

BMP Compliance Options Priority Project

Working Group Meeting #1
March 12, 2014



Governing Board Priority Setting

Create a subcommittee of the TRPA Governing Board, along with interested parties, to explore options related to BMP Compliance.

Meeting Agenda

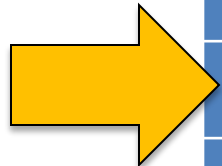
- Introduction, Meeting Format, Expected Outcomes and Schedule
- Background and Overview of the EIP Stormwater Program
- Proposed Conceptual Approach
- Objectives & Feasibility Criteria
- Discussion Topics
- Future Meeting Dates

Ground Rules

- Share the air time
- Limit side bar conversations
- Be solution oriented
- Be respectful of others opinions
- Let others finish before engaging
- Public comment will follow discussion on each item
- Need working group consensus before moving on

Schedule

BMP Compliance Options Priority Project Schedule	
January 29, 2014	RPIC endorsed process, schedule and working group members
March 12, 2014	Working Group meeting #1 – conceptual approach
April 24, 2014	RPIC review of conceptual approach
May-August 2014	Working Group meetings #2 and #3 – Develop recommendations, draft policy and code that incorporate RPIC direction; Coordinate with the EIP Parcel Specific BMP Water Quality Working Group; Complete environmental review
September-December, 2014	TRPA review process: RPIC, APC and Governing Board review and approval





STORMWATER MANAGEMENT



LAKE TAHOE EIP

Stormwater Management Program

- Part of the Watershed, Habitat & Water Quality Focus Area of the EIP
- Stormwater Management Program consists of four programs:
 1. Reducing Stormwater Pollution from City & County Roads
 2. Reducing Stormwater Pollution from State Highways
 3. Reducing Stormwater Pollution from Forest Roads
 4. Retrofitting Public & Private Facilities with Best Management Practices



EIP Stormwater Program: Roadways



Parcel BMPs

- TRPA Code Section 60.4 – Parcel Specific BMP Requirements
- Implemented through different strategies
 - Project Permitting
 - BMP Retrofit Program



EIP Stormwater Program: BMP Statistics - CA

BMP Status in California Lake Tahoe (through December 2013)

	Total Parcels	Completed	Remaining	% Complete
Single Family	24,607	5,614	18,993	23%
Multi-Family	5381	2,895	2,486	54%
Commercial	1490	429	1,061	29%
Total California	31,478	8,938	22,540	28%

EIP Stormwater Program: BMP Statistics - NV

BMP Status in Nevada Lake Tahoe (through December 2013)

	Total Parcels	Completed	Remaining	% Complete
Single Family	6,006	2,983	3,023	50%
Multi-Family	5,560	4,160	1,400	75%
Commercial	426	301	125	71%
Total	11,992	7,444	4,548	62%

EIP Stormwater Program: Area Wide Projects



Total Maximum Daily Load (TMDL)

- Fine Sediment Particles (FSP)
- Total Phosphorous
- Total Nitrogen



Parcel BMPs (commercial, multi-family, single family residential)

Retrofit Program

Project Permitting

- Administered by TRPA and Local Jurisdictions
- 2,054 Certs since 2007 or 23%
- Application fees

Single Family Residential

- TSS = 56.4mg/l
- Administered by RCDs
- 100% Grant Funded
- Grants sunsetting
- 2,310 Certs since 2007 or 25%
- ~cost/parcel = \$5K

Commercial & Multi Family Residential

- TSS = 446.4mg/l
- ~8x more TSS than SFR
- Administered by TRPA
- 100% Grant Funded
- Grants end 2015
- 3,808 Certs since 2007 or 42%
- ~cost/parcel = \$50K

Roadway Retrofits

State Highway Retrofits

- TSS = 951.6mg/l
- ~17x more TSS than SFR
- 104 miles (64 CA, 40NV)
- ~ 30% complete
- Remaining miles planned

Local Erosion Control Projects

- TSS = 150 mg/l
- ~3x more TSS than SFR
- 550 miles (423 CA, 140NV)

