

*Continued Review of the
Tahoe Regional Planning Agency*



*Legislative Counsel
Bureau*

*Bulletin No.
97-8*

January 1997

**CONTINUED REVIEW
OF THE
TAHOE REGIONAL PLANNING AGENCY**

BULLETIN NO. 97-8

JANUARY 1997

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SUMMARY OF RECOMMENDATIONS

LEGISLATIVE COMMISSION'S COMMITTEE TO CONTINUE THE REVIEW OF THE TAHOE REGIONAL PLANNING AGENCY (TRPA) (A.C.R. 4)

Following is a summary of the recommendations adopted by the Legislative Commission's Committee To Continue the Review of the Tahoe Regional Planning Agency (TRPA).

I. GENERAL TRPA PROGRAMS AND PROCEDURES

The recommendations under this heading address the TRPA's general programs and procedures.

Partnership Approach

1. Urge, by letter from the Committee, the TRPA to:
 - a. Continue the "Partnership Approach" in working with interested participants toward consensus in the compilation and implementation of plans and projects designed to protect and improve the environment of the Lake Tahoe Basin; and
 - b. Include participation in the "Partnership Approach" in its work program and proposed budget for staffing, operations, and contractual services provided by necessary facilitators and/or consultants.

Public Information and Education

2. Urge, by letter from the Committee, the TRPA to continue its efforts in the areas of public information, outreach, and education through such means as direct mail; radio and newspaper interviews and information; local workshops; and distribution of brochures concerning specific types of programs and procedures.

General Regulatory Procedures, Ordinances, and Information Systems

3. Urge, by letter from the Committee, the TRPA to:
 - a. Develop a proposal for the streamlining of regulatory programs in the Lake Tahoe Basin with the goals of:
 - i. Conforming the regulations of all jurisdictions in the Basin;
 - ii. Consolidating with local governments' programs for the issuance of permits; and
 - iii. Reducing the volume of regulations through the use of concise, clear language.
 - b. Include funding to adequately support this streamlining activity in the Agency's budget requests to the States of Nevada and California for the upcoming two fiscal years.
4. Urge, by letter from the Committee, the TRPA to continue its efforts to streamline its regulatory programs by:
 - a. Reevaluating and making appropriate amendments to the ordinance limiting the height of construction in the Basin; and
 - b. Simplifying the ordinances relating to the shorezone of Lake Tahoe.
5. Urge, by resolution, the TRPA to continue to amend the general rules set forth in its Code of Ordinances, as appropriate, to provide exceptions within the Code to address situations which exhibit site-specific or other special circumstances. (BDR R-209)
6. Urge, by letter from the Committee, the TRPA to:
 - a. Establish and maintain a regional Geographic Information System (GIS) cooperative program for use by the public and governmental agencies as a means of cost-effectively managing lands and programs in the Lake Tahoe Basin;

- b. Seek conceptual and financial support from land management and planning agencies for creation of the system; and
- c. Provide supporting agencies with training, access, and maintenance of GIS data in exchange for financial support.

II. RECOMMENDATIONS RELATED TO OTHER STATE, REGIONAL, AND FEDERAL AGENCIES

The following recommendations relate to state and federal agencies other than the TRPA.

Tahoe Transportation District

- 7. Enact legislation proposing amendment of Article IX of the Tahoe Regional Planning Compact to modify the structure and authority of the Tahoe Transportation District by:
 - a. Adding to the Board of Directors one member of the South Shore Transportation Management Association, one member of the North Shore Transportation Management Association, and one at-large member elected by a majority of the other voting members;
 - b. Providing that the Directors of the Nevada and California Departments of Transportation serve as ex-officio, rather than voting, members of the Board of Directors;
 - c. Specifying that the vote of at least five of the nine voting members of the District's Board of Directors must agree in order to take an action;
 - d. Generally broadening the authorities of the District as they apply to owning, operating, and acquiring public and private transportation systems and facilities; and
 - e. Providing for a modification of the Board of Director's structure and voting procedure if local transportation districts are created. (BDR 22-210)

Funding for Transportation-Related Projects

8. Urge, by resolution:
 - a. Nevada's Department of Transportation to consider the following projects on the list of priorities submitted to its Board of Directors for receipt of funds available through the Federal Intermodal Surface Transportation Efficiency Act (ISTEA), and
 - b. The Board of Directors of the Department of Transportation to allocate, based on its determination of priorities, funds available through ISTEA to the following projects:
 - i. State Route 28, North Shore Beautification and Water Quality Project incorporating scenic, sidewalk, and water quality improvements at an estimated project cost of \$1,300,000.
 - ii. State Route 28, Lakeshore Boulevard to Spooner Summit Project for the control of erosion and treatment of runoff from the highway with the remaining phases of the project costing an estimated \$15 million.
 - iii. State Route 28, Alternative Parking Facilities Project to provide satellite parking facilities at a cost of \$3 million.
 - iv. U.S. Highway 50, Kingsbury Grade to the Loop Road Project for completion of drainage improvements to Edgewood Creek from the Loop Road in the South Stateline area to the commercial core at the lower end of Kingsbury Grade at a cost of \$200,000.
 - v. U.S. Highway 50, Spooner Summit to Kingsbury Grade Engineering Study to perform preliminary engineering analyses of projects needed for the control of erosion and treatment of runoff along this segment of the highway at a cost of \$100,000.
 - vi. Upper Kingsbury Grade Engineering Study to evaluate the needs associated with erosion control and the treatment of runoff along the upper portion of Kingsbury Grade at a cost yet to be estimated.
(BDR R-211)

9. Appropriate \$200,000 from the State General Fund to Nevada's Department of Transportation to assist in funding the North Shore Beautification and Water Quality Project, but make the appropriation contingent upon Washoe County allocating \$200,000 to the project, the private entities in the project area contributing \$200,000, and the remainder of the necessary funding being available from other sources. See recommendation 8(b)(i) for an explanation of the project and its estimated cost. (BDR S-212)
10. By resolution:
 - a. Recognize and commend the ongoing efforts of parties associated with the proposed Storm Water Drainage Project at Stateline, Nevada;
 - b. Acknowledge the need for continual, long-term funding for the construction, operation, and maintenance of the project; and
 - c. Urge Nevada's Department of Transportation to include biennially in its budget requests adequate funding to pay the Department's share of the costs. (BDR R-213)
11. Urge, by resolution, the TRPA to:
 - a. Prepare a detailed plan for implementation of the master plan for the Loop Bikeway 2000 Project including identification of jurisdictional responsibilities, funding requirements, and sources of money to be pursued to effectuate the project; and
 - b. Submit this detailed plan to the entities identified as having jurisdictional responsibilities and include a request that necessary financing be considered during the entities' next funding cycles. (BDR R-214)
12. Urge, by letter from the Committee, the Public Service Commission of Nevada to provide guidance as to whether the Tahoe Transportation District is eligible for an exemption from the requirement that entities which provide both on-demand and fixed-route transportation services, gratuitously and on a "for-fee" basis, must obtain a Certificate of Public Convenience and Necessity. Include in the letter a request that an expeditious process be employed to act upon an application filed by the District if the Commission determines that an exemption cannot be granted.

Revolving Fund Program for Capital Improvement Projects

13. Transmit letters from the Committee to the TRPA, Nevada's Division of Environmental Protection, and the California State Water Resources Control Board urging these agencies to review and appropriately act upon models for creating or expanding "State Revolving Fund Programs" to provide low-interest loans for capital improvement projects which will assist in achieving and maintaining the environmental threshold carrying capacities in the Lake Tahoe Basin.

Forest Management Program

14. Urge, by letter from the Committee, the Director of the State Department of Conservation and Natural Resources to coordinate the efforts of the appropriate state and federal agencies in:
 - a. Preparing a preliminary or short-term forest management plan for state park lands in and adjoining the Lake Tahoe Basin; and
 - b. Identifying the funds needed to compile a comprehensive management plan for the area.

Request that these items be transmitted to the Legislature through the Executive budget process.

III. BROAD FUNDING-RELATED RECOMMENDATIONS

The following recommendations address broad-based mechanisms to increase funding for programs and projects in the Lake Tahoe Basin.

Federal Sources of Funding and Summit Meeting

15. Urge, by letter from the Committee, the members of Nevada's Congressional Delegation to support:
 - a. The "Lake Tahoe Federal Legislative Agenda" prepared by a partnership of public and private entities interested in the Lake Tahoe Basin; and

- b. The convening of a summit meeting of federal agencies hosted by the TRPA in the Lake Tahoe Basin to discuss a coordinated strategy for focusing the agencies' resources over time on projects and activities that will assist in achieving and maintaining the Basin's environmental threshold carrying capacities.

Twenty Million Dollar Bond Proposal

16. Transmit (to the organization responsible for coordination of efforts to obtain a favorable statewide vote on the measure) a letter expressing the Committee members' strong support for a "yes" vote on Ballot Question No. 12 appearing on the November 1996 General Election ballot. Ballot Question No. 12 is a proposal for the State of Nevada to issue \$20 million in general obligation bonds to provide grants to local governments and the State's Department of Transportation to carry out projects for the control of erosion and the restoration of natural watercourses in the Lake Tahoe Basin.

Lake Tahoe License Plate

17. Enact legislation providing for the issuance of special license plates for the support of projects to preserve and restore the environment in the Lake Tahoe area. (BDR 43-215)

Program for the "Undergrounding" of Overhead Facilities

18. Request, by letter, the participation and assistance of the Public Service Commission of Nevada in efforts by members of the Committee to create a program (modeled generally after the similar California program) through which users of overhead facilities along state and federal highways in the Lake Tahoe Basin would replace these lines and equipment with underground facilities. Users of overhead facilities typically include electric utilities, telephone companies, and cable television companies.

Generation of Revenue at the Local Level

19. Urge, by letter from the Committee, the TRPA to seek federal funding in the amount of approximately \$100,000 to update the 1974 report entitled "Tahoe Regional General Plan Implementation: Financial Feasibility" in order to identify and evaluate alternative methods for generating local revenue in the Lake Tahoe Basin on a long-term, sustainable basis.

20. Transmit a letter from the Committee to the Washoe County Board of Commissioners:
 - a. Commending the residents of Incline Village and Crystal Bay for their efforts to address the unique environmental issues in their communities; and
 - b. Urging the Board to consider placing a question on the November 1996 General Election ballot for the portion of Washoe County within the Lake Tahoe Basin which would ask the voters whether they would support the imposition of an additional real estate transfer tax of up to \$2 per \$500 of real estate value to fund projects for environmental health and safety if the State Legislature authorized such an increase and a vote of the residents were required before the increase took effect.

IV. FUTURE OF LEGISLATIVE COMMITTEE

Following are recommendations concerning the future of the legislative Committee.

21. Continue, by resolution, the existence (during the interim after the 1997 Legislative Session) of the legislative Committee in a similar manner as prescribed in Assembly Concurrent Resolution No. 4 (File No. 34, *Statutes of Nevada 1995*). (BDR R-216)
22. Invite the leadership of the California Legislature and other California legislators designated by their leadership to meet with the Committee and members of Nevada's legislative leadership to discuss environmental trends, issues, and programs in the Lake Tahoe Basin and the funding of environmental measures in the Region. Incorporate a tour of relevant projects in the schedule for the meeting.

**REPORT TO THE 69TH SESSION OF THE
NEVADA LEGISLATURE
BY THE LEGISLATIVE COMMISSION'S COMMITTEE
TO CONTINUE THE REVIEW OF THE
TAHOE REGIONAL PLANNING AGENCY (TRPA)**

I. INTRODUCTION

In 1995, the Nevada Legislature adopted Assembly Concurrent Resolution No. 4 (File 34, *Statutes of Nevada 1995*) which directed the Legislative Commission to appoint a Committee to continue the review of the Tahoe Regional Planning Compact and to provide oversight of the Tahoe Regional Planning Agency. The resolution further directed the Committee to review the activities of federal and state agencies having authority to regulate activities on the Lake Tahoe Basin. A copy of A.C.R. 4 is provided in Appendix A.

