



Incline Village Crystal Bay Citizens Advisory Board

DRAFT: Approval of these draft minutes, or any changes to the draft minutes, will be reflected in writing in the next meeting minutes and/or in the minutes of any future meeting where changes to these minutes are approved by the CAB.

Minutes of the Incline Village/Crystal Bay Citizens Advisory Board meeting held via teleconference on December 6, 2021

1. CALL TO ORDER/ ROLL CALL/ DETERMINATION OF QUORUM – Chairperson Diane Becker opened the meeting at 5:31 p.m.

Members in attendance included: Denise Davis, Kathie Julian, Diane Becker, Judith Simon, Chris Wood (alternate filling in for absent board member). Kevin Lyons was absent (excused).

2. PLEDGE OF ALLEGIANCE - Chair Becker led the Pledge.

3. GENERAL PUBLIC COMMENT –

Sara Schmitz shared a story of appreciation for working with Washoe County. She was made aware of a large home in Tyrolian Village issued an STR for a large number. The problem is, Tyrolian Village is limited to 2 parking spaces. Washoe County came out to review this property and revised the permit to reduce the occupancy to eight in order to limit capacity to align with the two parking spaces. As we move forward and make revisions to the STR ordinance, we continue to look at parking limitations as some of the condominium complexes only allow one parking spot. In dealing with the County, and requesting revisions, one of the limiting factors that should be incorporated is parking, especially in the winter months. The neighbors were thrilled with the responsiveness of the County and the owner to reduce occupancy limits.

Lynn Brown, a resident at Third Creek, would like additional information regarding the 40-unit complex that is proposed to be built. Chair Becker stated the project is up for approval at the County. The CAB isn't reviewing the project. Commissioner Hill will inform us on how to provide input on projects. She encouraged Lynn to write us and we will forward her email to the correct person on the project. Ms. Brown stated she had been a resident since 1988. She stated she would like to reduce the number on two acres. 40-units seems like a lot and will be surprised if it's approved. Chair Becker shared her email with Lynn Brown.

There were no further requests for public comment. Chair Becker closed the public comment period.

4. TAHOE KEY PROPOSED USE OF HERBICIDE TO LAKE TAHOE TO TREAT ACQUATIC INVASIVE SPECIES – Dennis Zabaglo, Aquatic Resources Program Manager, Tahoe Regional Planning Agency, will discuss the growing concern about the spread of aquatic invasive and nuisance plant species which covers over 90% of the Tahoe Keys lagoons and the potential application of a herbicide to address this problem. (NonAction Item).

Lars Anderson, UC Davis expert consultant hired to address Tahoe Keys, showed a PowerPoint slideshow. He stated he has worked on invasive aquatic species for 40 years.

In response to Chris Wood's inquiry if any of the herbicides have ever been used in Lake Tahoe, Mr. Anderson said no, not to his understanding have ever been used. Mr. Wood asked if previous uses had been conducted in lake with a circumference as large as Lake Tahoe and a drinking water source. Mr. Anderson stated the delta is a drinking water source for potable and irrigation. He stated it hadn't been used in lakes as deep as Tahoe; at least not in the whole lake. He stated this isn't going into Lake Tahoe proper anyway. He said typically you treat sections of the lake, not the entire lake.

Mr. Wood asked about the presence of the weed in Tahoe Keys and South Lake Tahoe. Mr. Anderson spoke about the presence of invasive weeds in Lake Tahoe. He said 1995 surveys found milfoil in several locations. He said we didn't see the curlyleaf pondweed until 2003 in South Lake Tahoe. It has spread north towards Nevada. If you get a small population, you can remove it by hand. He said it's in the south lake shores already.

Judy Simon said the TKPOA has a long history of favoring herbicides. She understands it would be used as a last resort, but we see it used in year-one. If you successfully get these permissions from the boards, what happens if you have success in the first year of application. What happens in year two with reapplication. She asked who is funding the control methods of this test project. Mr. Anderson stated that the proposed use is in year-one only, not year two or three. The test is to see if you can reduce the population initially by using non-herbicide methods. The CMT is supported by a combination of funding with multiple sources. It's not just one agency and not just one approach.

Kathie Julian asked if it's the responsibility of the HOA at the Tahoe Keys to finance some of this as well. Mr. Anderson confirmed. He added the HOA is a major component of the funding.

