

SUMMARY: Joint Fact Finding Meeting #6

Held October 27, 2016

Meeting in Brief

Fisheries Sub-Committee Recommendation

Dan Segan, on behalf of the Fisheries Sub-Committee, provided an overview of the Sub-Committee's recommendation for moving forward with the development of a resource management approach and lifting the existing prohibition of building structures in fish habitat based on existing science, which found no correlation between shoreline structures (piers and buoys) and the decline in fish. The JFF Committee provided feedback on the recommendation that will be incorporated into a memorandum that will be forwarded to the Steering Committee.

Boat Use Assumptions

Adam Lewandowski provided an overview of a memorandum outlining Ascent Environmental's recommended approach for moving forward with developing boat use assumptions and asked that the group provide feedback. The group provided a number of initial recommendations, including taking into account low lake level adaption policy impacts on boating use, to take into account that the boat fleet mix is expected to get cleaner over time, and that the length of boat trips from private lakefront moorings is less than estimated and often less than from ramps or rentals. The Committee agreed to e-mail additional comments to Adam and that boat use assumptions would be discussed again at future JFF meetings.

Low Lake Level

Dan Nickel and Gina Bartlett informed the JFF Committee that based on their recommendations, the Steering Committee has decided to move forward with developing provisions in the Shoreline Plan (a 20-year plan) to adapt to a lake level of 6,220 feet lake bottom elevation, the central tendency in the Truckee Basin Study and the historic low identify by the Tahoe Environmental Research Center. The Steering Committee is looking at both permanent and temporary adaption strategies and recommending driving people to public ramps and marinas when lake levels drop. The Committee is aware that if the lake drops below 6,220 there may be instances when lake access may be very limited.

Action Item

Date	Responsible	Item
11/1	Dan Segan	Update the Fisheries Sub-Committee recommendation based on feedback provided at the meeting
12/1	Jim Walsh/Adam Lewandowski	Collect information from marinas and mechanics to determine average boat trip duration
12/1	All	E-mail comments on the Boat Use Assumptions Memo to Adam

Upcoming Meetings: The group agreed to cancel the November 8th meeting. The group was asked to hold November 29th and December 1st for possible future meetings.

Discussion Summary

Updates and Follow Up on Action Items from Meeting 5

World View Imagery

Early this year, the JFF Committee determined that it would be beneficial to obtain new aerial imagery during the 2016 Boating Season to help inform both policy discussions and the environmental analysis. In response, TRPA staff submitted a request to the Forest Service. Dan Segan reported to the Committee that the Forest Service took new aerial imagery and will provide it to TRPA next week.

Fish Sub-Committee Recommendation

Dan Segan, on behalf of the Fisheries Sub-Committee, provided an overview of the Sub-Committee's recommendation for moving forward with lifting the existing prohibition of building structures in fish habitat based on existing science, which found no correlation between shoreline structures (piers and buoys) and the decline in fish populations. The JFF Committee recommended clarifying in the recommendation that the reference to "structures" is to piers and buoys. They also noted that the Scientists are concerned with the overall decline in fisheries (fish populations) and fisheries recovery. Harold Singer recommended delinking the issue of fisheries population decline from the recommendation because there is no correlation between piers and buoys and fish population decline.

Others, however, expressed an interest in developing a research management approach and working with the Scientists to develop a variety of design and mitigation options and monitoring them to determine what works best. It was suggested that a public/private partnership could be developed and that we could start by studying existing piers along with the initial piers built under the new Shoreline Plan. It was also noted that under the last plan, a "Go Slow Approach" was implemented (5 piers per year) and that this time the Scientists are recommending that all of the piers be allowed the first year, because 5 piers is not enough to do an effective study, and then none allowed over the following 2+ years while monitoring is taking place. The project applicants would have to agree to modify mitigation if it was found it was not working.

Since fish habitat has stabilized, but fish populations continue to decline, there was some discussion as to whether or not mitigation for fish habitat was still needed in the new Shoreline Plan. It was, however, pointed out that one of TRPA's current threshold indicators for Fisheries requires no net loss in fish habitat and that therefore any loss in fish habitat will need to be mitigated under the new Shoreline Plan. It was also recommended that the "Resource Management Approach" be defined and clarified. Furthermore, it was

recognized by the group that ramps should not be allowed in spawning habitat because the impacts cannot be mitigated.

