

PATHWAY Forum Meeting Summary

PATHWAY FORUM MEETING
December 6, 2007
Lake Tahoe Community College
South Lake Tahoe, California

MEETING ATTENDEES

Forum Members: Laurel Ames, Blaise Carrig, Carol Chaplin, Pat Davison, Michael Donahoe, Jerome Evans, John Falk, Lew Feldman, Elise Fett, Dave Hamilton, Nancy Harrison, Ellen Lapham, Steve Leman, John McCall, Bruce McNulty, Jennifer Merchant, Rochelle Nason, Barbara Perlman-Whyman, Anga Rebane, Glen Smith, Steve Teshara, Carl Young, Patrick Wright

PATHWAY Executives and TMDL Team: Harold Singer, Lauri Kemper, Bob Larsen, Hannah Schembri (Lahontan); Mike LeFevre, Bob King (USFS); Kathy Sertic (NDEP); John Singlaub, Larry Benoit (TRPA)

Project Team: John Reuter (Tahoe Environmental Research Center); Jeremy Sokulsky, Chad Praul (Environmental Incentives); Michelle Sweeney (Allegro Communications)

Kearns & West Facilitation Team: Anna West, Christine Kennelly, Janet Thomson

WELCOME, INTRODUCTIONS, AGENDA REVIEW

Anna West welcomed the Forum and additional attendees to the third of four TMDL meetings. She provided a brief overview of the day's agenda and groundrules and highlighted the goal of the December meeting: to have the TMDL team present technical feedback based on the questions raised by the Forum in October; and to start a dialogue around implementation of the TMDL.

CONTEXT FOR THE DAY'S DISCUSSIONS

Harold Singer (Lahontan) welcomed everyone to the meeting. So far the TMDL team has been talking about concepts and strategies, but today's meeting will focus on implementation. How will the objectives get accomplished? Very few of the strategies discussed so far will be prescribed; instead, there will be a performance oriented approach. We hope the implementing agencies and the broader community will support implementation of these actions, both from a funding and a social acceptability perspective. In the afternoon we will discuss this in more detail, in addition to the question of what the next steps are for the TMDL after today.

We have learned a lot from your input and feedback so far. I want to keep the dialogue open and remind you that this is not the end of the TMDL strategy discussion. This dynamic process will continue for the next 10-20 years; these discussions are merely setting the stage.

Today we will provide technical feedback on the scenarios in response to your questions from October. We will discuss the strategies in the context of a larger regional plan and the impacts of strategies on other thresholds. We will also look at the confidence levels for individual strategies.

PRESENTATION ON TECHNICAL FEEDBACK ON ISSUES RAISED IN OCTOBER AND TMDL SCENARIOS

Bob Larsen noted that the main questions arising from the October 25th Forum meeting included the following: What are the “other benefits” of the strategies? What can we do with a high level of confidence? How will focusing on transportation and individuals reducing their driving improve clarity? What are the effects of impervious cover? And, do we need to invest in innovation now? For the purpose of the discussion, Bob used “Scenario B” from the October meeting as the base.

The first slide in the presentation shows the extent to which load reduction activities will have additional ecosystem benefits. The red dot indicates that a pump and treat system in urban areas may negatively affect noise. However, most of the strategies we propose will have positive benefits on fish and wildlife, soil, air quality, vegetation, scenic qualities, noise, and recreation. Activities undertaken by agencies with other goals may positively impact water quality. Restoration is not a single issue but is highly interconnected; we expect TMDL goals will have an overall positive benefit on the Basin ecosystem.

Regarding confidence, we have a great deal of data for urban strategies, higher than for atmospheric and pump and treat controls where we do not have as much confidence as we expected. If we were to take a high confidence approach to implementing measures we might want to scale back advanced treatments. That would only provide us with a 32% reduction in fine sediments and we will not necessarily meet the Clarity Challenge. Taking a high confidence approach might actually cost us more. However, remember that these estimates are on a Basin-wide scale; we will be doing a finer level of planning before implementation.

At the last Forum meeting we explained that reducing vehicle miles traveled (VMT) is costly and does not provide significant benefit for Lake clarity. There are other reasons to look at controlling VMTs, and the Regional Plan includes a number of measures to address VMT reduction. Reducing VMT has a large effect on nitrogen loading to the Lake but that does not greatly improve clarity.