Kathie Julian asked about the cost differential between using the herbicide versus doing the UV or the hand methods. She asked if the expense of applying the herbicide is the driving force behind this proposal because it's a cheaper method. Mr. Anderson, with 40 years' experience, most people who are concerned about this situation, it's about solutions to the problem. That is the primary question. The question is how do we find a way to better manage the weeds there that don't continue to threaten Lake Tahoe and improve the management in the Keys. In regards to the costs, the only real handle on the costs of the methodologies is the herbicide application. This is not a standard approach. We are doing far more monitoring of this proposed test than a standard. The costs are high for that because it's a sensitive area. He said the UVC method has a high costs, but that method is improving and hoping the cost goes down. The cost is not driving this; it's getting to the solution. She asked if he had a differential cost of removing by hand versus by UV versus by herbicide application. He said there is 178 acres of the Keys that are infested. It's 90-95% covered with these noxious plants. That's just what's inside the Keys; not talking about what is outside the Keys. If you were to do this by hand, you could imagine the cost of divers hand pulling 178 acres and the rate at which they can do it. He said it's like painting the Golden Gate Bridge. You have to go back and start over by the time you are halfway through. These plants don't stop during the process. The plants have a rapid growth rate in spring and summer. The cost by hand is high because of that. He said that controlling the plants would require a lot of divers effectively.

Kathie Julian asked about the use in the Sacramento Delta. She asked which agency is responsible for the water in the delta. Mr. Anderson said the California Department of Parks and Recreation has a Boating and Waterways department. They have a group within Boating and Waterways that has managed aquatic species since the 1980; they are using herbicides and mechanical control. He said they are also discovering if you cut up the plants too much, you spread them around. Kathie Julian asked who is receiving the water from the delta as potable water. Mr. Anderson stated that 20 million people in southern California receive the water, including local people in the delta, for irrigation and potable use. The delta is a key source of water for southern California.

Denise Davis noted there is a video of the project overview. It's available Washoe County.gov website if you look for the Incline Village CAB agenda. The button includes a video. Chair Becker stated there are additional materials available, including presentations.

Chair Becker stated there had been some concern expressed that some of these invasive species could come from planting in the Tahoe Keys or around the lake, and there is no limitation on plantings around the lake, and it could go back into the lake. She asked if part of this process was to stop

source invasion. Mr. Anderson stated he isn't aware of a source outside of the keys or the lake contributing to the submersed plant that we are talking about. It could be in the past; no one knows how these species got in there; the records go back to the 80's. There are two ways these can get into the lake. One is from an aquarium thrown into the lake or a pond. Or you transport it in by boat which is very common. Since 2008, Lake Tahoe has a great inspection program that has helped with invasive species. These plants are aquatic. If you don't have an aquatic garden or pool, you won't get them. It's been a high recognition within Tahoe Keys for many years. They were probably introduced in the 70-80's, but we don't know for sure.

Chris Wood asked if there are biological strategies considered for dealing with these invasive species such as another predator or DNA sequencing. Mr. Anderson said with biological approaches: there are two bio-controls. There are selective. For the milfoil, there is an aquatic weevil that feeds on the plant, and that has been used with varying success in Vermont and New York. The plants don't die back all the way, so you still have a problem. The other thing is weevil is the same problem in southern California. A specialist from Vermont stated even if the weevils were released here, we don't have enough natural shoreline for them to overwinter outside the water. They don't forage on the plants enough. He said there is a non-native organism feeder. The only problem is the least favorite is the milfoil but favorite is native plants. It's been used in imperial irrigation districts. It's regulated by Fish and Wildlife. You would have little chance to get permit because it's non-native. He said there is 63 inputs into lake Tahoe. If you block off the keys and got rid of the fish, it could be used. Fish and Wildlife probably wouldn't allow it. We don't have a lot of tools.

