conservation on the Lake. That's what we all want.
Heather	I would welcome a strategic planning meeting to help us respond to changing priorities. Erosion control – I'd like to learn more. Discuss problems of finding funding locally. We need to understand some of the other groups – TREX, TIE. Discuss communication amongst the agencies and leveraging information so agencies are not spending money twice. We could help facilitate that.
Michelle	We focus on doing less with less. I had an issue with pushing out Round 12 without more in-depth discussion. Outcome based alignment. TRPA is holding the bag of failing on the water quality threshold. All agencies have responsibility. Focus on outcome based alignment among state/local/federal agencies. Focus on the Forest Service as a huge landowner here. Use TMDL for all it's worth. AIS – two things – we have accepted that there is nothing we can do about interstate roles. We can research hotbeds of AIS to keep out of the Lake. We have no mechanism for stopping transport of species we have from one area to another in the Lake.
Patrick	We should look at the language in LTRA regarding EIP implementation and reporting requirements. The expectation that the Basin will prioritize projects and report accomplishments is still there. Shift the focus from federal funding priorities to EIP funding priorities. If work is being done already. See how that is coming together.
Andrew	We need to educate ourselves and become involved in transportation. Interface with the Tahoe Transportation District (TTD). Several of us sit on that. The work program they have would be a good tie-in for us. We need to redefine our niche and get out of the mechanical process.
John F.	I agree with John R. as far as advocacy. We have good data and should go out and promote it. We should get the information in place to do outreach to the communities. We should establish and bolster our position as the principle gateway for information. For agencies and local communities. If we want to be heard, I feel this is the place to go. People in power will seek us out. If there is a question on the pulse of the Basin, people's first thought would be to call LTFAC. Balanced, informed and relevant. Position ourselves relevancy-wise to bring together federal, state and local interests. Blur the line between the jurisdictions. We can secure common objectives.

Peter	With a new LTRA coming out there is a stronger criteria on how projects get cut. We need more boundaries around that effort. With TIIMS, we should create a list so not to do multiple reports. Coordinate funding region-wide. It is on our shoulders to report back to this group. We need to make sure there is no duplication of information with congressionals. On BMPs – the SNPLMA RCD project will help. There are tools out there we are exploring and working with TRPA. I'm not sure how that helps our role. TMDL is where we are going.
Doug	The key thing is blurring jurisdictional lines. That's important with TMDL being a reality. This group should let federal agencies know that implementation of TMDL has to be a partnership, not on the backs of solo jurisdictions. We will always need a federal component. Partners need to always hear that. We need to find money to keep the message going. On BMPs – we need to communicate to federal agencies smart ways.
John F.	Work together – come to the middle. Funding, education, advocacy, communications, liaisons, analysis, direction, feedback, monitoring, planning, exploration, partnerships.
Suzanne	We need to focus on developing partnerships and finding out how to work on disagreements. We need to find a way to help local partners meet obligations for Lake protection. Protecting the Lake is of utmost importance, along with tribal access to resources, protection of cultural resources, along the way consulting with the Washoe Tribe. Protocol of how to approach Tribe is education we can give. Governor Sandoval did not consult well with the Tribe. We need to know what all the Basin committees do, that will help us with a niche.

- Linda – there are a lot of new members that may want presentations or field trips - we can arrange that. The TIE SC looked at upgrading agreements and MOUs, looking for other legal mechanisms to keep Tahoe on the Washington agenda. It would be good to let LTFAC know what is happening at the TIE SC. They see LTFAC as integral part of the Basin.
- Steve – you can email me at [SteveTeshara@gmail.com](mailto:SteveTeshara@gmail.com), or call me at 775-588-2488. I am happy to talk on the phone or meet any committee member in person for coffee. As the Chair, I want you to feel important and that your feedback is too.
- Jeff – the power of this group will get federal agencies in gear. There is power in this dialogue to get federal agencies to take steps. We have been focused on projects but now are changing gears.
- John R. – we want all the agencies in gear (not just federal).
- Michelle – SB271 – if you are interested in following that and other topics, you can look them up at the TahoeProject.com website. The content will help inform you. If anyone would consider writing pieces, let me know.
- Steve – thanks everyone for attending.

**Adjourned.**

Minutes certified by LTFAC Chairman Steve Teshara

 11/2/11

Signature

Date

