

From: Al Miller <syngineer1@gmail.com>
Sent: 8/25/2026 2:56:46 PM
To: Public Comment <PublicComment@trpa.gov>; Graham St.Michel <gstmichel@trpa.gov>; Julie Regan <jregan@trpa.gov>; Hayley Williamson <hayley.a.williamson@gmail.com>
Subject: Opposing Plans for Herbicide (Glyphosate) Use In the Caldor Fire Burned Area; agenda item 5.A., TRPA EIP Comm. meeting of August 26, 2026
Attachments: [Comments on Glyphosate Project - EIP Comm item 5.A.,mtg 8-26-26.pdf](#)

Please see the attached comments for the record in item re Plans for Herbicide (Glyphosate) Use In the Caldor Fire Burned Area; agenda item 5.A., TRPA Environmental Improvement Committee meeting of August 26, 2026.

Thank you, Alan Miller, Professional Engineer

General Public Interest Comments USFS-LTBMU Plans for Herbicide (Glyphosate) Use In the Caldor Fire Burned Area; agenda item 5.A., TRPA Environmental Improvement Committee meeting of August 26, 2026

To publiccomment@trpa.gov

August 25, 2026

Comments Opposing Use of Glyphosate Under the TRPA Memorandum of Understanding with US Forest Service-Lake Tahoe Basin

Interested persons and EIP Committee members,

I am a civil and environmental engineer with a background water quality regulations. These comments follow my May 2026 letter and testimony to TRPA's Governing Board in this matter. I will be brief, and assert my contentions are fully backed up in the law and the public record.

1. The Compact gives TRPA the authority and duty to issue a permit to the USFS or any other person for any activity that may affect the natural resources of the Tahoe region, unless that activity is designated as exempt from a TRPA permit. The duty to issue a permit is after a public meeting and a vote of at least Governing Board members in the CA delegation and nine votes overall of the 14 potential votes.
2. The Compact grants the authority for TRPA to enter into lawful agreements with other public agencies has executed a Memorandum of Understanding (MOU) with US Forest Service-Lake Tahoe Basin Management Unit as cited in and linked to today's item 5.A. The MOU does not cover the use of glyphosate as proposed by US Forest Service-Lake Tahoe Basin for the Caldor Fire recovery activities in accordance with provisions for "EXEMPT ACTIVITIES" in MOU section III.F. "Vegetation Management"; the activities are designated as subject to application review in section IV. "PROJECTS TO BE REVIEWED BY THE GOVERNING BOARD."
3. The MOU specifies that where activities that may affect the natural resources of the region are neither exempt or covered by the MOU, or at the discretion of TRPA, the Governing Board shall require an application for review and make required findings at a public meeting to support or deny permit issuance.

4. The US Forest Service-Lake Tahoe Basin has not provided an application to TRPA for review of the proposed activities with glyphosate nor has TRPA required an application as is its legal duty for the proposed activities. Therefore I request that TRPA implement the binding provisions of the MOU and require an application for review and permit consideration, with public participation as required. In the alternative, the TRPA and US Forest Service-Lake Tahoe Basin may propose changes to the MOU for review and consideration by the Governing Board, with public participation as required and the “5 and 9” voting procedure described above for any changes.

I looked on TRPA’s website for evidence that the MOU was approved by the Governing Board and did not locate any relevant information *other than* the MOU, which does not disclose the approval process. The Governing Board has delegated authority to the Executive Director to act on its behalf in executing the MOU. If a letter requirement to the USFS-Lake Tahoe Basin is not timely forthcoming in this matter requiring an application for review, I intend to request any available public documents under the California Public Records Act and/or federal Freedom of Information Act relating to use of glyphosate or other herbicides by the USFS-Lake Tahoe Basin. I do not believe the required findings to support the proposed use as required by the Compact and TRPA Code of Ordinances exist in the public record and a public records request in the public interest could likely confirm that.

In closing, I urge TRPA to fulfill its duties and requirements under the Compact and Code of Ordinances unless the USFS-Lake Tahoe Basin cancels its proposed use of glyphosate in the Caldor Fire area. Persons aggrieved by a failure of the TRPA to abide by the provisions of the Compact and/or MOU may initiate litigation against TRPA under the provisions of law outlined in the Compact and provisions stated above, or may litigate against the USFS-Lake Tahoe Basin for failing to obtain a permit as required for the proposed activities involving use of glyphosate, as necessary. These are basic administrative requirements that are not being fulfilled by TRPA based on the agenda item. Consult an attorney, as I am not providing any specific legal advice.

Alan Miller, Professional Engineer