Public Comment:

Elise Fett stated when the keys were developed, there were a circulation system with pumps and pipes, the design by nature with shallow channels lead to stagnant water. It was known long ago that design would cause problems and as expected, when those systems shut down, it was a problem. It was a problem before it was shut down. 3 decades ago, the circulation was shut down. The reasons were that it didn't work well enough. Instead of improving on those and stopping fertilized lawns, and unfiltered storm drain that feed the keys, there was a push to spend money to get this herbicide exemption. You have continued to let nutrients in. There are efforts to prevent putting lawns in. They were using accelerating harvesting removal method that cuts and spreads fragments. You are knowledgeable and educated. She said she is shocked how much money was spent on that direction. And a lot of money on getting herbicides approved and a lot of cost to harvest the weeds which multiplied the weeds rather than getting a circulation and filtration system and continuing with what was there and improving what was there. She stated she heard it was expensive to run, but look what it has come to for the entire lake. The maintenance of issues with Tahoe keys. All the lack of maintenance has multiplied. There is muck that are feeding the source of the problem. It's an absurd amount due to harvesting and multiplying. Mr. Anderson stated the Tahoe Keys Property owners have done a lot to reduce the inputs with landscaping. He said for the circulation system, you need enough water to circulate. The other is water in the keys will not stop the growth. Turning the pumps on to circulate will not control the three species we are talking about. If they were, you wouldn't have them growing in rivers, canals all over the United States. Circulating itself will not solve the problem.

Sarah Schmitz asked if the water agencies have weighed in on this approach. She said she understands that UV will be used down the channels and herbicides will be used from the shoreline out to the docks edge. If it's from shore to docks, wouldn't hand pulling be the safest method to protect water source and fish. Mr. Anderson stated the Tahoe Water Suppliers Association will be coming out with their opinion on this. They have been part of this. In regard to the hand pulling, if you calculate the edge of the shore to the dock, we are looking at a feasibility problem with the time it takes to pull those plants. Ms. Schmitz stated we don't understand the unintended consequences of using herbicides as the cost effective, fast and easy method. Hine sight is always 20/20. That is our

concern. Mr. Anderson stated as part of the test method, the second and third year are non-herbicide methods. We will get a good idea to maintain control of those during the test method.

Chair Becker invited the public to send their questions to Lars Anderson.

5. INCLINE VILLAGE GENERAL IMPROVEMENT DISTRICT AND TAHOE WATER SUPPLIERS ASSOCIATION – Madonna Dunbar, Resource Conservationist, IVGID and Executive Director, Tahoe Water Suppliers Association, will provide a brief update on the current regulatory process related to the proposed use of the herbicide discussed above. (Non-Action Item).

Madonna Dunbar provided a PowerPoint presentation.

Kathie Julian asked if she correct to assume that the drinking water for the north lake comes from the lake while drinking water South Lake Tahoe comes from aquifers. Ms. Dunbar stated City of South Lake Tahoe fed completely by aquifers and wells. But the drinking water intakes begins at a Lakeside Park association on California side and progress on up the east shore of Nevada. She said you have Lakeside, Roundhill, Glenbrook, Edgewood, Caverock, a gap at the state park, NTPUD, TCPUD has an intake on the Westshore. There are a number of private intakes. There is an intake one mile west of Tahoe keys, and Lakeside Park intake is 3 miles east. There are private intakes for properties. In response to Kathie Julian's question, Ms. Dunbar stated intakes pull from Lake Tahoe. It's a pipe into Lake Tahoe. Incline Village exclusively pulls from Lake Tahoe. NTPUD and TCPUD have an intake and aquifer. City of South Lake are 100% wells.

Judy Simon asked what we can do as a board to support the idea that the herbicides need to be a last resort. She said she understands that our water is minimally treated. She stated the water taste wonderful and compliments Tahoe tap for their efforts. What happens if the herbicides are effective and get into the lake. What happens if we need more treatment of our water to be safe to drink. Ms. Dunbar stated Lahontan still wants public comment at the mid-January board meeting. She encouraged the CAB to continue to provide a dialogue. If the Lahontan water board approves this test, the project proponent goes forward with year-one, limited use of herbicides, and year-two and three with monitoring and non-chemical methods. Year-four they can apply to do whatever they decide to do of all the tests. They have to report before they can come back with a project of a different scale or approach and conduct another environmental review process again. This is the piece that is adding a cost that to the herbicide because no other approaches take this same level of environmental review process. She stated the Lahontan Board has stated if they say yes to this, it doesn't mean they will say yes to everything. And we question that. She stated we question it because herbicides are usually used more than once in any arrangement. They may approve this because it's a test. It's not a bigger project. At this point, individuals can provide public comments; there are public comment rules at Lahontan Board meetings. You have to reserve a time to speak. It's not a full open public comment period like these meetings. She said there is a reason we are at the table and have been invited to the table is because of the awareness of minimal filtration exempt system and how we are minimally treated. It's tested at the at the intake, treated through UV light, and ozone gas to address biological contaminates. We don't have to filter for physical contaminates like dirt or microplastics. There is a slight use of chlorine to keep the water clean while it travels through 90 miles of pipe. Other systems have to use other filtration to collect particles. Lahontan Water Board also regulates water for us. They are very aware of the implications and that is why we have been at the table for the respect of the level of quality of drinking water. It's typically dilution is solution of pollution. In this instance, the formula works out with the way they are trying to concentrate that. If we get into long term, then we cross threshold are we going to be imperiling. She spoke about 'Drink Tahoe Tap' brand and trust it's safe drinking water; with the use of herbicides, there may be a question of trust with drinking the water. She stated there are herbicides filtered out of bottled water.