We recently performed some model runs to look at impervious cover to determine how future development might affect clarity. We took the available developable parcels and maximized development under current rules (4000 parcels). After running the model we found that the fine sediment budget is increased by 2%. This is a positive result that indicates that our coverage rules and regulations have been very effective at limiting the amount of fine sediment pollutants from urban areas. We performed a second run starting from the full build-out scenario and increased the amount of Basin-wide coverage by 10%. This resulted in a significant increase in fine sediment deposition to the Lake. In conclusion, current coverage regulations are working well; revising them to allow for more development than under current rules would have a significant negative effect on Lake clarity.

Q. The California Air Resources Board (CARB) is voting today on implementation of the emissions plan under AB32. Are we ahead of the curve at looking at emissions or will this be a moving target for us as CARB sets new goals?

A. We are probably a little ahead of the curve, but we will need to continue to work on VMT and addressing dust sources, managing the roadway system as best we can.

Q. Does the coverage estimate here assume 100% BMP?

A. Yes.

Q. Is the assumption that no new roadways are built?

A. Yes.

Comment: This model seems like an overly generally approach and it does not deal with the fact that different areas of coverage have different controls. This approach seems flawed. We need to be talking on a much more specific community level.

Response: We will take that into consideration as we continue planning.

Comment: The folks at Washoe County and NDOT have a lot of thoughts about types of road paving. They are busy doing maintenance and see a lot of problems with the existing process they use. Some of the most advanced pavement surfaces are coming from Africa and not Europe. I will continue to work with Washoe and NDOT on this; it is a huge issue considering the amount of time we spend waiting in traffic for roads to be repaired.

Q. Does the model take into account atmospheric warming? And if not, would that affect the outcome?

A. The models do not take that into account. We have done some analysis: warming will likely affect the results.

Jeremy Sokulsky (Environmental Incentives) noted that the TMDL team heard from the Forum that we should: move forward as soon as possible with strategies that will reduce pollutant load to the Lake; innovate; strive as best we can to meet and exceed the Clarity Challenge; and balance the water quality solutions with overall ecosystem benefits.

It will take some time to innovate and change practices. Aggressive treatment of urban stormwater or effective controls on atmospheric pollutants from roadways will likely take 5-10 years to implement on the ground. We assume that 20% of the area in the Basin will be very difficult to treat, and 20% of the gain that we see in the first 15-year period will be from using current best practices. If we assume an even level of effort around the Basin implementing current best practices with some level of advanced controls (using \$500 million of capital costs every five years towards pollutant reduction) we will get to the middle of the Clarity Challenge, about a 32% reduction in fine sediments. This is somewhat analogous to Scenario B presented in October, with a bit of an extra focus on innovation. In contrast, if we do not focus on innovation for the first ten-year period we will not reach the Clarity Challenge.

Q. Does the \$500 million every five years include the cost for research and development of innovative practices?

A. No.

Q. To what extent does technological innovation save costs for operations and maintenance?

A. We will hope to get efficiencies of scale, though this analysis does not take that into account.

Jeremy noted that, in conclusion, the high confidence pollution control opportunities alone will not be sufficient. We will need to incorporate some degree of innovation. We have heard from you that we should not just stop at the Clarity Challenge – if we can reach beyond that, we should. It will be up to funders and regulators to see how quickly we can get pollutant load reductions. Early innovation does increase the opportunity and cost-effectiveness of what we have available to us.

DISCUSSION DEBRIEF FROM SMALL GROUP DISCUSSIONS REGARDING TMDL SCENARIOS

Forum members split into small groups to discuss the TMDL scenarios and implementation, then had a broader discussion as a full group. The input that follows is categorized according to the topics raised. *Please note that the input below in italics was raised by non-Forum members.*

Feedback from Forum members on funding:

Concerned about costs in every scenario. Open up the concept of revisiting the compact (it may not be attainable). Need a funding plan <i>beyond</i> fixing the lake, local funds cannot do it alone.
Tahoe is not the only place doing all of this and it could mean more competition for funds.
Need a unified state and federal program for federal lobbying (like EIP), a coordinated and unified voice. Agencies need to come together.
Need central database for finding other innovation and funding efforts.
We need to consider projects from the perspective of capital costs instead of O&M costs. If one project has high capital costs it may be the preferred way to go rather than one with a lower capital but high O&M.
There are TMDL strategies that you would not need to fund. With certain code changes we could get incentives and integral funding mechanisms for people to do what they want to do. For example, if TRPA ticketed landowners for not removing snow on their sidewalks, that is a free service to the community. There are many other similar examples.
We could allow extra coverage but require BMP installations with innovations. We could gain a little extra from allowing coverage where people are doing more than BMPs.
Second homeowners in this community benefit quite a bit from services but do not participate in a lot of ways in the community. We might be able to get tax revenue from them.
Consider implications for getting funding if goals are not fully supported.
Funding should be a combination of private incentives and local jurisdictions finding funding, including counties, not just Basin.
Need local funding to get matching state and federal funds.
Higher taxes? Or more regulation.
Regional revenue sources: property tax. Not change, but redistribute increases (Nantucket real estate transfer tax).
Need regional revenue sources to achieve Clarity Challenge.
Funding is huge in those counties – concern on equity to broader community? Pass costs on to visitors.
Include occupancy tax.

Who funds incentives?
TOT probably not the way to go; it is hard politically.
Sales tax increase may be viable, may be problematic; apply to certain things?
Could the timesharing community be a source of funding?
Avoid adding to the burden of people who live here.
Basin user fee is not palatable. [Note provided by TRPA after the meeting: The current TRPA Compact prohibits “a tax or charge that is assessed against people or vehicles as they enter or leave the region.”]
Consider the idea of entertainment- or recreation-specific sales tax.
Try not to tax non-polluting activities, or tax all so we can get funding to maintain bike trails, etc.
We should create a financial scenario to determine how we might pay for the TMDL. If we can see the options we can go to our constituents and have them share their opinions on funding ideas.
<i>We should think about ways to get local funding and have local leadership for TMDL issues. We may not continue to get federal funding and we will need the local governments to initiate efforts.</i>
<i>Further distribution of cost in areas that have more load.</i>
<i>Financial/political strategy needs to be dovetailed: local leadership and ownership to entice federal contribution. Pressure for states and feds to step-up.</i>
<i>Need a reason for local implementation and understanding where the money is coming from.</i>
<i>Effectiveness agreement. Funding: how to work together? Have to spend \$500 million in 5 years consider, federal budget lag, agency interactions, contractor availability.</i>
<i>Find steady stream of funding: consider regional revenue, per capita difficulty.</i>
<i>Pollution issues from urban and transportation infrastructure -- revenue sources should come from use related fees.</i>
<i>What about review/oversight costs from regulatory agencies, TAC capability?</i>

Feedback from Forum members on innovation:

Regulatory innovation: change what does not work, implement current and new regulations that do work.
If you reduce coverage in one area, be innovative somewhere else. Watershed basis/larger scale. Monitor to make sure it is doing what you want.
New development should focus on innovative practices.
Consider innovations in technology in snow removal.
Need R&D research analysis instead of regulatory people running around.
Need a better mechanism, central clearinghouse, of what innovations are working.
Innovate and do what we know. Year 1- pump and treat R&D (\$1 million prize competition).
Turn Tahoe into a national center for research and demonstration for innovation so that developers come here to test their ideas. Adjust the codes and allowances to encourage new ideas to hit the ground. Create a clearinghouse for projects to find out which solutions work. Conduct a competition nationwide for different projects to solve the clarity problem.
Incentivize innovation and consider removing regulations that are keeping us from making progress.
<i>Pump and treat is expensive, but a system that is predictable and we are confident it will work. Maybe too many assume assigned to pump and treat. Pump and treat lacks other ecosystem benefits.</i>
<i>Articulate pump and treat assumptions, does not get at source control.</i>
<i>What is advanced technology?</i>

Feedback from Forum members on incentives:

Where could code change incentivize or de-incentivize certain behaviors? Consider private sector changes (sidewalk/snow removal example).
Take old buildings with high levels of coverage and get innovative with BMPs and incentives. Use the code as leverage. If you want to build, must do x, y, z, etc.
Create incentives for small development, not only large development.
Special projects bypass the code and allow the poor code that de-incentivizes the “little people/businesses” to stay in existence longer.
Incentivize the little guys to get them vested. Once they are involved, it builds.
Incentivize private side to reduce coverage in most impacted areas.
Incentives not regulation, or incentives to <i>enhance</i> regulation

Feedback from Forum members on allocation:

<i>How many particles are we being assigned, understand sub-basin contribution. Land use model.</i>
<i>Need to account for what is already on the ground reducing loads (refine watershed model).</i>