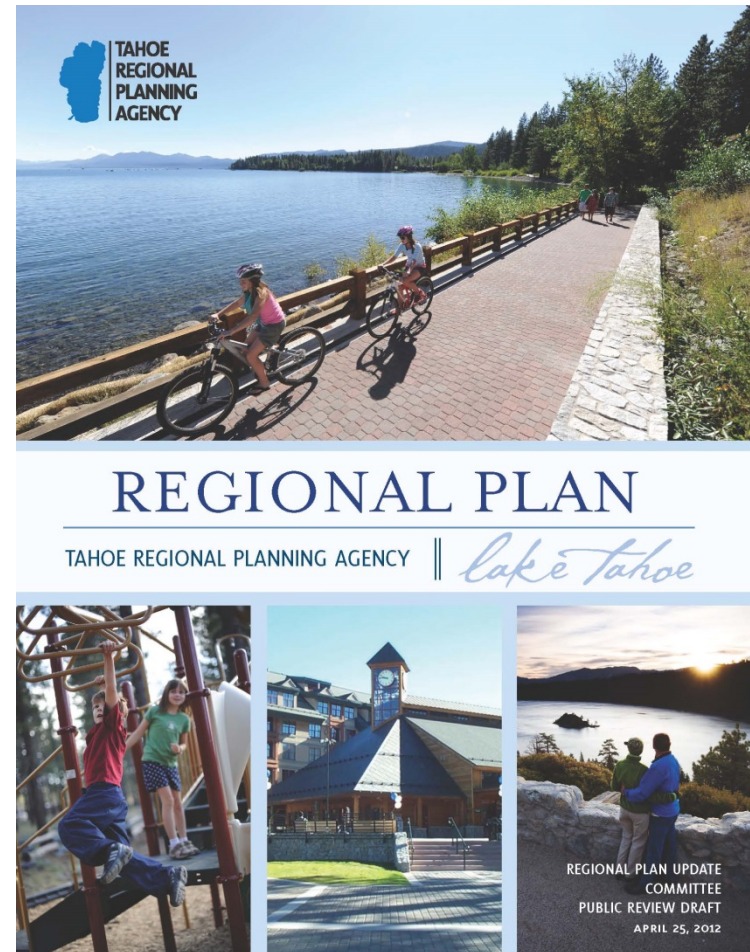
Decommissioning and BMPs for Forest Roads

Area-Wide Public/Private Stormwater Projects

Combines Parcel BMPs & Roadway Retrofits

TRPA Regional Plan Update

- Coordinate with the Lake Tahoe TMDL
- Area-wide BMPs
- Environmental Redevelopment
- Incentives



Proposed Conceptual Approach

Develop feasible and implementable policies and/or other recommendations addressing limitations with existing BMP compliance rates that meet project objectives and fit within the overall context of stormwater priorities.

Objectives

- I. Support Regional Plan goals and policies including protecting and enhancing water quality and coordinating with the Lake Tahoe TMDL Programs.
- II. Support local government Area Plan goals and policies.
- III. Simplify/streamline operational processes.
- IV. Focus on options related to BMP compliance.
- V. Meet feasibility criteria, consider funding constraints for the Lake Tahoe BMP Retrofit Program and pursue recommendations that offer the “biggest bang for the buck” in terms of pollutant load reductions.

Feasibility Criteria

1. Effectiveness
2. Cost
3. Public Acceptability
4. Technical Feasibility
5. Effects on Other Resources

Discussion Topics

1. Maintaining or modifying the existing BMP disclosure system.
2. Require BMP installation on properties at the point-of-sale or post a financial guarantee at the point-of-sale equal to the cost of implementing BMPs.
3. Enhance the TRPA Real Estate Disclosure process to increase BMP implementation following real estate transactions or alternative.

Discussion Topics Cont.

4. Revise BMP compliance procedures for permitted projects to provide flexibility in the use of forfeited securities and/or in imposing penalties.
5. Consider additional enforcement options for special circumstances, such as recording a notice of noncompliance to a property deed.
6. Target accelerated BMP Implementation in coordination with local government Pollution/Stormwater Load Reduction Plans.

Discussion Topics Cont.

7. Facilitate and promote area-wide BMPs and in-lieu fees.
8. Provide additional incentives to encourage BMP compliance.
9. Consider requesting future Governing Board prioritization of other topics outside the scope or requesting the *EIP Parcel Specific BMP Water Quality Working Group* to review and provide recommendation on other topics including, but not limited to BMP maintenance and monitoring.

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