The following members were appointed to fulfill the responsibilities of the Committee:

Senator Lawrence E. Jacobsen, Chairman
Senator Bill R. O'Donnell
Senator Raymond C. Shaffer
Assemblyman Marcia de Braga
Assemblyman Thomas W. Feticc
Assemblyman Brian E. Sandoval

Legislative Counsel Bureau (LCB) staff services for the committee were provided by Fred W. Welden, Chief Deputy Research Director; Jan K. Needham, Principal Deputy Legislative Counsel; Rick Combs, Deputy Legislative Counsel; and Barbara Moss, Research Secretary.

The Committee held four hearings on the Nevada side of the Lake Tahoe Basin. Background information and recommendations were received from a broad range of citizens, organizations specifically interested in the future of the region, and governmental entities having relevant responsibilities. The Committee members also participated in a relatively extensive, on-the-ground review of projects and issues in the Nevada portion of the Basin. As part of performing its oversight functions, the Committee adopted 22 recommendations.

II. INFORMATION CONTAINED IN PREVIOUS REPORTS

Previous oversight Committees were established by the Nevada Legislature in 1985, 1987, 1991, and 1993. Materials in the present document may be supplemented by information contained in the final reports of these earlier Committees. The previous reports are referenced as follows (copies available from LCB Publications Office at 702/687-6835):

- Legislative Counsel Bureau Bulletin No. 87-16, "Review of the Activities of the Tahoe Regional Planning Agency," August 1986;
- LCB Bulletin No. 89-12, "Review of the Activities of the Tahoe Regional Planning Agency 1987-1988," November 1988;
- LCB Bulletin No. 93-11, "Report of the Legislative Committee To Investigate the Functioning of the Tahoe Regional Planning Compact," September 1992; and
- LCB Bulletin No. 95-10, "Continued Review of the Tahoe Regional Planning Agency," September 1994.

Legislative History and Major Elements of the Bistate Compact

A summary of the legislative history and major elements of the Tahoe Regional Planning Compact is contained on pages 2-4 of Bulletin No. 95-10.

Nevada Legislation Associated with the Lake Tahoe Basin and the TRPA

Several previous reports provide highlights of Nevada legislation relating to the Basin and the TRPA. Appendix B (pages 43-48) of Bulletin No. 95-10 outlines all of the measures considered by the Nevada Legislature from 1968 through 1985. Pages 5-7 of the same document identify the measures that were enacted or approved from 1987 through 1993.

Text of the Bistate Compact and Summary of the 1991 Program Evaluation

Appendix B (pages 33-55) of Bulletin No. 93-11 reprints the text of the Tahoe Regional Planning Compact. Likewise, Appendix C (pages 57-67) of the same report summarizes the 1991 evaluation of the status of efforts to achieve the Region's environmental threshold carrying capacities.

State Funding of the TRPA

The Tahoe Regional Planning Compact directs the TRPA to request state funding in the proportion of two-thirds from California and one-third from Nevada. While the actual state appropriations have usually approximated this ratio, several instances exist in which the formula was not observed.

An overview of state contributions to the Agency is contained on pages 11-15 of Bulletin No. 95-10. Corresponding statistics for 1994-1995 and 1995-1996 are provided in the following charts. (Nevada's funding of the "Partnership Approach" as a special project, without corresponding California contributions appears in the initial chart.)

**STATE CONTRIBUTIONS TO TRPA BY CATEGORY
FY 1994-1995 THROUGH FY 1995-1996**

FISCAL YEAR (FY)	CALIFORNIA FUNDING	NEVADA FUNDING	TOTAL STATE FUNDING
FY 1994-95			
General Support	\$ 762,000	\$ 380,725	\$ 1,142,725
Governing Board Travel	10,000	4,000	14,000
Legal Support	200,000	100,000	300,000
Monitoring	379,000	189,276	568,276
TEGIS Database	50,000	25,000	75,000
Threshold Evaluation	0		0
Partnership	0	115,743	115,743
Total	\$1,401,000	\$ 814,744	\$ 2,215,744
FY 1995-1996			
General Support	\$ 680,500	\$ 340,250	\$ 1,020,750
Governing Board Travel	7,500	4,000	11,500
Nevada COLA		32,015	32,015
Legal Support	200,000	100,000	300,000
Monitoring	446,000	222,610	668,610
TEGIS Database	50,000	25,000	75,000
Threshold Evaluation	150,000	75,000	225,000
Partnership	0	60,000	60,000
Legal Defense		104,775	104,775
Total	\$ 1,534,000	\$ 963,650	\$ 2,497,650
Source: Tahoe Regional Planning Agency, September 1996			

**CALIFORNIA CONTRACTS WITH TRPA TO
ADMINISTER SPECIAL PROJECTS
FY 1994-1995 and FY 1995-1996**

CONTRACTS	CTRPA	STATE WATER BOARD	TRANS. DEVEL. ACT	CALTRANS PLANNING FUND	TOTAL CONTRACT REVENUE
1994-1995	\$ 20,000	\$ 0	\$ 38,700	\$ 52,100	\$ 110,800
1995-1996	\$ 20,000	\$ 0	\$ 54,106	\$ 50,000	\$ 124,106
Source: Tahoe Regional Planning Agency, September 1996					

Planning-Related Activities and Project Review Between 1980 and 1985

A discussion of planning-related activities and the project review program implemented after the Bistate Compact was amended in 1980 is contained on pages 6-12 of Bulletin No. 87-16.

Public Programs for Purchase of Property and Erosion Control Projects

Since the early 1980's, the Federal Government and the States of Nevada and California have funded programs for the purchase of environmentally sensitive property and the financing of erosion control projects in the Basin.

Pages 16-19 of Bulletin No. 95-10 provide explanations and statistics relating to the Federal Santini-Burton Program, the Nevada \$31 million bond program initiated in 1986, and California programs administered by the California Tahoe Conservancy.

III. DISCUSSION OF RECOMMENDATIONS

As previously highlighted, the Committee adopted a total of 22 recommendations. Eight of these provisions call for additional legislative action during the 1997 Legislative Session. (Appendix K contains copies of the Bill Draft Requests developed to fulfill these eight recommendations.)

Partnership Approach

In 1994, a consensus of the Lake Tahoe Gaming Alliance, the League To Save Lake Tahoe, the TRPA, and the Tahoe-Sierra Preservation Council proposed a "Partnership

Approach” to addressing especially complicated issues in the Basin. The Legislative Committee at that time endorsed the concept, and the State of Nevada provided special funding to implement the effort.

Testimony during the 1995-1996 interim indicated that the Partnership Approach has been instrumental in progressing toward resolution of several significant issues. Based on the effectiveness of these efforts, the Committee approved the following recommendation:

- *Urge, by letter from the Committee, the TRPA to:*
 - a. *Continue the “Partnership Approach” in working with interested participants toward consensus in the compilation and implementation of plans and projects designed to protect and improve the environment of the Lake Tahoe Basin; and*
 - b. *Include participation in the “Partnership Approach” in its work program and proposed budget for staffing, operations, and contractual services provided by necessary facilitators and/or consultants.*

Appendix B contains a copy of the letter transmitted to the TRPA in response to this recommendation.

Public Information and Education

The value of public information and education about TRPA programs and procedures has been discussed with the Committee on multiple occasions through the years. The Agency has made significant progress in this area, but the Committee determined that continued emphasis is needed to produce additional positive results.

Thus, the following recommendation was adopted:

- *Urge, by letter from the Committee, the TRPA to continue its efforts in the areas of public information, outreach, and education through such means as direct mail; radio and newspaper interviews and information; local workshops; and distribution of brochures concerning specific types of programs and procedures.*

This recommendation is included in the letter contained in Appendix B.

General Regulatory Procedures, Ordinances, and Information Systems

The complicated nature of the TRPA's ordinances and regulatory procedures has been a continuous topic of concern in the Basin. In 1993, at the recommendation of the Legislative Committee functioning at that time, the Nevada Legislature adopted Assembly Concurrent Resolution No. 3 urging the TRPA to increase its efforts to simplify its ordinances and procedures. Likewise in 1995, the Legislature approved Assembly Joint Resolution No. 2 which urged the Agency to continue to be active in these directions.

Public comment during the 1995-1996 interim again suggested that further progress is needed in this area. Discussions highlighted the necessity of addressing situations specifically relating to conformity with local regulations, complicated language used in the Agency's regulations, the ordinance establishing height limitations, the shorezone ordinance, and a regional Geographic Information System (GIS).

As a result of these discussions, the Committee directed that the following three recommendations be included in a letter to the TRPA (Appendix B):

- *Urge, by letter from the Committee, the TRPA to:*
 - a. *Develop a proposal for the streamlining of regulatory programs in the Lake Tahoe Basin with the goals of:*
 - i. *Conforming the regulations of all jurisdictions in the Basin;*
 - ii. *Consolidating with local governments' programs for the issuance of permits; and*
 - iii. *Reducing the volume of regulations through the use of concise, clear language.*
 - b. *Include funding to adequately support this streamlining activity in the Agency's budget requests to the States of Nevada and California for the upcoming two fiscal years.*
- *Urge, by letter from the Committee, the TRPA to continue its efforts to streamline its regulatory programs by:*
 - a. *Reevaluating and making appropriate amendments to the ordinance limiting the height of construction in the Basin; and*

- b. Simplifying the ordinances relating to the shorezone of Lake Tahoe.*
- *Urge, by letter from the Committee, the TRPA to:*
 - a. Establish and maintain a regional Geographic Information System cooperative program for use by the public and governmental agencies as a means of cost-effectively managing lands and programs in the Lake Tahoe Basin;*
 - b. Seek conceptual and financial support from land management and planning agencies for creation of the system; and*
 - c. Provide supporting agencies with training, access, and maintenance of GIS data in exchange for financial support.*

Exceptions Within Code of Regulations

As on previous occasions, the Committee also reviewed the continuing issue of providing variances or exceptions within the Agency's Code of Regulations. While opposing the granting of variances for specific projects, representatives of the TRPA indicated that the Agency has amended its general rules to provide exceptions for situations which exhibit site-specific or other special circumstances. Examples included exceptions in the areas of:

1. Limitations on excavations (Section 64.7A of the Code of Ordinances);
2. Grading seasons (Section 64.2B);
3. Shorezone facilities used jointly by more than one property owner (Section 54.8D);
4. Historical structures and districts (Section 29.7); and
5. Placement of land coverage in Stream Environment Zones (Section 20.4B).

The Agency representatives expressed their view that this course of action should be continued, and the Committee endorsed the approach by approving a recommendation to:

- *Urge, by resolution, the TRPA to continue to amend the general rules set forth in its Code of Ordinances, as appropriate, to provide exceptions within the Code to address situations which exhibit site-specific or other special circumstances. (BDR R-209)*

Tahoe Transportation District

The Tahoe Transportation District was created in 1980 through approval of Article IX of the Tahoe Regional Planning Compact. Since that time, the Board of Directors has consisted exclusively of representatives of governmental entities. Testimony before the Committee indicated that the District needs to emphasize more public-private cooperative activities in the Basin.

If this goal is to be achieved, proponents suggested that the structure of the Board of Directors should be modified to include members of the private sector and the general public. Supporters of this approach also proposed broadening the District's authorities as they apply to owning, operating, and acquiring public and private transportation systems and facilities.