We innovate at Tahoe. It's a highly proposed mitigation for small scale herbicide in the country. That points to level of wanting to proceed and level Lahontan recognizes. It's mitigated a lot. Nevada water regulators are partners and at the table. They don't get to decided, but they weigh in. There are regulatory requirements if herbicides are approved. Water suppliers will be notified and offer comment.

Chris Wood asked what monitoring/detectors are in place for our particular water at IVGID. Do we have a way of detecting it if it gets up to us. It's an EPA herbicide, it must have been study for carcinogenic impacts. What is the safe level. Ms. Dunbar stated IVGID is not planning to need to monitor for specifically for this contaminate. She said she will speak with Public Works Director about if he wants to proceed down that path. She stated it's projected that between the site and the intakes, a trigger of .9 mg per litter is the maximum contaminate limit (MCL). She stated it will not hit that limit because it will be so diluted. That is why we haven't jumped about monitoring. She said as far as monitoring, they will be monitoring inside a double walled turbidity curtain and outside the double wall curtain with a dye tracker. If there is leakage, they have other monitoring plans and a filtration plan if there is any leakage detected. There is a contingency on top of contingency with a lot of planning. She spoke about dilution. They are short-term, no restrictions on recreation contact. She said she is just stating the facts.

Elise Fett thanked Madonna. She said she heard these herbicides were approved for drinking water use. The EPA has approved things that didn't always end up healthy for us. We have Parkinson's up by 100 million people in the US. We have approved this and 20 million people in the delta are drinking herbicide treated water. There is a high amount of Parkinson's in the central valley. This will set a precedent. If approved in the Tahoe Keys, other marinas will do it. It will get further around the lake. It sets precedence for other pristine lakes. Big Bear Lakes is an example of this use. The weeds came stronger to fight the herbicides. She said she is thankful there is a possibility this could end after being just a test, but doesn't see that happening. She said it will look beautiful after use; but in Minnesota, it has become too much, too expensive, and they went back to pulling weeds.

6. NDOT HWY IMPROVEMENT PROJECT – McKenna Temen, Sr. Public Information Specialist, North America Transportation Planning West, Austin McCoy, P.E. Project Engineer, and Michael Murphy, PE Assistant Resident Engineer, will present the highway improvement project in the Incline Village area. This is a multi-year project that will go through early 2023. There will also be updates on the next construction season that begins in the Spring of 2022 (Non-Action Item).

Michael Murphy provided a PowerPoint slideshow.

Roxanna Dunn had a question about the conduit they are laying; for traffic controls, detectors can monitor the traffic as they go. Mr. Murphy confirmed. Roxanna Dunn asked for the future, there's nothing in what you are putting down that can sense bicycles and other modes of conveyance so we don't stay automobile centric far into the future. She asked if it will be that flexible. Mr. Murphy stated what we are putting in is conduit for future infrastructure. This is setting up the method for communication and power. Roxanna Dunn asked about noise levels. She stated she lives next to highway 431. She asked how long it takes them to do 1 mile of paving. We would like answers for how long this will take. Mr. Murphy stated a typical operations will do a mile in a night and then mill it off. Then we would come by the next day come back and pave. He stated it takes several passes and could be 4-5 days.

Chair Becker thanked the NDOT representative.

7. PRESENTATION BY COMMISSIONER HILL – Commissioner Hill will advise the community of the outcome of her discussions with the County on the opportunity of the Incline Village Crystal Bay CAB to be involved in local development projects and how to apply to be on the TTD Committee looking at alternative sites for the transportation hub in Incline Village. (Non-Action Item)

Commissioner Hill provided a brief update:

TTD update: She stated she spoke with Carl; there will be an application for community members to join the steering committee to select an RFP for alternative site assessment as well as help us with public meetings to get input as part of purchasing of the site. That link will go out in December.

