

# NOTES: Steering Committee Meeting #5

Held June 23, 2016



## Meeting in Brief

The Steering Committee enjoyed a boat trip on the Tahoe Gal thanks to the Tahoe Lakefront Owners Association.

The Steering Committee continued its process of outlining the key policy issues for the shoreline plan and refining questions for joint fact-finding. The committee specifically focused on identifying issues and concerns related boating, piers, and other access. Through discussion, the committee began to contemplate the primary purpose and goal of the shoreline plan, pondering whether the shoreline plan is seeking to limit or support access and boating within the Bi-State Compact's dual goals of protecting the environment while also supporting development. Given the Steering Committee's interest in developing a resource management approach, linked to the periodic environmental thresholds analysis, the Steering Committee will delve into existing facilities, boating impacts, and access system and begin formulating its policy direction and recommendations at its next meeting.

Process: This June meeting was the last in the first series of Steering Committee conversations to identify issues and concerns and to frame questions for joint fact finding for the shoreline plan. After this June meeting, The Watershed Company, Consensus Building Institute, and TRPA planning staff will refine the topical memos to reflect the breadth of issues identified and refine the suite of questions for joint fact finding. The Joint Fact Finding Committee will take up the questions and provide information on the best available science to inform the Steering Committee's deliberations on policy recommendations beginning in August.

## Next Meeting: August 25, 2016, 9:00-1:00

### UPCOMING TOPICS

- Access Facilities' System Understanding and Goals
- Boating Impacts
- Management Implications
- Organizational Interests & Responsibilities: Tahoe Regional Planning Agency

## Action Items

Date	Responsible	Item
7/15	Dan Nickel /TWC+ Gina/CBI	Update Boating, Access, and Piers memos with issues and refine JFF questions
8/1	Brandy + Dan Nickel	Prioritize developing inventory maps that are user friendly and inform access systems discussion. Consider using

		Google Earth for usability.
7/1	Gina / CBI	Share summer briefings list
8/17	Brandy / Gina	Send meeting materials to SC
underway	Tiffany Good, TRPA	Work with CDFW on buoy field anchors – comfort with possibility of two sets of blocks for buoy fields; how to document or confirm
underway	Bob Hassett / Marina Assn.	Review marina definition and ADA code for coverage exemptions to confirm code meets marina's needs

## Policy Discussions

The Steering Committee discussed issues related to boating facilities, piers, and other access. The following summarizes the discussion and issues that the planning team will incorporate into the memos.

### Watercraft Facilities

#### Water Quality and Boating Use

The primary question is tied to water quality impacts from boat use (more boating or different levels of boat use). While some committee members do not think there is a big impact, this is critical to address to build credibility among the public and inform policy. Some studies were completed around the two-stroke engine ban, but otherwise, there doesn't seem to be a lot of data on this.

#### Buoys

In 2008, mooring distribution was based on parcels: allowing 2 buoys per parcel. The Steering Committee will need to develop recommendations on buoys and could consider a lake-wide cap. Would a lake-wide cap affect marinas moorings? The shoreline plan will need standards and locations, including, but not limited to:

- ✓ Set-backs
- ✓ Extensions
- ✓ Navigation
- ✓ Scenic

#### Piers

Lahontan Regional Water Quality Control Board currently prohibits new piers in spawning areas. TRPA also has that restriction. TRPA restricts new structures in fish habitat even though science no longer demonstrates the effectiveness of such measures.

#### Pier Definition

TRPA would like to define piers in the shoreline plan primarily because some project applicants claim pier development rights for structures that may not conform to typical understanding (i.e. a jetty with concrete) of a pier. One member suggested defining piers as lake-ward of the high water mark that supports boating, viewing, and water access. The Steering Committee did not reach a conclusion on the definition.

## Viewing Piers

Many enjoy viewing piers. Defining as a form of recreational access would be necessary for California State Lands Commission to approve viewing piers.

## Multi-Use Piers

**Multi-use** piers references more than 2 owners using a pier; **joint use** references 2 owners using a pier. One issue is whether **users or activities** constitute multi-use. The discussion for the day largely assumed multiple users. TRPA regulates development so standards and codes would likely fall on development rather than activities taking place once piers are constructed.