Feedback from Forum members on education:

Need educational component for all of these, will cost money also.
Would be good for Lahontan to do traveling education.
<i>Need message to legislature that we can solve the problem. Present with we have on the ground relative to where we need to go.</i>
<i>Message to legislature- greater understanding, certainty of success in achieving goals.</i>
<i>Important to get information out on new technology.</i>
<i>More precise info will generate more public support.</i>
<i>Public perception is that current practices will not help us toward our goal.</i>

Feedback from Forum members on PCOs:

Appreciate efforts to look at other ecosystem benefits. Get the best bang for the buck.
Leafblowers? How to incentivize? Maybe break on maintenance business license to get rid of them.
Hot button issue: 10% impervious coverage reduction- how does it affect recreation? How does it affect tourism/lifestyle?
Transportation investment is key: helps with community, safety. Get transportation experts to help. Street sweepers (good ones), easy. How to pay for? Get broader local funding entity?
VMT is a big element to the Basin.
Sand/brake lining: trucking it in, need to take it out.

Feedback from Forum members on other topics:

Concerns: if you do not mandate prescriptions, leads to litigation?
Are the vehicles having that much of an impact on clarity?
So important to tie clarity improvements to other thresholds.
Take away fear factor (like talking to IRS) of asking questions of regulatory agencies (BMPs, etc).
Sort and prioritize the issues (VMT, wood stoves) -- what do they help, if they are not clarity challenge biggies?
Coverage model should be dumped. Focus on sub-watersheds.

Additional idea: compare cost/benefit of pump and treat with coverage reduction. (Downtown “old buildings” are around \$6 million/acre).
Some frustration that we do not have all the answers, but we have to make progress based on what we know.
We talked about expanding water quality benefits to the rest of the thresholds to sell it to the public.
<i>We should consider operations, maintenance, and monitoring costs, not just O&M.</i>
<i>Uncertainty with data and important to appreciate that we looked at this, that it was addressed, but how confidence affects costs- show all scenarios together.</i>
<i>Look at confidence among all scenarios.</i>
<i>Current practice yields improvement</i>
<i>Look at PDP (5 years +)</i>

Rochelle Nason (League to Save Lake Tahoe) requested time to address the Forum. She noted that both she and Mike Bradford agree that we must begin to define a new planning process to positively engage the various parties to reach consensus on our desired plan. Regarding funding, Rochelle feels that the federal government is no longer going to fund Tahoe to the extent seen in the past; instead, the community should spend a year trying to resolve issues, then request funding from the government for the agreed-upon needs. We cannot take the current level of funding for granted.

Steve Leman added that the volunteers on the Forum have not been able to continue participating at the same level recently. If the process does not move forward rapidly and with focus we lose the momentum.

Christine thanked David Jinkens from the City of South Lake Tahoe for sponsoring lunch.

CONNECTING STRATEGY TO ACTIONS: HOW WILL WE IMPLEMENT THE CLARITY CHALLENGE?

Harold Singer (Lahontan) presented a diagram (see page 8) to show the Forum how the TMDL will move from strategy to implementation. The Basin gets funding from federal, state, regional, and local government, and from private entities. Entities do not only fund their own activities which results in a mix of shared funding.

The TMDL Implementation Plan will show how the regulatory requirements to improve Lake clarity will be achieved. The document will help the community and regulators understand how to reach clarity goals, and will also show both the Tahoe community and the funders outside the Basin that our goals are achievable. The Plan will focus on allocations, meaning the extent to which entities need to reduce pollutant loads. For the interim goal we will aim for the Clarity Challenge, a 32% reduction in pollutants over the next 20 years.


The federal, state, and local governments will receive targets for pollutant load reductions, mainly in the form of NPDES permits. The permits will not be prescriptive in terms of how to reach those targets – that will be up to the individual entity. A pollutant trading system is being investigated as a means to help entities achieve load reductions in whatever manner is most feasible for them. We

anticipate crediting certain types of projects based on expected pollutant reductions for those projects, including appropriate maintenance standards. This system will provide surety for project builders, funders, and regulators. Those who implement projects will know they get credits; those who fund projects will see that they are achieving specific load reductions for those projects; and regulators will see that we are improving Lake clarity through the reduction of pollutant inputs to the Lake. The pollutant trading system will be established in a way that allows it to be consistent around the Lake for trading purposes.