Washoe County School District opened up escrow for 30 days. That purchase will close in 2022. The alternative site assessment will assess the actual site and other possible sites that are for sale. She will make sure other Washoe County sites will be on that list. The County went out for a multimodal study for parking and public safety study. We are choosing a consultant on that. We will be working with TTD group to see what this project will look like; what will a mobility hub look like. We will work with the public. She said we will assess if it has parking or will it just be for bus charging. What kind of asset will this mobility hub have.

Development projects: There will be a development page for people to see upcoming developments through the County website. She said the link will be put out to the community when it's ready. She said if there are developments you want to hear, you can invite the developer to provide a presentation. There won't be any votes or approvals of the projects at the CAB meeting. The CAB can get the information to the community and help get the word out in Incline Village/Crystal Bay.

Kathie Julian thanked her for attending. She asked what the status of this 947 Tahoe Blvd project is. She said she is concerned this could fall through the cracks. The hub is not up. This project is already listed for a SUP on the website. She asked for information on how that will be handled. Ms. Hill stated it was caught up in between the two processes. She stated she understands that there will be a neighborhood meeting. She requested to be informed when that is so she can get the word out to the public. That is the next step in the process.

Chair Becker stated she spoke with the County Manager on this. If there are concerns raised at the meetings, there will be an opportunity to hear it at the next CAB meeting. People would have the opportunity to express their concerns.

8. CAB BOARD MEMBER/BCC NEWS AND ANNOUNCEMENTS — This item is limited to announcements by CAB members and Commissioner Alexis Hill. (Non-Action Item)

Denise announced there will be a Community Forum on Friday, December 17 at the Incline Village Library or online.

Judy Simon thanked for the presentation on the Tahoe Keys. She stated she is discouraged as Lake Tahoe is a unique ecosystem and we need to monitor this to the best of our ability. Please convey to Commissioner Hill that we received several public comments during the presentations. She sits on the TRPA Board. Chair Becker stated Madonna recommended that we make public comment at the Lahontan Water Board. Chair Becker stated she will find out the dates and get it up on the CAB website. This is a big issue for everyone.

9. APPROVAL OF THE MINUTES FOR THE MEETING OF November 1, 2021 (for Possible Action)

Kathie Julian wanted to confirm with Marc if he had received her email with corrections and clarifications. Mr. De La Torre stated he had received it this morning and didn't have time to make the corrections. He stated there were a number of revisions that he didn't have time to do and asked if this should be carried over to the next month.

Chair Becker moved to table the approval of the draft minutes of November 1, 2021 until the next meeting. Judy Simon seconded the motion. The motion carried unanimously.

10. GENERAL PUBLIC COMMENT — Limited to no more than three (3) minutes. Anyone may speak pertaining to any matter either on or off the agenda. Please raise your hand on your computer and then you will be called one by one. Comments are to be addressed to the Board as a whole.

Erin Anderson thanked Roxanna for her comment. She stated we have enough regulatory agencies state-wide, federally that are looking out for all the stake holders. She said don't have concerns what is happening in Tahoe keys getting up to Incline Village. She stated the bigger issue is all the trash on the east shore that is not being addressed. There is trash at the beaches that isn't being address and it's getting into the lake and it's a visual eye sore.

Elise Fett stated to follow up on the trash comment. She said she lives in Crystal Bay. She said she collects trash on her kayak every spring. She is happy to see IVGID people cleaning up trash on the beaches. There needs to be a fine when people leave trash on the beach or when it blows off their boat. There needs to be something that puts fear into people to make them more conscientious. She said with the Tahoe Keys, if this was our only alternative, what else could we do. They need to get to the source of the problem, nutrients. Herbicides isn't going to resolve the source of nutrients. They didn't have the bubble curtain running for the first part of the summer. They are still letting their storm water flow from their lawns into the keys. They need to resolve the source of the problem. When the water is low, they could take care of the exposed weeds. The people in the keys could remove them. It's legal for them to do that and the association should encourage them. She said both of her parents died of Parkinson's disease. She said she lived in agricultural community. She said she doesn't want to see it in our water. She said she has her own private water intake.

ADJOURNMENT – Meeting adjourned at 7:27 p.m.

Submitted By: Misty Moga