

To: Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System

From: Reid Reichardt, South Lake Tahoe resident

Date: August 20, 2026

Re: Public comment for August 20 meeting — herbicide use in Caldor Fire Restoration Project

Dear Chair Goulding and Members of the Committee:

The U.S. Forest Service plans to apply glyphosate and other synthetic herbicides to as much as 3,600 acres of the Caldor burn area beginning in 2028. The treatment area lies inside the Lake Tahoe Basin, a watershed designated an Outstanding National Resource Water under the Clean Water Act, the highest protection federal law provides.

I hiked that ground for several years before the fire and have watched it recover since. Conifer seedlings are returning abundantly without intervention. The plants targeted for herbicide are native shrubs — whitethorn, manzanita, ceanothus — that stabilize burned soil, restore nitrogen, and bring back pollinators.

The review question. TRPA has stated it does not have jurisdiction over this project. I wrote to TRPA on August 5th asking which agreement governs review of this project, but did not receive a reply. The position now appears to rest on the 2023 Memorandum of Understanding between TRPA and the Lake Tahoe Basin Management Unit, which TRPA has posted as an attachment to its August 26 staff report.

I am asking the Committee to consider whether that MOU actually exempts this activity.

The MOU caps its exemptions carefully: erosion control and watershed restoration at fifty acres, heavy-equipment tree removal at 100 acres, excavation at 200 cubic yards. Section III.F.3 says nothing about herbicides. It contains a short phrase about reforestation, and TRPA appears to be treating herbicide spraying across 3,600 acres — seventy times the limit the same document sets for restoration work — as covered by that single unqualified phrase. That reading deserves examination.

Section V reinforces this. It requires the Forest Service to make protective findings before disturbing Stream Environment Zones under exemptions in Sections III B, G, H, I, and J. Section F is not among them. If the drafters had understood F.3 to cover chemical application near sensitive lands, leaving it off that list would be difficult to explain.

If the activity is not exempt, Section II.A.4 requires the Forest Service to provide TRPA with a complete application for review.

Two further concerns. The project was approved under an emergency action determination that eliminated the pre-decisional objection process — the public's formal opportunity to challenge the decision before implementation. And the project's Human Health Risk Assessment cites Williams, Kroes & Munro (2000), a glyphosate safety review retracted by Regulatory Toxicology and Pharmacology in December 2025 after court documents showed it was ghostwritten by Monsanto employees.

Request. I am not asking the Committee to resolve the science. I am asking it to ask TRPA to explain the basis for its conclusion that spraying thousands of acres inside the Basin does not require review.

A number of Tahoe residents have raised concerns about this herbicide plan, and I've collected community comments at TahoeGlypho.com

Respectfully submitted,
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