Existing multi-use pier codes allow for deviations from standards. These deviations and lack of clarity create confusion and delay for the applicant and TRPA board. One member would like the shoreline plan to identify the goals for these piers – should they expand access? Enhance low-water access? Encourage fewer piers?

In 2008 at the direction of one of the Governor's offices, the shoreline planning process provided incentives for multi-use piers. The proposal "metered" piers (certain number per year) and capped at a certain number (10 for public piers). The goals at that time were to control the number of piers and combine piers that needed to extend into deeper water.

Multi-use can prove helpful in certain areas, in particular small coves. However, TRPA and other approving agencies sometimes observe conflicts between neighbors when new owners do not like the deed restrictions.

Lastly, policy should consider standards when one owner has multiple parcels.

In sum, the Steering Committee discussed the following potential goals for multi-use piers:

- Fewer piers in general.
- Fewer piers help achieve scenic standards.
- Fewer piers in areas with limited capacity, such as small coves.
- Fewer extended piers needed to address low lake levels.

**Multi-Use Piers and Marinas:** Marinas often have multi-use piers within it. Clarifying relationship between codes for multi-use piers and commercial multi-use piers would be helpful.

## Access

### Safety & Access

Piers can affect navigation by extending into the lake. What pier is too long and blocks navigational safety? Some areas have such shallow water that they are not good locations for piers. Most recognize the need to avoid piers that have to extend significantly into the lake due to bathymetry.

### **Public Trust**

TRPA has been deferring to each state as applications relate to public trust. The California State Lands Commission, through its lease program, may sometimes require access accommodations around or over a structure. The group talked about the possibility of TRPA deferring to the states the approvals for this policy rather than attempting to craft policy that successfully incorporates each state's approach. (California has a public trust easement between the low and high water line. Both states own the lakebed and exercise public trust lake-ward of the low water mark.) However, in the 2008 planning process, the court did not allow a deferral to the agencies. Since Jennifer Luchessi was absent at the meeting, the group agreed to pick up this discussion at a subsequent session.

### **Private Ramps and Launch Facilities**

Ramps and launch facilities provide for boating capacity. In 2008, the shoreline plan allowed for 6 new public launch facilities (in the form of boat ramps) based on a poll of the public agencies.

### **Temporary Structures**

Marinas and others can sometimes use temporary structures in lieu of dredging. Marina owners report that the allowance for temporary structures is extremely helpful in low water years, especially given the time and costs associated with dredging.

### **Pump-outs and Other Associated Uses**

The Steering Committee would like to identify the location of these facilities.

### **Fueling and Fueling Concessions**

The shoreline plan should address fueling issues.

### **Jet Skis / Personal Watercraft**

Aquatic invasive species are the biggest concern associated with personal watercraft. The future of these craft is 2-seater watercraft. The industry or the Coast Guard could provide additional information related to futures access demands tied to personal watercraft.

## **Joint Fact-Finding Questions**

Steering Committee members observed that the Joint Fact-Finding Questions in the memos intermixed policy issues with scientific issues. Staff from The Watershed Company, Consensus Building Institute, and TRPA Planning will review all policy memos, now that the Steering Committee has identified the range of issues, and refine and integrate the questions, removing policy questions from the scientific inquiries. In response to this particular discussion Committee members requested:

- 1) A systems map of the lake: marinas, public lands, private ramps, launch facilities, etc. – inventories and overlays.
- 2) Outline / identify what we know about use and any data on conflicting use.
- 3) Do we understand the relationship between increasing facilities in inducing recreation or boating use?

For example, some buoy owners may add a pier, but this would not increase the number of boats on the lake. In the previous EIR, the assumption was that each pier had a boat associated with it. This probably led to overestimating the number of boats. The shoreline

plan will have to make assumptions related to boat use tied to launch facilities, private ramps, buoys, and piers.

## **Memos Next Steps**

Project team to integrate issues into memos and refine joint fact-finding questions.

TRPA staff to prioritize mapping and explore using Google Earth to make inventory maps more accessible and user friendly.

## **Balancing Use with Thresholds**

Discussion yielded the question of the primary purpose and goal of the shoreline plan, pondering whether the shoreline plan is seeking to limit or support access and boating within the Bi-State Compact's dual goals of protecting the environment while also supporting development. Given the Steering Committee's interest in developing a resource management approach, linked to the periodic environmental thresholds analysis, the Steering Committee will delve into existing facilities, access system, and boating impacts to begin formulating its policy direction and recommendations at its next meeting.

