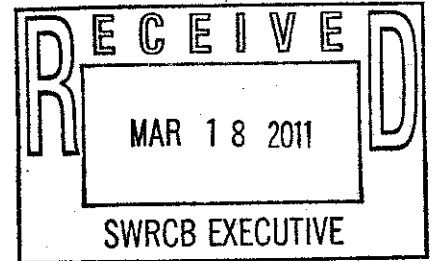


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March 18, 2011

Mr. Charles R. Hoppin, Chair  
Members, California State Water Resources Control Board  
PO Box 100, Sacramento, CA 95812-2000  
1001 I Street, 24th Floor, Sacramento, CA 95814

**Re: Comment Letter - Lake Tahoe TMDL**

Dear Chairman Hoppin and Members of the State Water Board:

I am writing to you as an advocate for community sustainability. In deliberating your decision on the Lake Tahoe TMDL, I respectfully urge you to consider the sustainability of your actions.

In preparing the Basin Plan Amendment in support of Tahoe TMDL adoption, staff of the Lahontan Regional Water Quality Control Board worked regularly with staff of the jurisdictions required to have a municipal stormwater permit. Staff, however, are not the people responsible for dealing with the policy and financial implications of implementing the TMDL through stormwater permits. Lahontan staff presentations to, and interactions with, elected leaders of the jurisdictions were not as diligent or effective. Accordingly, it is no surprise that your Board is receiving comment letters from Lake Tahoe jurisdictions that express grave concerns about the financial implications of compliance and that the Lake Tahoe TMDL addresses only deep water clarity and not near-shore water quality.

For the Lake Tahoe TMDL to be effective and sustainable, your Board and staff, and the boards and staff of the Lahontan Region, must do more to reach out and engage with local elected officials and community and business leaders, not just your technical colleagues in other agencies and governments. It is far too easy to sit in meeting rooms and the gilded halls of state government and hand down edicts. You must work more effectively in building partnerships to ensure the capacity and sustainability of those you ask to shoulder the burden of compliance. Because most regulations have been adopted in silos, many by single purpose agencies without the concurrent development of effective, sustainable partnerships, California has become a quagmire of tangled regulations, many with great hostility and bitterness around them. This is simply not a sustainable approach to the protections and enhancements we need for our environment, economy and our needs as a society.

I would like to reinforce and add the voice of Sustainable Community Advocates to several points in the letter you received from the City of South Lake Tahoe. You should know that the city continues to struggle with an unemployment rate of over 20 percent, a decline of 10% in its permanent population over the past decade, and stark indicators of increasing poverty among many of those who remain. El Dorado and Placer counties face similar challenges.

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*One of the Lake Tahoe TMDL's scientific peer reviewers, Professor Lewis, had concerns about the "enormous cost" of the implementation phase and recommended "outlining the results that could be obtained for expenditures of 50 percent or 25 percent of the proposed expenditure." Professor Lewis also noted that it is necessary that any evidence of failure in a specific control strategy lead to the cessation and reformulation of the control strategy, rather than inertial continuation of expenditures on an ineffective strategy. Project such as this often founder on the inflexibility of the action plan once implementation begins."*

*The City believes it is vitality important that the State Board and Lahontan provide direction as to a funding strategy and implementation plan so that local jurisdictions are better able, in difficult financial times, to assess and budget for the costs associated with implementation of the TMDL.*

Sustainable Community Advocates believes the Environmental Protection Agency, through Region IX, should join in developing funding strategies and support for implementation.

Sustainable Community Advocates is proud to be working in partnership with Tahoe's local governments, the Tahoe Regional Planning Agency, and business and community leaders, including those in education, health and wellness, environmental innovation, and workforce development, to engage and implement strategies designed to revitalize and "environmentally redevelop" Lake Tahoe's aging infrastructure and built environment. Consistent with these efforts, we emphasize another paragraph in the City's letter to your Board.

*The City, as well as all other jurisdictions in the Lake Tahoe Basin, face the extraordinarily difficult task of balancing State and federal water quality mandates with federally mandated TRPA thresholds and general public services. Thus, the City believes it is vitally important to be able to show citizens and visitors that financial investments in water quality do more than just improve deep water lake clarity. The City believes the TMDL should include a means of accounting for water quality benefits which also provide ancillary benefits to the community and/or attain TRPA thresholds. Allowances for increased commercial floor area (and a mechanism for a more cost effective transfer of existing floor area - comment added by SCA), relaxation of coverage requirements for linear public service projects, and increased building allocations are just some examples that may serve as crediting "rewards" for achieving the goal set by this ambitious Plan. Concessions (SCA prefers the use of meaningful incentives, rather than "concessions") should be provided to agencies and jurisdictions that implement projects which address other federally mandated thresholds, particularly those of TRPA.*

Finally, Sustainable Community Advocates adds its voice of support to the City and others who have requested that the State Water Board and Lahontan commit to a prompt and thorough review of processes and pollutant sources contributing to near-shore water quality degradation, and to the development of appropriate standards, indicators and actions to help support partnerships, programs, and projects to reverse the very visible decline of Lake Tahoe's near-shore water quality. This decline impacts local residents and visitors and the overall experience of Lake Tahoe as a world-class environment and resource.

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Respectfully submitted for your consideration,

**Steve Teshara**  
**Principal**

**cc: Mr. Tony O'Rourke, City Manager, City of South Lake Tahoe**  
**Honorable Members, South Lake Tahoe City Council**  
**Ms. Joanne Marchetta, Executive Director, Tahoe Regional Planning Agency**  
**The Honorable Norma Santiago, El Dorado County District 5 Supervisor;**  
**Chair, Tahoe Regional Planning Agency Governing Board**  
**Mr. Tom Miller, County Executive Officer, Placer County**  
**Mr. Larry Sevison, TRPA Governing Board Member representing Placer County**  
**Ms. B Gorman, President and CEO, Lake Tahoe South Shore Chamber of Commerce**  
**Mr. Ron Treabess, Interim Executive Director, North Lake Tahoe Chamber of Commerce**  
**Mr. Michael Ward, Project Manger, Tahoe Prosperity Center**  
**Mr. Harold Singer, Executive Officer, Lahontan Regional Water Quality Control Board**  
**Mr. Patrick Wright, Executive Director, California Tahoe Conservancy**  
**Mr. Jared Blumenfeld, Regional Administrator, EPA Region IX**