Based on a consensus of support within the Basin for these actions, the Committee approved the following recommendation:

- *Enact legislation proposing amendment of Article IX of the Tahoe Regional Planning Compact to modify the structure and authority of the Tahoe Transportation District by:*
 - a. *Adding to the Board of Directors one member of the South Shore Transportation Management Association, one member of the North Shore Transportation Management Association, and one at-large member elected by a majority of the other voting members;*
 - b. *Providing that the Directors of the Nevada and California Departments of Transportation serve as ex-officio, rather than voting, members of the Board of Directors;*
 - c. *Specifying that the vote of at least five of the nine voting members of the District's Board of Directors must agree in order to take an action;*
 - d. *Generally broadening the authorities of the District as they apply to owning, operating, and acquiring public and private transportation systems and facilities; and*
 - e. *Providing for a modification of the Board of Director's structure and voting procedure if local transportation districts are created. (BDR 22-210)*

Introduction to Discussion of Funding for Transportation-Related Projects

Testimony before the Committee highlighted the need to emphasize implementation of on-the-ground projects to enhance water and air quality in the Tahoe Basin. A considerable amount of the discussion centered upon the relationship between transportation developments and water quality. Thus, five of the Committee's recommendations address transportation-related water and air quality improvement projects.

Streets and highways occupy approximately 40 percent of the total ground covered by impervious surfaces in the Lake Tahoe Basin. Runoff from these streets and highways contributes significantly to the degradation of water quality in the Basin. Testimony pointed out that construction of several transportation-related projects would control a major portion of the runoff and erosion from highways in the Region.

Funding Through Federal Transportation Enhancement Program

Projects for "mitigation of water pollution due to highway runoff" are eligible to receive funds through the Transportation Enhancement Program contained in the Federal Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA). Testimony indicated that priorities for allocation of funds available to Nevada through this program are determined by the Board of Directors of the Department of Transportation (NDOT) based upon a list of eligible projects submitted by the Department. This list is compiled with input from a Statewide Transportation Technical Advisory Committee.

The Legislative Committee was presented with evidence showing that construction of transportation-related water quality projects would have a major impact on controlling runoff in the Basin, but the Committee's discussion was also drawn to the fact that funds from ISTEA's Transportation Enhancement Program are being sought for eligible projects throughout the remainder of the State. Therefore, in an effort to bring the significance of the Tahoe projects to the attention of the NDOT Board of Directors without placing negative connotations on projects in the remainder of the State, the Committee approved the following recommendation:

- *Urge, by resolution:*
 - a. *Nevada's Department of Transportation to consider the following projects on the list of priorities submitted to its Board of Directors for receipt of funds available through the Federal Intermodal Surface Transportation Efficiency Act (ISTEA), and*

- b. *The Board of Directors of the Department of Transportation to allocate, based on its determination of priorities, funds available through ISTEA to the following projects:*
- i. *State Route 28, North Shore Beautification and Water Quality Project incorporating scenic, sidewalk, and water quality improvements at an estimated project cost of \$1,300,000.*
 - ii. *State Route 28, Lakeshore Boulevard to Spooner Summit Project for the control of erosion and treatment of runoff from the highway with the remaining phases of the project costing an estimated \$15 million.*
 - iii. *State Route 28, Alternative Parking Facilities Project to provide satellite parking facilities at a cost of \$3 million.*
 - iv. *U.S. Highway 50, Kingsbury Grade to the Loop Road Project for completion of drainage improvements to Edgewood Creek from the Loop Road in the South Stateline area to the commercial core at the lower end of Kingsbury Grade at a cost of \$200,000.*
 - v. *U.S. Highway 50, Spooner Summit to Kingsbury Grade Engineering Study to perform preliminary engineering analyses of projects needed for the control of erosion and treatment of runoff along this segment of the highway at a cost of \$100,000.*
 - vi. *Upper Kingsbury Grade Engineering Study to evaluate the needs associated with erosion control and the treatment of runoff along the upper portion of Kingsbury Grade at a cost yet to be estimated.*
(BDR R-211)

North Shore Beautification and Water Quality Project

One of the transportation-related projects received special attention from the Committee. The North Shore Beautification and Water Quality Project is designed to:

1. Provide benches, landscaping, sidewalks, street lamps, and vegetation on State Highway Route No. 28 along the Nevada-California state line in the northern portion of the Basin;
2. Control erosion and treat runoff from this portion of the highway; and

3. Reduce by 50 percent the amount of area covered by commercial signs while modernizing the remaining signs in the area.

The project is being developed as a joint effort to include local and state entities as well as the private sector. A tour of the site highlighted the value of the coordinated effort to achieve the project's integrated objectives. In addition to proposing that this project be considered for funds through the ISTEA Transportation Enhancement Program, the Committee adopted the following recommendation to emphasize the coordinated character of the proposal:

- *Appropriate \$200,000 from the State General Fund to Nevada's Department of Transportation to assist in funding the North Shore Beautification and Water Quality Project, but make the appropriation contingent upon Washoe County allocating \$200,000 to the project, the private entities in the project area contributing \$200,000, and the remainder of the necessary funding being available from other sources. (BDR S-212)*

Storm Water Drainage Project at Stateline

Another major transportation-related water quality issue is associated with Stateline, Nevada, in the southern portion of the Basin. Proposals to construct areawide storm water systems in the casino core/Loop Road area have resulted in controversy from the time such a system was incorporated in the original 1973 plans to build the Park Tahoe and Harvey's expansion projects up to the inclusion of an areawide approach in the 1994 Douglas County Community Plan.

In recent years, private and public property owners have been working toward an agreement for the construction, operation, and maintenance of an areawide system. To this end, the 1995 Nevada Legislature enacted Assembly Bill 12 which specifically authorized the State's Department of Transportation and Douglas County to participate in such agreements and exempted the agreements from state laws concerning government purchasing and public works projects.

Discussions before the Committee during the 1995-1996 interim centered upon the ability of NDOT to assure long-term contributions to the operation and maintenance of the project. To place the Legislature on record as supporting continued funding for NDOT's participation in the project, the Committee endorsed the following recommendation:

- *By resolution:*
 - a. *Recognize and commend the ongoing efforts of parties associated with the proposed Storm Water Drainage Project at Stateline, Nevada;*
 - b. *Acknowledge the need for continual, long-term funding for the construction, operation, and maintenance of the project; and*
 - c. *Urge Nevada's Department of Transportation to include biennially in its budget requests adequate funding to pay the Department's share of the costs. (BDR R-213)*

Loop Bikeway 2000 Project

The Committee also received testimony concerning efforts to incorporate bicycle pathways in highway projects in the Basin. To achieve the objective of having a continuous bicycle pathway circling Lake Tahoe by the Year 2000, the TRPA has adopted a "Bicycle Master Plan for the Lake Tahoe Region" which is commonly referred to as the Loop Bikeway 2000 Project.

While the master plan provides a general outline, it does not identify:

1. Specific jurisdictional responsibilities for bikeway construction and maintenance;
2. Funding requirements; and
3. Sources of money to effectuate the project.

Proponents of the project highlighted the need for a detailed plan addressing these specific points. They also emphasized the necessity of cooperative efforts in the funding of the various segments of the bikeway. In response, the Committee approved a recommendation that the Legislature:

- *Urge, by resolution, the TRPA to:*
 - a. *Prepare a detailed plan for implementation of the master plan for the Loop Bikeway 2000 Project including identification of jurisdictional responsibilities, funding requirements, and sources of money to be pursued to effectuate the project; and*

- b. *Submit this detailed plan to the entities identified as having jurisdictional responsibilities and include a request that necessary financing be considered during the entities' next funding cycles. (BDR R-214)*

On-Demand Service from Tahoe Transportation District

A portion of the responsibilities of the TRPA relates to fostering efficient transportation systems as a means of protecting the air quality in the Basin. As created through the Bistate Compact, the Tahoe Transportation District is designed to play an important role in implementation of the Agency's Regional Transportation Plan. To this end, the Board of Directors for the District has determined that the provision of on-demand, as well as fixed-route, services would be valuable.

Questions in this regard have arisen concerning the applicability to the bistate district of certain regulatory requirements administered by the Public Service Commission of Nevada. In an effort to achieve a speedy resolution of these questions, the Committee adopted the following recommendation:

- *Urge, by letter from the Committee, the Public Service Commission of Nevada to provide guidance as to whether the Tahoe Transportation District is eligible for an exemption from the requirement that entities which provide both on-demand and fixed-route transportation services, gratuitously and on a "for-fee" basis, must obtain a Certificate of Public Convenience and Necessity. Include in the letter a request that an expeditious process be employed to act upon an application filed by the District if the Commission determines that an exemption cannot be granted.*

A copy of the letter is contained in Appendix C.

Revolving Fund Program for Capital Improvement Projects

The Committee discussed in some detail the topic of sources of funding to implement on-the-ground projects. The necessity of identifying multiple financing and funding mechanisms became apparent. The availability of low-interest loans as a part of this package was discussed, and the usefulness of state sponsored revolving funds was highlighted. The Committee members realized, however, that the capitalization and procedural aspects of such programs would have to be worked out by people directly involved with their management.

In an effort to foster mutual consideration of this topic, the Committee decided to:

- *Transmit letters from the Committee to the TRPA, the Nevada Division of Environmental Protection, and the California State Water Resources Control Board urging these agencies to review and appropriately act upon models for creating or expanding "State Revolving Fund Programs" to provide low-interest loans for capital improvement projects which will assist in achieving and maintaining the environmental threshold carrying capacities in the Lake Tahoe Basin.*

Appendix D includes a copy of the letter which was sent to the designated entities.

Forest Management Program

During the 1993-1994 interim, the Legislative Committee evaluated a significant amount of material relating to forest health in the Lake Tahoe Basin. Six years of drought had contributed to insect-caused tree mortality rates of 25 to 80 percent in the Basin's forests. Efforts to address the situation were discussed on pages 30-32 and Appendix G of the Committee's final report (LCB Bulletin No. 95-10, "Continued Review of the Tahoe Regional Planning Agency," September 1994). At the Committee's request, the Legislature subsequently adopted Assembly Joint Resolution No. 7 (File No. 40, *Statutes of Nevada 1995*) which addressed the issue in a comprehensive manner.

Discussions during the 1995-1996 interim centered upon efforts to achieve coordinated management of the forests on land managed by the Nevada State Parks System. Of particular significance is the need to harvest dead and dying trees in an efficient and timely manner. Based on testimony received during its public hearings and a tour of the area, the Committee adopted the following recommendation:

- *Urge, by letter from the Committee, the Director of the Department of Conservation and Natural Resources to coordinate the efforts of the appropriate state and federal agencies in:*
 - a. *Preparing a preliminary or short-term forest management plan for state park lands in and adjoining the Lake Tahoe Basin; and*
 - b. *Identifying the funds needed to compile a comprehensive management plan for the area.*

Request that these items be transmitted to the Legislature through the Executive budget process.

A copy of the letter sent to Peter G. Morros, Director of Nevada's Department of Conservation and Natural Resources is contained in Appendix E of this document.

Federal Sources of Funding and Summit Meeting

Article I of the Bistate Tahoe Regional Planning Compact includes a finding that:

In recognition of the public investment and multistate and national significance of the recreational values, the Federal Government has an interest in the acquisition of recreational property and the management of resources in the region to preserve environmental and recreational values, and the Federal Government should assist the states in fulfilling their responsibilities.

During the 1995-1996 interim, a partnership of public and private entities interested in the Lake Tahoe Basin compiled the "Lake Tahoe Federal Legislative Agenda." These materials formed the basis for the group's lobbying effort in Washington, D.C. With the objective of seeking a more coordinated approach to Federal agencies' activities in the Basin, the group also expressed support for convening a summit meeting in the Basin to achieve this end.