We will include interim milestones in our permits to ensure that we are steadily working to achieve the load reductions. NPDES permits are issued in California and Nevada under delegation from the U.S. Environmental Protection Agency (EPA), so we are implementing federal law in our states. Local government is responsible for all of the stormwater runoff within its jurisdictional boundaries regardless of whether the runoff comes from public or private lands. With some exceptions, federal lands are generally excluded. Actions on private property will be credited towards local government pollutant reductions. Therefore these permits provide incentives for jurisdictions to require certain actions on private properties so that reductions can be achieved.

Lahontan Regional Water Quality Control Board only has jurisdiction over waste discharge. We will need to rely on other entities to achieve pollutant reduction results. For example, Lahontan cannot force Caltrans to undertake stream channel erosion projects. However, we can indicate that we need a 2-3% reduction of pollutants from stream channel erosion and we will need help from other entities to reach that goal.

Connecting the TMDL Strategy to Actions

Stakeholder	\$	Actions	Permits & Regulations	TMDL Document	
				Allocations	Strategy
Federal	★	✓	WDRs NPDES	#	
State	★	✓	NPDES ←	#	
Regional (TRPA)	★	✓			
Local Govt	★	✓	NPDES ←	#	
Private	★	✓	Const/NPDES WDRs		

How do all the TMDL pieces fit together?

Q. How do you link the slide this morning that showed we need to invest \$500 million every five years to reach the Clarity Challenge, and the TMDL Implementation Plan that does not require any entity to perform any specific action?

A. We are telling entities to take actions to achieve load reductions and we will give credits for specific projects. Entities will have to prove that the actions they take will achieve load reduction. The information we presented this morning indicates that it will likely take approximately \$500 million every five years to achieve the Clarity Challenge.

Q. When will we see the list of pollutant reduction actions and their associated fine sediment credits?

A. We have the list of pollutant control opportunities that will add up to the overall load reduction but the crediting system will not be ready until spring or summer 2008. When we develop that system we will be discussing it with the implementing partners so that we can come up with a system that is agreeable to everyone.

Q. We are coming up with a tool to quantify the reductions that will result from projects?

A. Yes.

Q. How do you allocate loads across federal, state, and local entities?

A. We have not yet made a commitment about how we will split the allocations. We hope to make a decision on this, with the help of the implementing agencies, in the early spring.

Q. How will you ensure, when you assign allocations, that you are not telling entities to reduce more pollutant load than what exists in their jurisdictions? Will monitoring be done to indicate what the current pollution level is and what reductions are achieved after project implementation? Will there be a way to fact check the models?

A. Yes, but not on every single project – that is just not feasible. We have to develop mechanisms that give us good feedback about those questions but not on a project by project basis -- perhaps on a project-type or watershed-type basis.

Q. How will innovative projects that do not already have a track record be credited? Will there be a built-in timeline with monitoring to promote innovative ideas?

A. We will have to design the crediting system in a way that promotes innovation in order to get these new projects on the ground. We will probably need multiple entities to work together to get some of the innovative practices running. We will make sure that everyone learns about the positives and negatives of pilot projects so we can see how the innovative technology works and understand the potential outcomes.

Q. If an entity does a project (particularly an innovative project) that does not wind up achieving the anticipated pollutant load reduction, does that entity assume all the risk? If we are trying to promote innovation then we should think about risk management and ensure that no one party assumes all the risk.

A. I do not have a good answer for that yet, but it will have to be part of the crediting system. Perhaps it will be dealt with in the timing of crediting. We do not want to give credit for something that does not achieve pollutant reduction, yet we do not want to discourage innovation. This will be a great challenge.

Q. If the pollutant load allocations only achieve, say, 17% reduction rather than the 32% reduction, who is responsible for regulating the rest? Is it in the hands of the private sector, or is it the local government's responsibility?

A. Not all the load reduction has to be regulated. We will work with implementing agencies to encourage them to meet the goals. We hope that this group will also encourage implementing agencies to achieve the load reductions.

Q. What do you do if other agencies' regulations are inconsistent with yours?

A. We will be encouraging projects that achieve pollutant load reductions. For example, if TRPA's plan envisions 300 acres of streamzone restoration, we will assign a 3% load reduction to that and track it over time. Our approach will not be prescriptive and it will likely be conservation focused.

Q. How do you achieve load reductions appropriately across states?

A. This is not just for the state of California but Nevada as well. Tom Porta and Leo Drozdoff at NDEP buy in to this concept as well and feel that they can implement the same types of load reductions in Nevada.

