



**US Army Corps
of Engineers®**

Sacramento District

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SUPPLEMENTAL LETTER REPORT
LAKE TAHOE BASIN FRAMEWORK IMPLEMENTATION REPORT
NON-FEDERAL INPUT TO THE SNPLMA FEDERAL AGENCY MANAGEMENT UNIT

1.0 Purpose: This letter report presents a non-Federal view of critical steps that must be accomplished to most efficiently and effectively implement the Federal portion of the Lake Tahoe Environmental Improvement Program (EIP) using funding from the Southern Nevada Public Lands Management Act of 1998, as amended (SNPLMA). This report does not represent the official position of any Federal agency. This report does represent the consolidated judgment of non-Federal entities that participated in the original SNPLMA Tahoe amendment deliberations.

This letter report was conducted as an ancillary action of the Lake Tahoe Basin Framework Implementation Report (Framework Report, April 2004). The letter report was based on the scope of work agreed to with the Framework Report project partners and completes the work begun, but which could not be finished, until after the rest of the Framework Report was submitted.

2.0 Background: The U.S. Army Corps of Engineers (Corps) Draft Final Framework Report concluded that it was essential that a management unit be established to meet the objectives and basic implementing measures identified in the report. This conclusion was based on independent analysis by the Corps and input from basin stakeholders.

The Framework Report process included the facilitation of a small discussion group for formulating a locally derived alternative for SNPLMA implementation. The small discussion group (which included representative members from business and tourism, environmental interests, transportation, the Tahoe Regional Planning Agency (TRPA), the State of California, the State of Nevada and the Federal Interagency

Partnership) also concluded that there was a need for a management unit to assist in programming the Federal portion of the EIP.

The small group discussions were led by a consultant hired as part of the Framework Report process for their understanding of basin dynamics and ability to bring the various stakeholders to the table for frank discussions on formulating a locally derived alternative. This small group refined concepts and honed details that resulted in the content of Appendix D of the Framework Report.

The management unit proposed in the small group discussions and the Framework Report was initially known as the Federal Agency Management Unit (FAMU)¹. At the end of the small group discussions, the Corps agreed to support the continued development of the FAMU by extending the consultant contract to provide continuity of ideas, goals, purpose and agreements that resulted from the small group discussions.

In order to meet the Corps commitment to support the continued development of the FAMU indicated previously, the consultant was tasked to document those most important views of the small group discussion non-Federal participants. TRPA input was not included in this report since TRPA is still an active FAMU participant. This report includes those views believed most important for FAMU to bear in mind in keeping with the spirit of discussion leading to the SNPLMA Tahoe amendment implementation plan.

3.0 SNPLMA/EIP Public Advisory Process

3.1 Key Proposal: Discussions with non-Federal small group discussion participants concurrent with the Federal Partnership/TRPA initiation of FAMU consistently returned to the need for an embedded EIP public advisory process during SNPLMA program concept, criteria and selection. The illustration of these components is included and incorporated into the amendment to the Implementation Agreement. That process is identified under the EIP Management System that is a condition precedent to the Tahoe SNPLMA Project Recommendation Flow Chart. As illustrated, the EIP Public Advisory Process is intended to provide input into the EIP Coordination of Scheduling and Prioritization that is an ongoing effort by the FAMU. This public advisory process would work in a synchronized fashion with FAMU. Ultimately, the FAMU with input obtained

¹ The term Federal Agency Management Unit (FAMU) has subsequently been changed to Partnership Coordination Team (PCT). For purposes of the report, functions of both entities should be considered the same.

through the public advisory process would hand off to the Tahoe Working Group a schedule of nominated projects.

3.2 Recommended Action: The FAMU needs to endorse, encourage, support, and utilize a meaningful and timely EIP Public Advisory Process that reflects the intent of the agreed upon SNPLMA Project Recommendation Flow Chart.

3.3 Recommended Subject Matter: The FAMU should provide to the public the following information as part of the EIP Public Advisory Process:

- EIP proposals from each Federal implementing agency, including a description of proposed projects with incrementally less detail for less imminent projects in order for the public to offer informed input
- Integrated plan of all Federal agencies' proposals, including roles and responsibilities of Federal agencies participating in the EIP
- Strategy for implementing projects that have no Federal sponsor
- Opportunities to leverage and integrate potential project funding sources, including a plan that identifies which agencies fund, and which agencies undertake, projects and responsibilities
- Report on the collaborative Federal EIP prioritization process based on available scientific analysis, as well as each agency's program needs and capacities, so that the public can assess how each agency plans to perform its responsibilities and projects in a manner and sequence that benefits the balance of the EIP
- Implementation target dates, including status of current activities
- Outreach, education, and media efforts in support of the Federal agencies' implementation of the threshold programs
- Other items as may be requested by the public participating in the process

3.4 Recommended Forum: The information referred to above is necessary for the FAMU to perform its Federal EIP coordination role. The public participation process was envisioned to provide input to the FAMU's coordination and prioritization of projects that are to be considered for SNPLMA funding. The process must include a public meeting that presents all of the information that the FAMU develops in order to produce a schedule of nominated projects. Such a meeting must be open to any member of the public to comment on the information that the FAMU provides, as recommended above. In addition, the public should have an opportunity to provide written comments in response to this information. In order for the input from the public process to be helpful

in shaping the project coordination process, that process must be ongoing and iterative. The public advisory process should work in tandem with the FAMU as it develops, updates, and maintains the information described above, rather than being a perfunctory meeting immediately prior to the submittal of the nominated projects to the Tahoe Working Group.

The process should be sufficiently formal to assure that public outreach is maximized and that the input from the public is adequately summarized and documented.

4.0 Conclusion: Intensive small group discussions led to a consensus based vision and conceptual structure to implement the SNPLMA Tahoe amendment. The significant role of the FAMU in recommending a comprehensive annual Federal program was recognized in these deliberations. The critical need for an Federal EIP Public Advisory process during SNPLMA implementation was also recognized in these deliberations and in the subsequent Implementation Plan. The Federal Partnership and TRPA have embarked in a process to define the role and process to be utilized by the FAMU, yet no similar effort has been initiated for the Federal EIP Public Advisory SNPLMA process. The non-Federal participants of the original small group discussions believe strongly that the lack of an EIP Public Advisory SNPLMA process weakens the validity and support of the SNPLMA Tahoe effort and that organization and support for the EIP Public Advisory SNPLMA process is overdue.