The Committee reviewed these proposals and concluded that they highlight the most critical aspects of needs in the Basin. Thus, the members approved the following recommendation:

- *Urge, by letter from the Committee, the members of Nevada's Congressional Delegation to support:*
 - a. *The "Lake Tahoe Federal Legislative Agenda" prepared by a partnership of public and private entities interested in the Lake Tahoe Basin; and*
 - b. *The convening of a summit meeting of federal agencies hosted by the TRPA in the Lake Tahoe Basin to discuss a coordinated strategy for focusing the agencies' resources over time on projects and activities that will assist in achieving and maintaining the Basin's environmental threshold carrying capacities.*

Appendix F includes a copy of the letter transmitted to the Congressional Delegation and a summary of the "Lake Tahoe Federal Legislative Agenda."

Twenty Million Dollar Bond Proposal

The interim Legislative Committees have a history of supporting Nevada bond proposals to enhance environmental protection in the Lake Tahoe Basin. The initial Committee included in its final report a statement of support for approval of a \$31 million bond proposal to purchase environmentally sensitive property and fund erosion control projects in the Basin. The Nevada electorate subsequently approved the measure at the 1986 General Election.

In response to a recommendation submitted by the 1993-1994 Committee, the Legislature placed on the 1996 General Election ballot a proposal to issue \$20 million in bonds to support grants for erosion control projects and the restoration of Stream Environment Zones in the Basin. The current 1995-1996 interim Committee evaluated the need for providing these funds and the unanimous testimony in favor of the proposal. To lend its support, the Committee adopted the following recommendation:

- *Transmit (to the organization responsible for coordination of efforts to obtain a favorable statewide vote on the measure) a letter expressing the Committee members' strong support for a "yes" vote on Ballot Question No. 12 appearing on the November 1996 General Election ballot. Ballot Question No. 12 is a proposal for the State of Nevada to issue \$20 million in general obligation bonds to provide grants to local governments and the State's Department of Transportation to carry out projects for the control of erosion and the restoration of natural watercourses in the Lake Tahoe Basin.*

The Nevada voters subsequently approved the bond proposal by a statewide vote of 221,031 in favor and 203,708 opposed. A copy of the Committee member's letter expressing support for the ballot question is contained in Appendix G.

Lake Tahoe License Plate

The Committee received a considerable amount of testimony concerning the need to establish a package of coordinated funding sources to address water and air quality concerns in the Lake Tahoe Basin. Proponents highlighted the value of incorporating revenue from a special Lake Tahoe license plate in such an approach. The State of California has authorized sale of a special plate, and similar plates have been approved for other special purposes in Nevada.

In response to a consensus of support for the concept, the Committee approved the following recommendation which would establish a Lake Tahoe license plate that would be handled in the same manner as the State's other special plates:

- *Enact legislation providing for the issuance of special license plates for the support of projects to preserve and restore the environment in the Lake Tahoe area.*
(BDR 43-215)

Program for the "Undergrounding" of Overhead Facilities

The State of California has a program which has been used by counties on the California side of the Basin to promote the undergrounding of electric and communications services and facilities. Enabling legislation was enacted in 1967, and the California Public Utilities Commission has adopted orders providing procedures for implementation of the statute.

Discussions with the Committee centered upon possible application of the California model in Nevada. Differences with regulatory structure and service delivery in the two states brought about several questions and concerns which could not be addressed within the available time frames. When members of the Committee expressed a willingness to work personally with the interested parties, the Committee approved the following recommendation seeking assistance from the Public Service Commission of Nevada:

- *Request, by letter, the participation and assistance of the Public Service Commission of Nevada in efforts by members of the Committee to create a program (modeled generally after the similar California program) through which users of overhead facilities along state and federal highways in the Lake Tahoe Basin would replace these lines and equipment with underground facilities. Users of overhead facilities typically include electric utilities, telephone companies, and cable television companies.*

A copy of the letter drafted to fulfill this recommendation is contained in Appendix H.

Generation of Revenue at the Local Level Generally

In addition to broader approaches like convening a summit meeting to discuss coordination of Federal funds, expressing support for the \$20 million bond issue, and establishing a Lake Tahoe license plate, the Committee considered several proposals relating to generation of revenue at the local level in the Basin.

A 1974 report entitled "Tahoe Regional General Plan Implementation: Financial Feasibility" was highlighted, and the Committee was informed that the updating of this document would be valuable in reassessing the potential for generating local revenue. Based up this input, the members approved a recommendation to:

- *Urge, by letter from the Committee, the TRPA to seek federal funding in the amount of approximately \$100,000 to update the 1974 report entitled "Tahoe Regional General Plan Implementation: Financial Feasibility" in order to identify and evaluate alternative methods for generating local revenue in the Lake Tahoe Basin on a long-term, sustainable basis.*

This recommendation is included as an element in the letter contained in Appendix B.

Increase of Real Estate Transfer Tax - Advisory Question

Donald W. Kornreich of Incline Village, Nevada, also submitted a proposal for increasing revenue from local sources to accomplish environmental objectives in the Basin. Mr. Kornreich suggested that the real estate transfer tax for the Tahoe portion of Washoe County be increased by up to \$2 per \$500 value of real estate and that the revenue be dedicated to projects for environmental health and safety.

Such an increase would require amending the state statutes. Before advocating this action, proponents decided that it would be prudent to determine if the residents would support the increase. Thus, an effort to place a relevant advisory question on the General Election ballot was initiated. The Committee members agreed that legislative action should not be taken until the sentiments of the local residents were known and therefore adopted the following recommendation:

- *Transmit a letter from the Committee to the Washoe County Board of Commissioners:*
 - a. *Commending the residents of Incline Village and Crystal Bay for their efforts to address the unique environmental issues in their communities; and*
 - b. *Urging the Board to consider placing a question on the November 1996 General Election ballot for the portion of Washoe County within the Lake Tahoe Basin which would ask the voters whether they would support the imposition of an additional real estate transfer tax of up to \$2 per \$500 of real estate value to fund projects for environmental health and safety if the State Legislature authorized such an increase and a vote of the residents were required before the increase took effect.*

The advisory question was subsequently placed on the ballot, but it received a negative reaction from the electorate - being defeated by a vote of 975 in favor and 3,692 in opposition. Appendix I provides a copy of the letter from the Committee urging that the question be placed on the ballot.

Future of Legislative Committee

Legislative Committees to review the activities of the TRPA have been established during every interim except one since 1985. Once again, testimony before the current Committee strongly favored continuation of its activities through the 1997-1998 period. In addition to actions which have been taken through the years as a result of various Committees' recommendations, participants in the hearings pointed out the value of these meetings in providing a forum for discussion of major issues and programs with the legislative policymakers.

Based on this testimony, the Committee approved the following recommendation:

- *Continue, by resolution, the existence (during the interim after the 1997 Legislative Session) of the Legislative Committee in a similar manner as prescribed in Assembly Concurrent Resolution No. 4 from 1995. (BDR R-216)*

In outlining the Committee's responsibilities, Assembly Concurrent Resolution No. 4 directs the body "to communicate with interested members of the Legislature of the State of California to achieve the goals set forth in the Tahoe Regional Planning Compact." At the Committee's invitation, California Senator Tim Leslie attended one of the hearings and participated actively with the Committee.

As the Committee's activities were being concluded, it became apparent that several issues (including the funding of Agency activities and environmental programs in the Basin) merited further discussion. Thus, the Committee approved a recommendation to:

- *Invite the leadership of the California Legislature and other California legislators designated by their leadership to meet with the Committee and members of Nevada's legislative leadership to discuss environmental trends, issues, and programs in the Lake Tahoe Basin and the funding of environmental measures in the Region. Incorporate a tour of relevant projects in the schedule for the meeting.*

Copies of letters transmitted to the California Legislative Leadership and Senator Tim Leslie are contained in Appendix J.

IV. ACKNOWLEDGEMENTS AND CONCLUDING COMMENTS

The Committee members wish to acknowledge the assistance of all the participants in the Committee process. Staff of the TRPA provided especially knowledgeable information and help. Input and assistance from representatives of the groups having special interest in the Basin (particularly the Lake Tahoe Gaming Alliance, the League To Save Lake Tahoe, and the Tahoe-Sierra Preservation Council) also deserve specific notice.

In addition, the many people who helped in planning, coordinating, and making presentations for the tour should receive special recognition. The Committee's appreciation is also extended to the Incline Village General Improvement District, Harvey's Resort Hotel Casino, and the Lake Tahoe Horizon Casino Resort who provided meeting rooms and valuable technical assistance.

Copies of minutes from hearings and background materials are available through the LCB Research Library (702/687-6827). As mentioned earlier, copies of the final reports from previous legislative committees may be obtained through the LCB Publications Office at 702/687-6835 (see page 2 for a listing of these documents).

V. APPENDICES

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APPENDIX A

**ASSEMBLY CONCURRENT RESOLUTION NO. 4
(FILE NO. 34, *STATUTES OF NEVADA 1995*)**

ASSEMBLY CONCURRENT RESOLUTION NO. 4—ASSEMBLYMAN HETTRICK

JANUARY 25, 1995

Referred to Committee on Elections and Procedures

SUMMARY—Directs Legislative Commission to appoint committee to continue review of Tahoe Regional Planning Compact. (BDR R-321)



EXPLANATION—Matter in italics is new; matter in brackets [] is material to be omitted.

ASSEMBLY CONCURRENT RESOLUTION—Directing the Legislative Commission to appoint a committee to continue the review of the Tahoe Regional Planning Compact, including a review of the Tahoe Regional Planning Agency and the federal and state agencies that regulate activities in the Lake Tahoe Basin.

- 1 WHEREAS, The Tahoe Regional Planning Compact provides for the maintenance of the scenic, recreational, educational, scientific, natural and public health values of the entire Lake Tahoe Basin; and
- 2
3
4 WHEREAS, The Tahoe Regional Planning Compact establishes the Tahoe Regional Planning Agency to adopt and enforce a regional plan and to provide opportunities for orderly growth and development consistent with the values of the Lake Tahoe Basin; and
- 5
6
7
8 WHEREAS, The Legislature of the State of Nevada is vitally concerned with achieving regional goals in conserving the natural resources of the entire Lake Tahoe Basin and with the programs and activities of the Tahoe Regional Planning Agency which affect these goals; and
- 9
10
11
12 WHEREAS, As a necessary corollary to this vital concern and for the protection of Lake Tahoe, the Legislature of the State of Nevada is also concerned with the role and activities of those federal and state agencies having authority to regulate activities in the Lake Tahoe Basin and their interactions with and effect upon the Tahoe Regional Planning Agency and the Lake Tahoe Basin; and
- 13
14
15
16
17
18 WHEREAS, Subcommittees of the Legislative Commission have successfully conducted reviews of the programs and activities of the Tahoe Regional Planning Agency on previous occasions; and
- 19
20
21 WHEREAS, Senate Joint Resolution No. 7 of the 67th Legislative Session directed the Legislative Commission to appoint a committee of six legislators composed of three senators and three assemblymen to continue the review of the Tahoe Regional Planning Compact and to oversee the Tahoe Regional Planning Agency; and
- 22
23
24
25
26 WHEREAS, The review and oversight of the programs and activities of the Tahoe Regional Planning Agency and the role of each federal and state agency having authority and responsibility in the Lake Tahoe Basin continue to be necessary to ensure the proper functioning of those agencies; and
- 27
28
29

1 WHEREAS, It is vital to remain in communication with members of the
2 Legislature of the State of California to continue to achieve the goals set forth
3 in the Tahoe Regional Planning Compact; now, therefore, be it
4 RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CON-
5 CURRING, That the Legislative Commission is hereby directed to appoint a
6 committee of six legislators composed of three senators and three assembly-
7 men to continue the review of the Tahoe Regional Planning Compact and to
8 oversee the Tahoe Regional Planning Agency and each federal and state
9 agency having authority to regulate activities in the Lake Tahoe Basin; and be
10 it further
11 RESOLVED, That the committee is directed to:
12 1. Review the budget, programs, activities, responsiveness and accounta-
13 bility of the Tahoe Regional Planning Agency; and
14 2. Study the role and activities of each federal and state agency having
15 authority to regulate activities in the Lake Tahoe Basin, including their role in
16 the protection of Lake Tahoe and their interactions with and effect upon the
17 Tahoe Regional Planning Agency and the Lake Tahoe Basin;
18 and be it further
19 RESOLVED, That the committee is directed to continue to communicate with
20 interested members of the Legislature of the State of California to achieve the
21 goals set forth in the Tahoe Regional Planning Compact; and be it further
22 RESOLVED, That the Chief Clerk of the Assembly transmit copies of this
23 resolution to each member of the California delegation to the Tahoe Regional
24 Planning Agency, the President pro Tempore of the Senate and the Speaker of
25 the Assembly of the State of California.