Q. How will allocations be designed – by drainage, or political subdivision, or another metric? And if you divide allocations into small levels, how will you measure and monitor for each?

A. The allocations will be split between California and Nevada and then each state will determine how to allocate within its boundaries. We do not have all the answers yet. But I can tell you that we will never get there if we try to measure/monitor the load for each individual jurisdiction before assigning allocations. We do have very detailed information about land use by jurisdiction and we can use that information with the model to predict the load for each jurisdiction.

Q. Will entities be competing for capital to accomplish load reduction goals? Do you have a business model through which we can understand this?

A. The EIP is a good model for us. It has operated as a first-come first-served plan but we may need to build into that program how much load reduction projects are expected to achieve. Then those projects with high load reductions will achieve priority. We are hoping not to make this competitive but instead look at it as a package. We are working together to get dollars into the Basin to complete this work. The whole idea is to achieve the bottom line and encourage the best projects to go forward.

Q. Can we get retroactive crediting for reductions achieved under the EIP?

A. The pollutant loads that we are estimating are from the 2003 timeframe (when our computer models were ground-truthed with the stormwater monitoring data). Therefore we will account for projects in the ground retroactively to that time. We are also trying to figure out ways to give credit to entities for their efforts over the last 15 years before the baseline was established in 2003. We will be discussing that with our implementing agencies.

Forum comments on funding, incentives, education, and implementation:

CATEGORY	COMMENT
Funding	Implementing a Basin-wide stormwater utility district would be difficult because California and Nevada have very different sets of laws relating to implementing such a structure. If we were to do it, the best way would be to use existing entities such as the PUDs and create this Basin-wide structure through MOUs. Such a Basin-wide district might be a very valuable way to make and spend money.
Funding	Nevada Tahoe Conservation District launched a study of a stormwater utility district, using contributions from neighborhoods and GIDs to design a project. We have moved into a second feasibility phase. There may be an opportunity for this to work, opening the door to future major projects such as pump and treat, expanded infiltration basins, or other projects. We have been working with all of the GIDs and homeowner associations on the Nevada side, particularly on the southeast shore.
Funding	By installing our own EIPs we have mostly created our own local stormwater utilities. There is not an obvious benefit to a Basin-wide stormwater utility district other than maintenance.
Funding	There may not be another way to take care of maintenance in the long term, so if we do not explore the option of a Basin-wide stormwater utility district we may be ignoring a major way forward.
Funding	There may be a way to engage part-time residents who live in condos and timeshares to contribute to pollutant reductions either initially on purchase or annually in terms of a real estate exchange tax.
Funding	We need to be careful about separating full-time residents from second homeowners; on a philosophical level it is disturbing to separate different classes of property owners for different treatment. Second homeowners have both positive and negative effects on the Basin that we need to take into consideration.
Funding	We should consider aesthetics more carefully. If BMPs are attractive, people will be drawn to the area, business will thrive, and people will want to stop their cars when they drive through. Once you get a toehold this activity funds itself.
Incentives	It would help to move industrial uses into a smaller area off the scenic corridor. We could use permeable paving stones rather than asphalt if the government would provide a rebate from excess coverage mitigation to mitigate for the increased expense of paving stones.
Incentives	Saving people time might be a significant incentive, so creating a faster process for permitting projects in exchange for pollutant load reduction improvements might be successful.
Incentives	If there were an incentive for a private business to perform operations and maintenance, similar to a stormwater utility district, with economies of scale and without the government oversight and taxes, it might be easier to get these functions done.
Education	We should encourage education by leading by example.
Education	We need to remember that education and behavioral change will take time. Perhaps in ten years no one will consider <i>not</i> doing BMPs.

Education	People are really looking for a sense of community here. I am working on a transportation project that seeks to improve walking, cycling, and public transit on the north shore. Even just the process of working towards our goal is helping to bring everyone together and create that sense of community.
Implementation	We need to ensure that entities feel that the model is fair as applied to them, that they understand how and why the pie was cut the way it was.
Other	A study in Aspen showed that a single vacation home produces 43.8 tons of carbon dioxide annually, whereas a single family home living there full-year-round produced only 32.4 tons. We should consider ways to encourage Tahoe homeowners to decrease their carbon footprint.

