

## **SENATE BILL 630 AQUATIC INVASIVE SPECIES CONTROL GRANT AWARD**

**Recommended Action:** Adopt Resolution 21-03-04 (Attachment 1) authorizing a grant to the Tahoe Resource Conservation District (Tahoe RCD) for up to \$500,000 to conduct aquatic invasive plant (AIP) control activities within the Tahoe Keys Offshore Complex (Complex) and containing the appropriate California Environmental Quality Act (CEQA) determination.

**Executive Summary:** This recommended action will support Tahoe RCD efforts to reduce the aquatic invasive weed infestation that is offshore of the Tahoe Keys east channel. The Lake Tahoe Aquatic Invasive Species (AIS) Coordination Committee (Committee) identified removing AIP from the Complex as one of the highest priority control activities for the 2021 field season. This grant advances the efforts of the Lake Tahoe Environmental Improvement Program (EIP) to control AIS and protect native species in the region. The grant also promotes the California Tahoe Conservancy's (Conservancy) Strategic Plan Goal 2, Strategy B, by advancing a multiple-benefit project that pairs watershed resilience with water quality protection. Upon Board authorization staff will execute all necessary agreements.

**Location:** The Complex consists of a large infestation of AIP located in Lake Tahoe along the south shore, just north of the Tahoe Keys Marina (Attachment 2). The Complex is separate from the Tahoe Keys lagoons and marina. Tahoe TRCD will treat a portion of the Complex.

**Fiscal Summary:** Staff seeks authorization to award up to \$500,000 from the Lake Tahoe Science and Lake Improvement Account (Account).

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### **Overview**

#### **History**

AIS threaten waterways throughout the nation, as they can impair drainage infrastructure, reduce water quality, and degrade wildlife habitat. In the Lake Tahoe Basin (Basin), the Committee leads prevention, detection, and control activities to reduce the introduction, spread, and extent of AIS. In 2019 the Committee developed the AIS Action Agenda (Action Agenda) to provide a comprehensive framework for AIS control activities. Using processes outlined in the Action Agenda, the Committee annually identifies priority AIP control projects to fund through the Account. This grant, funded by the Account, advances 2021 AIP control priorities.

### Lake Tahoe Science and Lake Improvement Account

The California State Lands Commission (SLC) collects fees for public use of state lands at Lake Tahoe, most commonly for use of the lakebed by pier supports and buoy anchors. In 2013 Senate Bill 630 (SB 630) mandated that the SLC deposit those fees into the Account to support a bi-state science advisory council and nearshore management. As one of the three recipients of Account funding, the Conservancy awards grants for AIS control and public lake access projects. To date the Conservancy has awarded nearly \$2 million in Account funds.

Combatting AIS at Lake Tahoe requires the coordinated efforts of multiple resource management agencies and demands creative and collaborative funding strategies. SB 630 requires the Conservancy to coordinate the selection of projects that are funded through a collaborative process with the participation of key stakeholders.

### Tahoe Keys Offshore Complex

Extending throughout 104 acres, the Complex is the largest known AIP infestation in Lake Tahoe after the Tahoe Keys lagoons and marina. Eurasian watermilfoil and curlyleaf pondweed infest an area of Lake Tahoe north of and separate from the marina and lagoon channels. Boats leaving the Tahoe Keys can spread these plants. Without control, these plants could infest new areas around Lake Tahoe. This would undermine the significant investments made by federal agencies, the states of California and Nevada, nonprofit organizations, and private donors to restore aquatic habitat in Lake Tahoe. Tahoe RCD initiated AIP control work in the Complex in 2020 using diver-assisted suction equipment, and demonstrated the potential for the success of this method. The Committee identified further work in this area as a priority.

### **Detailed Description of Recommended Action**

#### **1. Major Elements and/or Steps of the Recommended Action**

The Complex is infested with both curlyleaf pondweed and Eurasian watermilfoil. Each plant requires different control measures. Tahoe RCD will primarily use diver-assisted suction to remove weeds. If appropriate Tahoe RCD could also install bottom barriers or mats, and may also remove weeds by hand. Tahoe RCD will select the appropriate method, which depends on site-specific conditions such as plant species, lake level, and the size and density of the infestation. In addition to supporting implementation of the AIP control measures, Tahoe RCD will use the SB 630 funding for planning, administration, education, and outreach activities.

#### **2. Overall Context and Benefits**

AIP control efforts protect Lake Tahoe's biodiversity by restoring nearshore fish habitat, improving water quality, and reducing the likelihood of AIP spreading. They also improve visitor experiences by limiting unsightly weeds, and maintaining recreation and scenic standards.

#### **3. Schedule for the Recommended Action**

Tahoe RCD will complete all grant activities between spring 2021 and winter 2023.

## **Financing**

Upon approval, the grant will be funded by the Account, totaling up to \$500,000.

## **Authority**

### **Consistency with the Conservancy's Enabling Legislation**

The recommended action is consistent with the Conservancy's enabling legislation. Specifically, Government Code section 66907.7 authorizes the Conservancy to award grants to local public agencies for purposes consistent with the Conservancy's mission.

### **Consistency with the Conservancy's Strategic Plan**

The recommended action is consistent with Strategic Plan Goal 2, Strategy B by advancing a multiple-benefit project that pairs watershed resilience with water quality protection.

### **Consistency with the Conservancy's Program Guidelines**

There are no Conservancy Program Guidelines for AIS.

### **Consistency with External Authorities**

The recommended action is consistent with the authority given to the Conservancy through SB 630 pursuant to Public Resources Code section 6217.6.1. The Conservancy informed the SB 630 stakeholder group in advance of the proposal to award this grant and the reasons for its selection. To cohesively address AIS in the Basin, the recommended action advances Action Agenda priorities and implements EIP project 01.03.01.0034. The grant is consistent with the California Department of Fish and Wildlife's California AIS Management Plan (January 2008).

## **Compliance with the California Environmental Quality Act**

Tahoe RCD, acting as the lead agency, prepared an initial study/mitigated negative declaration (IS/MND) and a mitigation monitoring and reporting program (MMRP) for the Lake-Wide Control of Aquatic Invasive Plants Project (Project) to comply with CEQA. Tahoe RCD adopted the MND and MMRP (Attachment 3) on January 12, 2021 and filed a notice of determination (NOD) the same day.

A copy of the IS/MND and MMRP are available for public review on Tahoe RCD's website at <https://tahoercd.org/tahoe-aquatic-invasive-species-resources/> or upon request.

Pursuant to CEQA guidelines, section 15096, as a responsible agency, the Conservancy must review and consider the MND prepared by Tahoe RCD and reach its own conclusions on whether and how to approve the grant. Staff reviewed the MND and believes that the Project has been adequately analyzed in the MND. Staff has determined that the Project, as mitigated, would not cause a significant effect on the environment.

Staff recommends the Board review and consider the MND adopted by Tahoe RCD as lead agency, adopt the MMRP, and make the findings as set forth in the attached resolution. If the Board considers and concurs with the MND and authorizes the grant, staff will file an NOD with the State Clearinghouse pursuant to CEQA guidelines, section 15096 (Attachment 4).

### **List of Attachments**

Attachment 1 – Resolution 21-03-04

- Exhibit A – MMRP

Attachment 2 – Complex Map

Attachment 3 – Tahoe RCD's IS/MND and MMRP

Attachment 4 – Conservancy NOD

- Exhibit A – NOD Map
- Exhibit B – Filing Fee Receipt

### **Conservancy Staff Contact**

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