APPENDIX B

LETTER FROM THE COMMITTEE TO THE TAHOE REGIONAL PLANNING AGENCY

This letter transmits the Committee's recommendations concerning the Partnership Approach, public information and education, regulatory procedures and ordinances, and revenue generation.

LAWRENCE E. JACOBSEN
SENATOR, WESTERN DISTRICT
Douglas, and Part of Carson City, Lyon and Washoe

PRESIDENT PRO TEMPORE



COMMITTEES:
Vice Chairman
Natural Resources

Member
Finance
Transportation

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Minden, Nevada 89423
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Nevada Senate

CARSON CITY
December 11, 1996

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John Upton, Chairman
Tahoe Regional Planning Agency
P O Box 1038
Zephyr Cove, Nevada 89448

Dear Mr. Upton:

As you are aware, the Nevada Legislature continued during the 1995-1996 biennium its practice of appointing a Committee to review the activities of the Tahoe Regional Planning Agency (TRPA). Your participation with the Committee and the TRPA staff's enthusiastic and capable assistance are sincerely appreciated.

The Committee adopted a total of 22 recommendations covering a broad range of topics of significance in the Basin. As requested by the Committee, I am forwarding this letter to highlight six of the recommendations that relate directly to TRPA programs. These provisions address the Partnership Approach, public information and education, regulatory procedures and ordinances, and the generation of revenue.

Partnership Approach

During the 1994-1996 years, the State of Nevada provided special funding to implement a Partnership Approach for handling some of the complicated issues in the Basin. Testimony indicated that the cooperative efforts have been valuable in helping to achieve consensus in several areas.

Because of the usefulness of the process, the Committee concluded that it should be retained as a permanent element within the TRPA program design and approved the following recommendation:

- *Urge, by letter, from the Committee, the TRPA to:*
 - a. *Continue the "partnership approach" in working with interested participants toward consensus in the compilation and implementation of plans and projects designed to protect and improve the environment of the Lake Tahoe Basin; and*

SIXTY-EIGHTH LEGISLATURE

- b. *Include participation in the "partnership approach" in its work program and proposed budget for staffing, operations, and contractual services provided by necessary facilitators and/or consultants.*

Public Information and Education

Testimony before the Committee also emphasized the importance of public information and education as related to TRPA procedures and activities. Positive strides by the Agency in this area highlight the value of achieving a broader public understanding of the TRPA goals, programs, and procedures.

Thus, the Committee endorsed a recommendation to:

- *Urge, by letter from the Committee, the TRPA to continue its efforts in the areas of public information, outreach, and education through such means as direct mail, radio and newspaper interviews and information, local workshops, and distribution of brochures concerning specific types of programs and procedures.*

Regulatory Procedures and Ordinances

In 1993, the Nevada Legislature adopted Assembly Concurrent Resolution No. 3 which urged the TRPA to increase its efforts to simplify its Code of Ordinances and its planning and project review procedures. Likewise in 1995, the Legislature approved Assembly Joint Resolution No. 2 urging the Agency to continue to simplify its operations and procedures, to continue its efforts to become more "user-friendly," and to encourage a cooperative, interactive atmosphere between participants in the project review process.

Public input to the Committee supported the TRPA's actions in these areas but reaffirmed the need for the Agency to invest additional efforts in these directions. Discussions highlighted the necessity of addressing situations specifically relating to conformity with local regulations, complicated language used in the Agency's regulations, the ordinance establishing the height limitation, the shorezone ordinance, and a regional Geographic Information System (GIS).

Three recommendations addressing these specific topics were approved as follows:

- *Urge, by letter, from the Committee, the TRPA to:*
 - a. *Develop a proposal for the streamlining of regulatory programs in the Lake Tahoe Basin with the goals of:*
 - i. *Conforming the regulations of all jurisdictions in the Basin,*

- ii. *Consolidating with local governments' programs for the issuance of permits,*
 - iii. *Reducing the volume of regulations through the use of concise, clear language; and*
 - b. *Include funding to adequately support this streamlining activity in the Agency's budget requests to the States of Nevada and California for the upcoming two fiscal years.*
- *Urge, by letter from the Committee, the TRPA to continue its efforts to streamline its regulatory programs by:*
 - a. *Reevaluating and making appropriate amendments to the ordinance limiting the height of construction in the Basin; and*
 - b. *Simplifying the ordinances relating to the shorezone of Lake Tahoe.*
- *Urge, by letter from the Committee, the TRPA to:*
 - a. *Establish and maintain a regional Geographic Information System (GIS) cooperative program for use by the public and governmental agencies as a means of cost-effectively managing lands and programs in the Lake Tahoe Basin;*
 - b. *Seek conceptual and financial support from land management and planning agencies for creation of the system; and*
 - c. *Provide supporting agencies with training, access, and maintenance of GIS data in exchange for financial support.*

Generation of Revenue

A considerable amount of testimony also centered upon the need to generate revenue to support environmentally positive actions in the Basin. In addition to broader approaches like convening a summit meeting to discuss coordination of federal funds, supporting the \$20 million bond proposal, and establishing a Lake Tahoe License Plate program, the Committee discussed several proposals relating to generation of revenue at the local level in the Basin.

A 1974 report entitled, "Tahoe Regional General Plan Implementation: Financial Feasibility" was highlighted, and the Committee was told that an updating of this document could provide the

Page 4

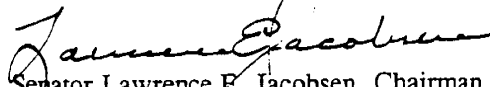
vehicle for reassessing the potential for generating local revenue. Thus, the members approved the following related recommendation:

- *Urge, by letter from the Committee, the TRPA to seek federal funding in the amount of approximately \$100,000 to update the 1974 report entitled, "Tahoe Regional General Plan Implementation: Financial Feasibility" in order to identify and evaluate alternative methods for generating local revenue in the Lake Tahoe Basin on a long-term, sustainable basis.*

Concluding Comments

I would take this opportunity again to commend you and the other members of the TRPA Governing Body for your efforts in the Tahoe Basin. The challenges are significant and your dedication is appreciated. I would hope that our Committee's recommendations would be favorably considered as you continue your activities.

Very truly yours,


Senator Lawrence E. Jacobsen, Chairman
Committee To Continue the Review
of the TRPA

LEJ/st:W70117-8.46

APPENDIX C

**LETTER FROM THE COMMITTEE
TO THE PUBLIC SERVICE COMMISSION OF NEVADA**

This letter relates to the Commission's regulation of the activities of the Tahoe Transportation District.

LAWRENCE E. JACOBSEN
SENATOR, WESTERN DISTRICT
(Douglas, and Part of Carson City, Lyon and Washoe)

PRESIDENT PRO TEMPORE



COMMITTEES:
Vice Chairman
Natural Resources
Member
Finance
Transportation

Nevada Senate

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July 23, 1996

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Fax No.: (702) 687-5962

John F. Mendoza
Chairman
Public Service Commission of Nevada
727 Fairview Drive
Carson City, Nevada 89710

Dear Mr. Mendoza:

As Chairman of the Legislative Commission's Committee To Continue the Review of the Tahoe Regional Planning Agency (TRPA), I have been asked to seek your assistance in a matter that was brought before the Committee during its hearing process.

A portion of the responsibilities of the TRPA relates to fostering efficient transportation systems as a means of protecting the air quality in the Lake Tahoe Basin. The bistate Tahoe Transportation District was created in 1980 through the Tahoe Regional Planning Compact to assist in achieving the goals of the Regional Transportation Plan. The District's Board of Directors has determined that the provision of on-demand, as well as fixed-route, services would enhance the effectiveness of the overall transportation system and play a potentially significant role in addressing the air quality elements of the regional plan.

Questions have recently arisen, however, as to the applicability of certain regulatory requirements to the bistate transportation district. After receiving testimony about this situation, the Committee adopted the following recommendation:


Urge, by letter from the Committee, the Public Service Commission of Nevada to provide guidance as to whether the Tahoe Transportation District is eligible for an exemption from the requirement that entities which provide both on-demand and fixed-route services, gratuitously and on a "for-fee" basis, must obtain a Certificate of Public Convenience and Necessity. Include in the letter a request that an expeditious process be employed to act upon an application filed by the District if the Commission determines that an exemption cannot be granted.

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Page 2

The Committee members are aware of the responsibilities and workload under which the Commission functions, but would request that you consider this matter as soon as reasonably possible. I would be pleased to discuss the situation in greater depth and provide the names of the people who spoke before the legislative Committee, if this information would be helpful.

Sincerely,


Senator Lawrence E. Jacobsen, Chairman
Committee To Continue the Review of the
Tahoe Regional Planning Agency

LEJ/dr:tpa:113

APPENDIX D

**LETTER FROM THE COMMITTEE
CONCERNING "STATE REVOLVING FUND PROGRAMS"**

The letter contained in this appendix was transmitted to the following people:

John Upton, Chairman
Tahoe Regional Planning Agency
308 Dorla Court
P O Box 1038
Zephyr Cove, NV 89448

Lewis Dodgion, Administrator
Division of Environmental Protection
303 West Nye Lane
Carson City, NV 89710

Walt Pettit, Executive Director
State Water Resources Control Board
901 P Street
Sacramento, CA 95814

LAWRENCE E. JACOBSEN
SENATOR, WESTERN DISTRICT
Douglas, and Part of Carson City, Lyon and Washoe

PRESIDENT PRO TEMPORE



COMMITTEES:
Vice Chairman
Natural Resources

Member
Finance
Transportation

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Fax No.: (702) 687-5962

December 11, 1996

Dear

As Chairman of the Nevada Legislature's Committee To Continue the Review of the Tahoe Regional Planning Agency (TRPA), I was asked by the Committee members to transmit a letter to you concerning the creation or expansion of "State Revolving Fund Programs" to provide low-interest loans for capital improvement projects in the Tahoe Basin.

Testimony before the Committee highlighted the need to implement "on-the-ground" projects for environmental protection in the Basin. Funding for these types of activities was discussed in some detail, and the necessity of using multiple financing and funding mechanisms became apparent. The availability of low-interest loans as a part of this package was discussed, and the Committee received information about various models and current programs. In acknowledging the value of such a concept, however, the members also realized that the capitalization and procedural aspects would have to be worked out by people directly associated with the programs.

Thus, the Committee approved the following recommendation:

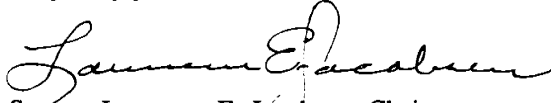
Transmit letters from the Committee to the TRPA, the Nevada Division of Environmental Protection, and the California State Water Resources Control Board urging these agencies to review and appropriately act upon models for creating or expanding "State Revolving Fund Programs" to provide low-interest loans for capital improvement projects which will assist in achieving and maintaining the environmental threshold carrying capacities in the Lake Tahoe Basin.