CLOSING REMARKS FROM HAROLD SINGER

Harold Singer reiterated that the TMDL Implementation Plan will not be prescriptive. We will need the full support of both the community and the implementers for this to succeed. Harold encouraged everyone to continue to speak with the TMDL team and ask questions when they arise. This is an adaptive management process, so we hope that you will continue to ask questions and help us to prioritize our actions. We need to make sure there is funding for ongoing research so that we can design the innovative programs that will allow us to reach our clarity goal.

WHAT'S NEXT: 2008 TMDL ACTIVITIES AND TRPA REGIONAL PLAN UPDATE

Lauri Kemper (Lahontan) noted that the next Forum meeting will be on April 3rd (on the north shore) rather than February 7th so that the TMDL team will have sufficient time to prepare for a substantive meeting. Prior to that meeting the TMDL team will continue working with the implementing agencies to get input on strategies, crediting, and tracking. Lahontan will also be working with the Forest Service regarding their retrofit and rehabilitation activities.

In April the TMDL team will provide a preview of the Implementation Plan; that plan will then go to peer review and be finalized sometime in late summer 2008. We will share additional information on the allocation process, the crediting and tracking system, and how we plan to distribute load allocations. The April meeting will be primarily informational and will serve as an opportunity to provide closure on the process for the Forum. We will take some final comments and questions at that time to refine the document for public review. We may also seek your advice on the best way to roll out the plan. April will be the last chance to meet with Kearns & West as facilitators since our contract with them expires after that meeting.

In terms of future timing, the allocations will go into permits. We do not anticipate imposing interim targets and load reductions until the TMDL is adopted and approved both by the State Board and the U.S. EPA, so these will not be embodied in permits until 2009-2010. We will have separate public hearings on permits when they are going to be adopted and we will have an open process throughout. Our MOU with the Forest Service expires this summer so we will have an opportunity to update that document in terms of load reductions even if we have not made any final decisions on load allocations.

John Singlaub (TRPA) noted that TRPA is in the beginning of the Regional Plan EIS process. The TMDL approaches and scenarios presented to the Forum have been incorporated into the EIS alternatives, including private property BMPs, coverage, and a focus on fine sediment. Current water quality improvement programs are also included. The alternatives are different combinations of incentives, regulations, and capital improvement efforts. Since the TMDL will be completed after the Regional Plan is complete, if any future code or plan changes are needed we can do a follow-on update to the plan in 2009-2010. We still intend to have a completed Regional Plan in October 2008 so that the allocations will be ready for January 2009. As we have previously discussed, the scope for the Regional Plan has been reduced to Type 1 indicators. There is a big focus on land uses components, trying to shape the kinds of communities we have agreed upon through the planning process and provide both environmental and urban design incentives to get there. As far as the Forum, we will meet in April and we will meet with the Forum Planning Committee on the structure of future involvement for the Forum. Funding is crucial for us, and we will take that into consideration as we move forward.

ACTION ITEM:

Kearns & West will distribute information from TRPA regarding how the TMDL interfaces with the Regional Plan separately from the meeting summary to make sure that all Forum members see the information and are informed.

Anna West thanked the Forum for attending and participating in the meeting and thanked the TMDL team for presenting the information shared at the last three Forum meetings.

Next meeting:

The next Forum meeting will be held on Thursday, April 3, 2008, on the North Shore.

To review Forum materials, including presentations from this meeting, please go to:

<http://www.PATHWAY2007.org/>

KEARNS & WEST CONTACT INFORMATION

Anna West, Senior Mediator	awest@kearnswest.com	(415) 391-7900
Christine Kennelly, Senior Mediator	ckennelly@kearnswest.com	(415) 391-7900
Janet Thomson, Facilitation Team	jthomson@kearnswest.com	(415) 391-7900

TMDL TEAM CONTACT INFORMATION

Lahontan Main Phone Number		(530) 542-5400
Harold Singer (Lahontan)	hsinger@waterboards.ca.gov	
Lauri Kemper (Lahontan)	lkemper@waterboards.ca.gov	
Bob Larsen (Lahontan)	rlarsen@waterboards.ca.gov	
Doug Smith (Lahontan)	dfsmith@waterboards.ca.gov	
Hannah Schembri (Lahontan)	hschembri@waterboards.ca.gov	
Tom Porta (NDEP)	tporta@ndep.nv.gov	(775) 687-9443
Jason Kuchnicki (NDEP)	jkuchnic@ndep.nv.gov	(775) 687-9450