

# Opinion: Don't trust Lahontan, CTC

**Publisher's note:** *This letter was sent Sept. 9 to the California Senate president pro tem and speaker of the California Assembly.*

**Dear Senator Steinberg and Speaker Perez,**

On Sept. 3, 2013, amendments were made to SB630 which establish a new general fund account, the Lake Tahoe Science and Lake Improvement Account. Earlier amendments were focused on the need for a scientifically objective, neutral regime to monitor critical water and air quality indicators for the legislature.

The secretary of Resources is authorized to administer the account, the use of funds has expanded to include aquatic invasive species projects, projects improving public access, reconstruction projects, land acquisitions, and finally monitoring the near-shore.

The California Tahoe Conservancy (CTC) and the state Water Quality Control Board – Lahontan Region (Lahontan) are the two agencies designated to use this new funding if the agencies produce matching funds. The problem is that these two agencies, for different reasons, have direct conflicts of interest for any near-shore monitoring.

The CTC and Lahontan both have a direct interest in not objectively monitoring the near shore, as this area is showing the most serious and sustained degradation. Instead of wanting to prove the value of their programs by monitoring, both agencies appear to want to conceal unbiased measure consistent with established scientific protocols.

Some have suggested a monitoring regime for critical water

quality pollutants much like the San Francisco Estuary Institute. Their operational creed is:

*We provide impartial scientific interpretations and neither take sides on environmental issues nor have any political or financial interest in the outcomes of research and monitoring data.*

The only legitimate urban stormwater regulation is based on volume reduction through infiltration.

Lahontan's strategy is to clean stormwater through various actions, e.g. street sweeping, shoulder treatment, and filters, which lack scientific protocols to assess whether their methods are sound. These actions are expensive, capital intensive, and obligate high long-term maintenance costs. The results do not meet with the same level of certainty as infiltration or urban stormwater where the science is sound and not disputed.

It is not in the interest of Lahontan to objectively monitor near-shore water quality, as it would reveal degradation so severe and sources so obvious that the scientific validity of the TMDL would be at risk, raising additional questions about expenditure of prior funding. Models do not necessarily correspond to reality, and the TMDL rewards modeled results, not objective measurements.

The CTC has strayed, since about 2006, from its original intent to buy property in the Tahoe Basin to retire development rights and potential coverage. The CTC was successful doing this for many years, and California taxpayers have spent \$108 million through the CTC to purchase 4400+ parcels to "reduce development."

The CTC has monetized development rights for all parcels purchased with public funds, and as bond funding declines the CTC sees self-preservation value in converting rights into money. About 400 parcels have been classified as "Asset Lands"

to potentially sell back to the private sector. The CTC leadership justifies certain public/private partnerships, "to recoup a portion of the public's capital investment in these acquisitions for future high-priority projects through the sale of the banked development rights."

The CTC is "reinventing itself," as an advocate for devoting public resources to an unsustainable redevelopment vision, rather than staying on track as a Conservancy. The public should be informed, and be subject to public debate.

This video link shows what is being ignored by these two agencies.

We believe this amendment should be withdrawn, and the issue of monitoring Lake Tahoe's vital signs be referred to interim study.

Sincerely,

**David McClure, president North Tahoe Citizen Action Alliance**

**Roger Patching, president Friends of Lake Tahoe**

**Ann Nichols, president North Tahoe Preservation Alliance**