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Your positive consideration of this recommendation would be sincerely appreciated. Carl Hasty, Senior Planner with the TRPA (702/588-4547), provided much of the information relating to this recommendation and would be an appropriate contact for questions and additional discussion of the concept.

Very truly yours,



Senator Lawrence E. Jacobsen, Chairman
Nevada Legislature's Committee To Continue
the Review of the TRPA

LEI/st:70117.46
cc: Mr. Hasty

APPENDIX E

**LETTER FROM THE COMMITTEE
TO THE DIRECTOR OF THE DEPARTMENT OF
CONSERVATION AND NATURAL RESOURCES**

This letter relates to forest management on state park lands.

LAWRENCE E. JACOBSEN
SENATOR, WESTERN DISTRICT
(Douglas, and Part of Carson City, Lyon and Washoe)

PRESIDENT PRO TEMPORE



COMMITTEES:
Vice Chairman:
Natural Resources

Member
Finance
Transportation

Nevada Senate

CARSON CITY

June 18, 1996

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Office: (702) 687-8125 or 687-5742
Fax No.: (702) 687-5962

Peter G. Morros
Director
State Department of Conservation and
Natural Resources
123 West Nye Lane
Carson City, Nevada 89710

Dear Mr. Morros:

At its meeting of May 31, 1996, the Legislative Commission's Committee To Continue the Review of the Tahoe Regional Planning Agency (TRPA) received a considerable amount of testimony about the status of the forests on state park lands in and near the Lake Tahoe Basin. As you are aware, limited professional management over the years has allowed development of unhealthy forest characteristics, and the recent drought fostered a tremendous insect infestation resulting in an extremely high number of dead and dying trees.

Based on the testimony received at the hearing and a tour of the area, the Committee adopted the following recommendation.

Urge, by letter from the Committee, the Director of the State Department of Conservation and Natural Resources to coordinate the efforts of the appropriate state and federal agencies in:

- a. *Preparing a preliminary or short-term forest management plan for the state park lands in and adjoining the Lake Tahoe Basin; and*
- b. *Identifying the funds needed to compile a comprehensive management plan for the area.*

Request that these items be transmitted to the Legislature through the Executive budget process.

SIXTY-EIGHTH LEGISLATURE

Agencies mentioned as having an interest in this effort included at least:

Virtually all Divisions in the State Department of Conservation and Natural Resources;
The State's Division of Historic Preservation and Archeology;
The Buildings and Grounds Division;
The Department of Prisons;
California agencies (like the Division of State Parks) which have applicable experience; and
Relevant federal agencies.

The Committee members realize that tying the requested activities to the Executive budget process places a time burden on you and the participants. However, the need to ensure the earliest possible consideration of financial factors within the budget calculations is crucial to the success of the ultimate proposal.

I am sure that the Committee members would appreciate your special attention to this most important matter, and I would be pleased to discuss the request in greater depth if you so desire.

Sincerely,

Senator Lawrence E. Jacobsen, Chairman
Committee To Continue the Review of the TRPA

LEJ/dr:trpa:12

APPENDIX F

LETTER FROM THE COMMITTEE TO THE NEVADA CONGRESSIONAL DELEGATION AND A SUMMARY OF THE "LAKE TAHOE FEDERAL LEGISLATIVE AGENDA"

The letter contained in this appendix urges the Nevada Congressional Delegation to support the "Lake Tahoe Federal Legislative Agenda" and the convening of a summit meeting of Federal agencies in the Lake Tahoe Basin.

LAWRENCE E. JACOBSEN
SENATOR, WESTERN DISTRICT
(Douglas, and Part of Carson City, Lyon and Washoe)

PRESIDENT PRO TEMPORE



COMMITTEES:
Vice Chairman
Natural Resources

Member
Finance
Transportation

DISTRICT OFFICE:
P.O. Box 367
Minden, Nevada 89423
(702) 782-2334

Nevada Senate

CARSON CITY

December 11, 1996

LEGISLATIVE BUILDING:
401 S. Carson Street
Carson City, Nevada 89710
Office: (702) 687-8125 or 687-5742
Fax No.: (702) 687-5962

Dear

The Nevada Legislature's Committee To Continue the Review of the Tahoe Regional Planning Agency (TRPA) has completed its work for the 1995-1996 biennium. The Committee held four hearings on the Nevada side of the Lake Tahoe Basin. We received background information and recommendations from a broad range of citizens, interest groups, and governmental entities having responsibilities in the Region.

The Committee members ultimately adopted 22 recommendations. One of these directly applies to Federal programs and activities. As you are aware, a partnership of public and private entities active in the Tahoe Basin compiled the "Lake Tahoe Federal Legislative Agenda." The Committee reviewed the elements of this proposal and felt that the approach highlights the most critical aspects of needs within the Basin. Likewise, the Committee received a considerable amount of testimony pointing out the value of convening a "summit meeting" of Federal agencies to coordinate the focusing of resources on projects and programs of highest priority in the Basin.

Thus, in order to solicit your support in these two matters, the Committee adopted the following recommendation.

Urge, by letter, the members of Nevada's Congressional Delegation to support:

- a. The "Lake Tahoe Federal Legislative Agenda" prepared by a partnership of public and private entities interested in the Lake Tahoe Basin; and
- b. The convening of a summit meeting of Federal agencies hosted by the TRPA in the Lake Tahoe Basin to discuss a coordinated strategy for focusing the agencies' resources over time on projects and activities that will assist in achieving and maintaining the Basin's environmental threshold carrying capacities.

SIXTY-EIGHTH LEGISLATURE

Page 2

As members of the oversight committee, we sincerely appreciate your efforts to date in these areas, and we lend our support to your ongoing activities. We would also offer any assistance that we might be able to provide in order to achieve these goals.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Jacobsen". The signature is fluid and cursive, with a large initial "L" and "E".

Senator Lawrence E. Jacobsen, Chairman
Nevada Legislature's Committee To Continue
the Review of the TRPA

LEJ/st:70117-5.46

LAKE TAHOE FEDERAL LEGISLATIVE AGENDA

A Public-Private Partnership of the Tahoe Region

Tahoe Regional Planning Agency
Tahoe Truckee Regional Economic Coalition
Lake Tahoe Gaming Alliance
The League to Save Lake Tahoe
Tahoe Sierra Preservation Council
Heavenly Ski Resort
Transportation Management Associations
Tahoe Transportation Coalition
City of South Lake Tahoe
El Dorado County
Nevada Tahoe Conservation District
Tahoe Conservation District
Tahoe Sierra Board of Realtors, Inc.
Incline Village-Crystal Bay Chamber of Commerce
Douglas County
Forest Health

February 1996

Introduction and Summary

It is time the Federal Government become a more active player in the public-private partnerships we have formed in the Lake Tahoe Region. This can best be accomplished by a federal legislative program which is consistent with the provisions of the Compact and the objectives of the new partnerships. There has perhaps never been a greater opportunity for constructive partnerships and bipartisan cooperation on a set of environmental issues of such national scope and significance.

The Tahoe Regional Planning Compact (PL 96-551), amended and approved by the California and Nevada Legislatures and ratified by the United States Congress in 1980, describes the Lake Tahoe Region as exhibiting unique environmental and ecological values which are irreplaceable. The Compact also states that "the waters of Lake Tahoe and other resources of the region are threatened with deterioration...which endangers the natural beauty and economic productivity of the region."

The responsibility for protecting, preserving, and enhancing the unique values of the Region, the Compact says, is shared among local governments, regional and state agencies, and the Federal Government. The Federal Government owns in excess of 70 percent of the lands within the Lake Tahoe Basin. These lands are managed by the U.S. Forest Service.

Today, the year round population in the Region is approximately 52,000. Peak summer day population, including overnight and day-use visitors, is nearly 300,000. There were approximately 23,000,000 visitor days at Lake Tahoe last year which is approximately four times that of Yosemite.

For many years, disagreement among business, environmental, government, and other interests, over various land use issues at Lake Tahoe, diverted positive energy away from effective management and protection of the Region's natural resources. The disagreements are a part of history now, but the lesson learned in the process has resulted in a new focused effort to move forward with programs, projects, and measurable progress toward the protection and enhancement of the environment and the economy. A number of public-private partnerships have been established which recognize that environmental protection and economic viability are one and the same at Lake Tahoe. The Truckee, California, region (immediately adjacent to Lake Tahoe along Interstate 80) is integral to transportation in the Tahoe Basin and has now joined these partnership efforts.

It is important to point out that, for many years, local residents and property owners have collectively made major economic contributions to preservation of the Lake Tahoe environment through improvements and restrictions on land use which have been required by the Compact and TRPA Regional Plan. The states of California and Nevada have also made significant contributions to the protection of the natural values of the Region.

EXPENDITURES			
	Local & State	Federal	Total
Erosion Control/Wetland Restoration/Runoff Control*	\$79.0 Million	\$24.8 Million	\$103.8 Million
Sensitive Land Acquisition+	\$92.0 Million	\$81.0 Million	\$173.0 Million

* Through 1994

+ Through 1995

Accelerated federal involvement in addressing the problems of the Lake Tahoe Region is urgent for several reasons. Despite the best efforts of everyone involved with environmental protection at Lake Tahoe, lake clarity continues to decline at a disturbing rate. Just 30 years ago, one could see a white dinner plate at a depth of 100 feet or more in Lake Tahoe. Today, that same dish is visible at only 70 feet. Given the present rate of decline, Lake Tahoe will lose the unique natural values which make it a resource of such national significance. We feel the need for increased investment in environmental quality at Lake Tahoe is urgent. Arresting the negative trend will only become more costly and less feasible over time.

The partnership program we propose has three components: water quality protection, transportation/air quality, and federal land management and acquisition activities. More detail on two programs can be found in the appendices to this document.

The components can be summarized as follows:

Water Quality

- Designation of Lake Tahoe as a direct recipient of federal funds under Section 314 (Clean Lakes) and 319 (Non-point Source) of the Clean Water Act. Appropriate 50/50 match grant funding for the Spooner Summit (U.S. 50) and State Route 28 erosion control projects.
- Appropriate funding for the Army Corps to study the Upper Truckee River (California), Third and Incline Creeks (Incline Village, Nevada), and Edgewood Creek (Stateline, NV) watershed restoration projects.

Transportation/Air Quality

- Legislative efforts to encourage the Postal Service to implement mandatory home mail delivery at Lake Tahoe.
- Public-private partnership to provide transit alternatives for visitors to federal lands.
- Appropriate funding for an updated report on local revenue generation.

Federal Land Management and Acquisition Activities

- Appropriate funds to the Santini-Burton Act (PL 96-586) to continue land acquisition of environmentally sensitive lands, ensure continuation of Erosion Control Grant Program to local governments, and adequately fund management and protection of Federally acquired lands.
- Recognize a timely forest health initiative which addresses the urgent need to restore Tahoe's forests, and appropriate funding for forest health projects to reduce fire risks, protect water clarity, scenic quality, and high valued development.
- Funding the Forest Service's share of participation in transit and recreation facilities.

All project components will result in the stimulation of significant economic activity within the Tahoe Basin including job creation. All have either no cost to the United States or significant state/local matching funds. All programs are to be accomplished through the use of public-private partnerships and not by government acting alone. All place the environment and the economy on an equal plane to the benefit of both. All are supported by the broadest possible coalition of Basin interests and can be accomplished on a bipartisan basis.

Your past leadership on Tahoe issues is deeply appreciated. We look forward to discussing these proposals further with you. We would be pleased to answer questions or provide additional background information.