The thresholds that are directly affected by access are:

- Scenic – this is a big issue for piers.
- Noise – only associated with certain kinds of boats.
- Fisheries.
- Water Quality.
- Recreation – this threshold is qualitative.

Boating is the primary driver to affect using the thresholds to measure impact. The committee would like to understand boat management and use on the lake. The last environmental document overestimated boating activity, and the public perception from then was that TRPA was going to increase boating capacity. Boating use data implicate that most boating hours come from boat ramps or other than piers. Rental hours also tend to be higher than slip owners at marinas. What are the limits on boating? Some assume that parking is the limitation. (Parking is outside of the shoreline plan scope.) Regulation is a lake-wide issue. The Compact can address use and development, but the ability to prohibit is to manage demand by limiting development. If TRPA would lift the prohibition, what would the implications be on threshold attainment and public perceptions? The public perceives that the public does not have adequate access so lifting the prohibition could affect public opinion, the perception could be that the shoreline plan is increasing access, but not necessarily for the public.

## Organizational Overview: League to Save Lake Tahoe

Darcie Goodman Collins gave an overview of the League to Save Lake Tahoe history and interests in the shoreline plan. The League was founded in 1957 over concern with rampant development. The League has been a “watch dog,” involved in litigation, and developed projects jointly with others. The League helped with the formation of TRPA and has worked on a number initiatives, including banning the two-stroke engine.

Darcie became Executive Director four years ago. She has wanted to focus on expanding community engagement, being a solution-based organization, and concentrating on sensible environmental standards based on science. The League has a number of programs to carry out its mission. The League has a broad-based community engagement program that provides for hands-on work with education that is creating a community of stewards. The citizen science project is called “Eyes on the Lake” and focuses on identifying aquatic invasive species, creating a database to map AIS populations. “Pipe Keepers” works to prevent and monitor pollution (sediment) into lake. The League has four main campaigns: restoration, AIS, pollution prevention, and protecting shoreline.

### Goals for Shoreline Effort

The League's main goal is water quality and scenic beauty. The League is also striving for consistent and predictable regulation; accurate baseline of structures and boating use; mitigation for additional boating (if impacts); protection of sensitive habitats; maintaining recreational access for non-motorized use; avoiding low water conditions that result in an increase in permanent structures; and adequate and consistent enforcement.

## Public Workshop Format

The facilitation and communications team put together a proposal for developing an advisory forum to provide a venue for public input. The proposal envisioned a set membership (the composition would need to be developed) to provide continuity of participation with a robust outreach effort to encourage broader public participation. After some discussion, the Steering Committee recommended to hold a workshop series, to conduct robust outreach to ensure a range of interests participate, and to alternate the meetings between the North Shore and South Shore. The facilitation team will call this the Shoreline Workshop Series and kick off the first meeting in September.

The TRPA Public Affairs team is conducting some briefings this summer.

6/25/16	Homewood HOA
8/13/2016, 10 am	Kingswood Estates HOA
8/2/2016, 7am	North Shore Breakfast Club
10/19/2016, 8-9am	North Tahoe Business Association

Freshtracks is also arranging the following briefings:

Soroptimist International of South Lake Tahoe  
Tahoe Douglas Rotary Club and other Rotary Clubs around

lake

South Tahoe Association of Realtors

South Lake Tahoe Lodging Association

Tahoe Chamber

Tahoe Keys POA

Bonanza: coffee meetings at publisher office in Incline

Lake Tahoe Visitors Authority

Deb Howard Realty Team

## Participants

### Committee Members Present

TRPA: Joanne Marchetta

California State Lands: Colin Connor (Jennifer Lucchesi absent)

Lahontan RWQCB, Robert Larson

Lake Tahoe Marinas Association: Jim Phelan (Bob Hassett absent)

League to Save Lake Tahoe: Darcie Goodman Collins

Nevada State Lands: Liz Kingsland

Tahoe Lakefront Owners Association: Jan Brisco

### Other Participants

TRPA: John Marshall, Brandy McMahon, and Rebecca Cremeen

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