Finally, it was pointed out that the existing fish studies looked at the impacts of both pier pilings and overwater structures, as well as the impacts of boating on fisheries. The group also discussed whether or not the identification of mitigation was needed in the EIS or if it could be deferred and noted that if it is deferred the adaptive management approach will need to be described in the EIS. They also said we may need to focus on no net loss, develop performance standards, or develop other tools, such as stream mouth setbacks or provisions to facilitate relocations of existing structures.

Boat Use Assumptions

Adam Lewandowski provided the Committee an overview of a memorandum Ascent Environmental prepared with a recommended approach for moving forward with developing boat use assumptions and asked that the group provide feedback. Adam noted that the estimates for boat slips seem high. Furthermore, he said the EIS will need to take into account that the boating season may get longer as a result of warming temperatures. The baseline years being used are 2014 and 2015.

The group provided a number of initial recommendations, including:

- There is a need to take into account impacts from boating that can occur as a result of low lake level adaption strategies incorporated into the new Shoreline Plan because making the lake accessible to boating when lake levels drop can increase boating.
- There is a need to take into account that in 2001 the California Air Resources Board and in 2006 the Environmental Protection Agency adopted Star engine standards for boats and that we expect boats will continue to get cleaner (fewer emissions) over time. Thus, the emissions modeling needs to account for this, maybe on an annual basis or at 5 year intervals (as opposed to just the start and end date). There is also a need to account for the interrelationship between fleet mix and emissions reductions over the life of the plan.
- The length of boat trips from private lakefront moorings is less than the estimated 3.9 hours and is often less than from ramps or rentals.
- The average length of trips seems high; there is a need for additional information to inform the length of trips. People often do not spend their entire boat trip operating a boat, they often stop and swim.
- Water taxis, charters, sail craft, and the 2-stroke engine ban need to be considered when developing the fleet mix.
- The EIS needs to account for Greenhouse Gas emissions.
- Consider breaking out private, marinas, ramps, and rentals separately.

Jim Walsh, North Tahoe Marina, agreed to work with Adam to get better average boat trip information form marinas and mechanics. The Committee agreed to e-mail additional comments to Adam and that boat use assumptions would be discussed again at future JFF meetings.

Low Lake Level Adaptation

Dan Nickel and Gina Bartlett informed the JFF Committee that based on their recommendations, the Steering Committee has decided to move forward with developing provisions in the Shoreline Plan (a 20-year plan) to adapt to a lake level of 6,220 feet lake bottom elevation, the central tendency in the Truckee Basin Study and the historic low identify by the Tahoe Environmental Research Center. The Steering Committee is looking at both permanent and temporary adaption strategies and recommending driving people to public ramps and marinas when lake levels drop. The Committee is aware that if the lake drops below 6,220 there may be instances when lake access may be very limited.

Jesse Patterson asked for clarification on linkage to transportation options (clustering). Gina explained that those areas have not yet been identified. Gina also clarified that the Steering Committee is looking at the permanent relocation of single-use buoys and allowing additional anchors for buoy fields. The Steering Committee looked at ramps encumbered during 2015 and that not all ramps can be made functional.

It was recommended that we have the agencies responsible for safe navigation, U.S. Coast Guard, Nevada Division of Wildlife, and Army Corps of Engineers, review policy proposals and provide feedback when we get farther along in policy development.

Participants

Lahontan RWQCB: Mary Fiore-Wagner
California Tahoe Conservancy: Penny Stewart
California State Lands: Jason Ramos
League to Save Lake Tahoe: Jesse Patterson
Tahoe Lakefront Owners' Association: Jan Brisco
Nevada State Lands: Elizabeth Kingsland
TRPA: Brandy McMahon, Dan Segan, and Dennis Zabaglo
Sierra Club: Harold Singer
North Tahoe Marina: Jim Walsh
Attorney: Greg Lien

Via phone:

TRPA: John Marshall
Nevada Division of State Lands: Elizabeth Kingsland
The Watershed Company: Dan Nickel (consultant)

Consultant:

Ascent Environmental: Adam Lewandowski

Note Taker: Brandy McMahon

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