Requested Action: Water Quality

The Lake Tahoe Region has a long-term comprehensive water quality management program, which utilizes a watershed approach. Its successful implementation requires long-term Federal financial support. The regional community requests the following action:

DEFENSE APPROPRIATIONS BILL

- **Appropriate \$1 million to the U.S. Army Corps to fund a study of the Upper Truckee (California-Truckee River wetland restoration), the Incline-Third Creek watersheds, and Edgewood Creek watershed restoration projects.**

CLEAN WATER ACT

- **Designation of Lake Tahoe as a direct recipient of Clean Water Act Section 314 (Clean Lakes) and Section 319 (Non-point Source) Funds, and an appropriation for 50/50 matching grant funding for the U.S. Highway 50 (Spooner Summit) and State Route 28 erosion control projects.**

ALSO INCLUDE SUGGESTED LANGUAGE: (CLEAN WATER ACT REAUTHORIZATION)

Replace current language in the Clean Water Act, Section 114 as follows:

LAKE TAHOE BASIN

Section 114. (a) This Act recognizes the Federal interest in preserving the unique and fragile ecology of Lake Tahoe. Therefore, the Administrator is authorized to make grants to the State of Nevada, the state of California and to the Tahoe Regional Planning Agency to expedite the implementation of water quality projects within the Lake Tahoe Basin. This authorization is specifically for implementation of projects what have public and/or private contributions and are identified as high priority in the Lake Tahoe Region's section 208 plan. This section reauthorizes all grants that have been made to preserve the Lake Tahoe Region, pursuant to this Act, and specifically directs the use of section 314 (Clean Lakes) and section 319 (Non-point source) grants in the Lake Tahoe Region.

(b) The administrator is authorized to make demonstration grants, pursuant to this section, for projects implementing the Lake Tahoe Region's Section 208 plans for the following two projects. The federal contribution shall not exceed 50% of the overall project cost for the following two demonstration projects: 1) Scenic Byway of State Route 28 on the Nevada side of the Tahoe Basin, and 2) Spooner Summit segment of U.S. Highway 50 (from the Tahoe Basin jurisdictional secondary to Stateline, Nevada) for erosion control purposes.

Requested Action: Transportation/Air Quality

CRITICAL LEGISLATIVE ACTIONS RECOMMENDED FOR THE 104TH CONGRESS

- **Congressional efforts encouraging U.S. Postal Service to implement mandatory home mail delivery in the Lake Tahoe Basin.**
- **Request for funds, directed through the U.S. Forest Service, to improve public access to federal lands at Lake Tahoe.**

The U.S. Forest Service shall be appropriated adequate funding to contribute to Lake Tahoe's regional transit system, including its proportionate share of the necessary capital costs. This share shall be based on the percentage of use serving the national forest recreation demand of the Lake Tahoe Basin.

The estimated Forest Service share of annual needs would be \$1 million annually of continuing funds.
Projects include:

- Basin loop bike trail.
 - Transit systems serving Forest Service recreation facilities.
 - Transit terminals serving multiple purpose transit systems.
 - Shuttle systems between Forest Service recreation facilities.
- **Request \$100,000 in funds to prepare a report on sustainable local revenue generation for the creation of a long-term local funding source for environmental improvements.**

Requested Actions: Federal Lands

- **Appropriate \$6 million in funds to the Santini-Burton Act (P.L. 96-586) to:**
 1. Continue the acquisition of environmentally sensitive lands (\$3.7 million);
 2. Insure funding of Cooperative Grants Program to the City of South Lake Tahoe and counties (\$1.4 million); and
 3. Fund management of environmentally sensitive lands acquired under this Act (\$900,000).
- **Request U.S. Forest Service to allocate adequate funding to timely address severe basin-wide forest health degradation and fuels buildup in the amount of \$15 million to supplement contracts, and \$1.5 million annually, for 5 years, to prepare and administer contracts.**
- **Give the Presidential Appointee on the TRPA Governing Board the responsibility to form and chair a summit meeting of federal agencies whose programs affect Lake Tahoe with the goal of developing a coordinate implementation strategy and schedule for Tahoe projects.**

APPENDIX G

**LETTER FROM COMMITTEE MEMBERS
EXPRESSING SUPPORT FOR \$20 MILLION BOND PROPOSAL**

STATE OF NEVADA
LEGISLATIVE COUNSEL BUREAU

LEGISLATIVE BUILDING
CAPITOL COMPLEX
CARSON CITY, NEVADA 89710
Fax No.: (702) 687-5962



LEGISLATIVE COMMISSION (702) 687-6800
RANDOLPH J. TOWNSEND, *Senator, Chairman*
Lorne J. Malkiewich, *Director, Secretary*

INTERIM FINANCE COMMITTEE (702) 687-6821
JOHN W. MARVEL, *Assemblyman, Chairman*
MORSE ARBERRY, JR., *Assemblyman, Chairman*
Daniel G. Miles, *Fiscal Analyst*
Mark W. Stevens, *Fiscal Analyst*

LORNE J. MALKIEWICH, *Director*
(702) 687-6800

Wm. GARY CREWS, *Legislative Auditor* (702) 687-6815
ROBERT E. ERICKSON, *Research Director* (702) 687-6825
BRENDA J. ERDOES, *Legislative Counsel* (702) 687-6830

July 23, 1996

"Yes on 12"
P.O. Box 3456
Reno, Nevada 89501-3456

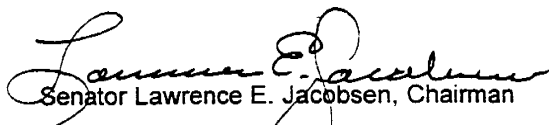
Dear Supporters of Question 12:

The members of the Nevada Legislature's Committee To Continue the Review of the Tahoe Regional Planning Agency (TRPA) forward this letter to express our strong support for a "yes" vote on Question 12 at the upcoming General Election.

The Committee has evaluated a considerable amount of testimony concerning the necessity of providing funds for erosion control projects and the restoration of natural watercourses in the Lake Tahoe Basin. Lake Tahoe is a statewide asset, and it is evident that the actions contemplated through Question 12 are essential to achieving the goal of water quality protection in the Basin. Revenue generated through the proposed \$20 million bond issue is to be matched by money from other sources to create jointly funded projects. Thus, the State achieves a multiplied value for its investment.

Based on our investigation of the situation in the Lake Tahoe Basin, we the members of the Legislative Committee strongly support passage of Question 12.

Sincerely,


Senator Lawrence E. Jacobsen, Chairman


Assemblyman Marcia de Braga


Assemblyman Brian E. Sandoval


Senator Raymond G. Shaffer

trpa:114

APPENDIX H

LETTER FROM THE COMMITTEE TO THE PUBLIC SERVICE COMMISSION OF NEVADA

This letter relates to the "undergrounding" of overhead facilities along state and Federal highways in the Lake Tahoe Basin.

LAWRENCE E. JACOBSEN
SENATOR, WESTERN DISTRICT
(Douglas, and Part of Carson City, Lyon and Washoe)
PRESIDENT PRO TEMPORE



COMMITTEES:
Vice Chairman
Natural Resources

Member
Finance
Transportation

DISTRICT OFFICE:
P.O. Box 367
Minden, Nevada 89423
(702) 782-2334

Nevada Senate

CARSON CITY

LEGISLATIVE BUILDING:
401 S. Carson Street
Carson City, Nevada 89710
Office: (702) 687-8125 or 687-5742
Fax No.: (702) 687-5962

December 11, 1996

John F. Mendoza
Chairman
Public Service Commission of Nevada
727 Fairview Drive
Carson City, NV 89710

Dear Mr. Mendoza:

As part of its activities during the 1995-1996 biennium, the Nevada Legislature's Committee To Continue the Review of the Tahoe Regional Planning Agency (TRPA) received a considerable amount of testimony concerning replacement of overhead utility lines with underground facilities within the Lake Tahoe Basin.

The State of California has a program which has been used by counties on the California side of the Basin to promote the undergrounding of electric and communications services and facilities. Legislation relating to the topic was enacted in 1967, and the California Public Utilities Commission has adopted orders outlining procedures for implementation of the statute. Copies of the relevant portions of the minutes and exhibits from the Committee's meeting of May 31, 1996, are enclosed to provide additional details.

Discussion with representatives of several utilities and communications companies highlighted questions and concerns with attempting to implement the California program on the Nevada side of the Tahoe Basin without additional analysis. It was suggested that participation by representatives of Nevada's Public Service Commission would be helpful in assessing the feasibility of such a program and the types of modifications of the California model that would be necessary to create an effective approach for Nevada. Based upon this background information, the Committee approved the following recommendation:

Request, by letter, the participation and assistance of the Public Service Commission of Nevada in efforts by members of the Committee to create a program (modeled generally after the similar California program) through which users of overhead facilities along state

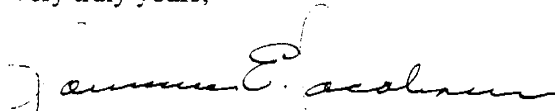
SIXTY-EIGHTH LEGISLATURE

Page 2

and federal highways in the Lake Tahoe Basin would replace these lines and equipment with underground facilities. Users of overhead facilities typically include electric utilities, telephone companies, and cable television companies.

Your positive consideration of this recommendation would be sincerely appreciated. As the minutes reflect, Andrew Strain, Senior Planner with the TRPA (702/588-4547), provided much of the information relating to this recommendation and would be an appropriate contact for questions and additional discussion of the topic.

Very truly yours,


Senator Lawrence E. Jacobsen, Chairman
Nevada Legislature's Committee To Continue
the Review of the TRPA

LEI/st:70117-3,46
cc: Andrew Strain

APPENDIX I

**LETTER FROM THE COMMITTEE
TO THE WASHOE COUNTY BOARD OF COMMISSIONERS**

The letter contained in this appendix concerns placement of an advisory question on the ballot for the portion of Washoe County located in the Lake Tahoe Basin.

LAWRENCE E. JACOBSEN
SENATOR, WESTERN DISTRICT
(Douglas, and Part of Carson City, Lyon and Washoe)

PRESIDENT PRO TEMPORE



COMMITTEES:
Vice Chairman:
Natural Resources

Member
Finance
Transportation

Nevada Senate

CARSON CITY

DISTRICT OFFICE:
P.O. Box 367
Minden, Nevada 89423
(702) 782-2334

LEGISLATIVE BUILDING:
401 S. Carson Street
Carson City, Nevada 89710
Office: (702) 687-8125 or 687-5742
Fax No.: (702) 687-5962

June 11, 1996

Steve Bradhurst, Chairman, and Members
Washoe County Board of Commissioners
1001 East Ninth Street
P.O. Box 11130
Reno, NV 89520

Dear Mr. Bradhurst and Members:

At its final meeting on May 31, 1996, the Legislative Commission's Committee To Continue the Review of the Tahoe Regional Planning Agency (TRPA) adopted several recommendations relating to activities and programs in the Lake Tahoe Basin. Based on a considerable amount of testimony concerning the need for additional sources of funds to accomplish environmental objectives in the Basin, and the urging of Mr. Donald W. Kornreich, the Committee approved the following recommendation.

Transmit a letter from the Committee to the Washoe County Board of Commissioners:

- a. Commending the residents of Incline Village and Crystal Bay for their efforts to address the unique environmental issues in their communities; and
- b. Urging the Board to consider placing a question on the November 1996 General Election ballot for the portion of Washoe County within the Lake Tahoe Basin which would ask the voters whether they would support the imposition of an additional real estate transfer tax of up to \$2 per \$500 of real estate value to fund projects for environmental health and safety if the State Legislature authorized such an increase and a vote of the residents were required before the increase took effect.

SIXTY-EIGHTH LEGISLATURE

Page 2

As Chairman of the Legislative Committee, I would sincerely appreciate your consideration of this recommendation to determine if it has merit within your local context. If you have additional questions, I would be pleased to discuss the matter in greater depth.

Sincerely,

Senator Lawrence E. Jacobsen, Chairman
Committee To Continue the Review of the Tahoe
Regional Planning Agency

LEJ/fw:11

APPENDIX J

**LETTERS FROM THE COMMITTEE
TO THE CALIFORNIA LEGISLATIVE LEADERSHIP**

These letters relative to a meeting between legislators from Nevada and California were transmitted to the following California legislators:

Senator Henry Mello
Senate Majority Leader

Speaker Curt Pringle
Speaker of the Assembly

Senator Rob Hurtt
Senate Minority Leader

Assemblyman Richard Katz
Assembly Minority Leader

Senator Tim Leslie

LAWRENCE E. JACOBSEN
SENATOR, WESTERN DISTRICT
(Douglas, and Part of Carson City, Lyon and Washoe)

PRESIDENT PRO TEMPORE



COMMITTEES:
Vice Chairman
Natural Resources

Member
Finance
Transportation

Nevada Senate

CARSON CITY

July 25, 1996

DISTRICT OFFICE:
P.O. Box 367
Minden, Nevada 89423
(702) 782-2334

LEGISLATIVE BUILDING:
401 S. Carson Street
Carson City, Nevada 89710
Office: (702) 687-8125 or 687-5742
Fax No.: (702) 687-5962

California Senate Majority Leader
California Senate Minority Leader
California Assembly Speaker
California Assembly Minority Leader

Dear :

During recent interim periods between legislative sessions, the Nevada Legislature has appointed a committee to review and oversee the activities of the Tahoe Regional Planning Agency (TRPA). The 1995 Legislature continued this practice through adoption of Assembly Concurrent Resolution No. 4, and the current Committee has been active since October 1995.

Based on the bistate nature of concerns in the Tahoe Basin and the necessity of seeking cooperative approaches to the related policy issues, the Nevada Committee invites the leadership of the California Legislature, and other California legislators designated by their leadership, to meet personally with our Committee and Nevada's legislative leadership. We suggest that discussions center upon environmental trends, issues, and programs in the Basin, and the funding of environmental measures in the Region. Our members also propose that we arrange a tour of relevant projects to help provide a meaningful context for our discussions.

We understand the pressures of your legislative sessions and will make every effort to be available at the most convenient times within your legislative schedules. Arrangements can be coordinated through our Committee's lead staff person as follows:

Fred Welden, Chief Deputy Research Director
Nevada Legislative Counsel Bureau
Legislative Building
Carson City, NV 89710
(702/687-6825)

I would be more than pleased to personally discuss the value of such a meeting, as well as any details concerning arrangements or scheduling, if you so desire. I can be reached at my home in Minden, Nevada, at 702/782-2334.

Respectfully yours,

Lawrence E. Jacobsen, Chairman
Nevada Legislature's Committee To Continue the Review
of the TRPA

LEJ/fw:l15

SIXTY-EIGHTH LEGISLATURE

LAWRENCE E. JACOBSEN
SENATOR, WESTERN DISTRICT
(Douglas, and Part of Carson City, Lyon and Washoe)
PRESIDENT PRO TEMPORE



COMMITTEES:
Vice Chairman
Natural Resources
Member
Finance
Transportation

Nevada Senate
CARSON CITY

DISTRICT OFFICE:
P.O. Box 367
Minden, Nevada 89423
(702) 782-2334

LEGISLATIVE BUILDING:
401 S. Carson Street
Carson City, Nevada 89710
Office: (702) 687-8125 or 687-5742
Fax No.: (702) 687-5962

July 25, 1996

Senator Tim Leslie
California Legislature
State Capitol
Sacramento, California 95814

Dear Senator Leslie:

I would like to take this opportunity to thank you for offering assistance in efforts to set up a meeting between California and Nevada legislators who are interested in the situation in the Lake Tahoe Basin. Your help in speaking to the California leadership concerning participation from the two houses would be especially valuable.

Enclosed is a copy of a letter that I am sending to the majority and minority leaders in each house. Any actions that you deem appropriate in furthering the effort would be sincerely appreciated. I would be more than pleased to discuss the proposal personally if you have ideas concerning approaches that could be productive, and I look forward to seeing you in one context or another as we continue to pursue our legislative responsibilities in the Basin.

Respectfully yours,

A handwritten signature in cursive script that reads "Lawrence E. Jacobsen".

Senator Lawrence E. Jacobsen, Chairman
Nevada Legislature's Committee To Continue
the Review of the Tahoe Regional Planning
Agency

LEJ/fw:117

SIXTY-EIGHTH LEGISLATURE

APPENDIX K

SUGGESTED LEGISLATION

	<u>Page</u>
BDR R-209 Urges Tahoe Regional Planning Agency to continue to amend its ordinances to provide exceptions for certain projects	60
BDR 22-210 Revises composition and duties of Tahoe Transportation District (substantive portions of BDR only)	63
BDR R-211 Urges department of transportation to allocate money available from Intermodal Surface Transportation Efficiency Act of 1991 for certain projects in Lake Tahoe Basin	71
BDR S-212 Makes appropriation to department of transportation for North Shore Beautification and Water Quality Project	74
BDR R-213 Supports development of regional drainage system for storm water in Stateline, Nevada	77
BDR R-214 Urges Tahoe Regional Planning Agency to prepare plan to carry out master plan for extending systems and facilities for nonmotorized transportation completely around Lake Tahoe	80
BDR 43-215 Provides for issuance of special license plates for support of preservation and restoration of natural environment of Lake Tahoe Basin	83
BDR R-216 Directs Legislative Commission to appoint committee to continue review of Tahoe Regional Planning Compact	88

SUMMARY—Urges Tahoe Regional Planning Agency to continue to amend its ordinances to provide exceptions for certain projects. (BDR R-209)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: No.

_____ JOINT RESOLUTION—Urging the Tahoe Regional Planning Agency to continue to amend its ordinances to provide an exception for a project when the strict enforcement of the ordinances would create unfairness.

WHEREAS, The Tahoe Regional Planning Compact establishes the Tahoe Regional Planning Agency and specifies the powers and duties of that agency; and

WHEREAS, Subject to its authority under the Tahoe Regional Planning Compact, the Tahoe Regional Planning Agency has adopted a Code of Ordinances to effectuate its regional plan that includes standards for carrying out projects within the Lake Tahoe Basin; and

WHEREAS, Strict enforcement of the ordinances of the Tahoe Regional Planning Agency in all circumstances may create unfairness or undue hardship because the physical characteristics of the property in the Lake Tahoe Basin are diverse and unique and peculiar conditions may be associated with certain projects; and

WHEREAS, The Tahoe Regional Planning Agency has, on several occasions, amended its ordinances to provide exceptions for particular projects when the strict enforcement of the ordinances would have created undue hardship and may have prohibited the completion of these projects; and

WHEREAS, Exceptions to certain provisions in the Code of Ordinances have been adopted for projects related to historical structures and districts, the placement of land coverage in stream environment zones and shorezone facilities used by multiple owners; and

WHEREAS, The Tahoe Regional Planning Agency has drafted the exceptions to its ordinances in such a manner that the exceptions may apply to future projects which are similar to the projects for which the exceptions were made; and

WHEREAS, The Tahoe Regional Planning Agency has determined that amending its ordinances in this manner is preferable to granting variances that apply only to the projects for which they are requested; now, therefore, be it

RESOLVED BY THE _____ AND _____ OF THE STATE OF NEVADA, JOINTLY, That the Legislature of the State of Nevada hereby urges the Tahoe Regional Planning Agency to continue to amend its Code of Ordinances to provide exceptions for projects when the strict enforcement of the ordinances would create unfairness or undue hardship; and be it further

RESOLVED, That the _____ of the _____ prepare and transmit a copy of this resolution to the governing body of the Tahoe Regional Planning Agency; and be it further

RESOLVED, That this resolution becomes effective upon passage and approval.

Section 1 of BDR 22-210 proposes to amend Article IX of the Tahoe Regional Planning Compact in the following manner. These proposed amendments:

1. Become effective upon proclamation by the governor of this state of the enactment by the State of California of amendments which are substantially identical, unless the amendments proposed to the Tahoe Regional Planning Compact by chapter 22, Statutes of Nevada 1987, at page 28, have been approved by the Congress of the United States; and

2. Expire by limitation upon approval by the Congress of the United States of the amendments proposed to the Tahoe Regional Planning Compact by chapter 22, Statutes of Nevada 1987, at page 28.

ARTICLE IX. Transportation District

(a) The Tahoe transportation district is hereby established as a special purpose district. The boundaries of the district are coterminous with those of the region.

(b) The business of the district shall be managed by a board of directors consisting of:

(1) One member of the county board of supervisors of each of the counties of El Dorado and Placer;

(2) One member of the city council of the City of South Lake Tahoe;

(3) One member each of the board of county commissioners of Douglas County and of Washoe County;

(4) One member of the board of supervisors of Carson City;

(5) *One member of the South Shore Transportation Management Association, or its successor organization;*

(6) *One member of the North Shore Transportation Management Association, or its successor organization;*

(7) *One member of each local transportation district in the region that is authorized by the State of Nevada or the State of California;*

(8) *One member appointed by a majority of the other voting directors who represents a public or private transportation system operating in the region;*

(9) The director of the California Department of Transportation; and

[(6)] (10) The director of the department of transportation of the State of Nevada.

Any director may designate an alternate.

(c) *The directors of the California Department of Transportation and the department of transportation of the State of Nevada serve as nonvoting directors, but may attend the meetings of the board to provide technical and professional advice to the district.*

(d) The vote of [at least five] *a majority* of the directors must agree to take action. If [at least five] *a majority* of votes in favor of an action are not cast, an action of rejection shall be deemed to have been taken.

[(d)] (e) *The Tahoe transportation district may by resolution establish procedures for the adoption of its budgets, the appropriation of its money and the carrying on of its other financial activities. These procedures must conform insofar as is practicable to the procedures for financial administration of the State of California or the State of Nevada or one or more of the local governments in the region.*

(f) The Tahoe transportation district may in accordance with the adopted transportation plan:

(1) Own and operate a public transportation system to the exclusion of all other publicly owned transportation systems in the region.

(2) *Own and operate support facilities for public and private systems of transportation, including, but not limited to, parking lots, terminals, facilities for maintenance, devices for the collection of revenue and other related equipment.*

(3) Acquire or agree to operate upon mutually agreeable terms any public transportation system or facility [owned by a county, city or special purpose district] within the region.

[(3)] (4) Hire the employees of existing public transportation systems that are acquired by the district without loss of benefits to the employees, bargain collectively with employee organizations, and extend pension and other collateral benefits to employees.

[(4)] (5) *Contract with private companies to provide supplementary transportation or provide any of the services needed in operating a system of transportation for the region.*

(6) Fix the rates and charges for transit services provided pursuant to this subdivision.

[(5)] (7) Issue revenue bonds and other evidence of indebtedness [.

(6)] *and make other financial arrangements appropriate for developing and operating a public transportation system.*

(8) By resolution, determine and propose for adoption a tax for the purpose of obtaining services of the district. The tax proposed must be general and of uniform operation throughout the region, and may not be graduated in any way [.] , *except for a sales and use tax which, if approved by the voters, may be administered by the states of California and Nevada respectively in accordance with the laws that apply within their respective jurisdictions.* The district is prohibited from imposing *any other tax measured by gross or net receipts on business*, an ad valorem tax, [a tax measured by gross or net receipts on business,] a tax or charge that is assessed against people or vehicles as they enter or leave the region, and any tax, direct or indirect, on gaming tables and devices. Any such proposition must be submitted to the voters of the district and shall become effective upon approval of [two-thirds] *a majority* of the voters voting on the proposition. The revenues from any such tax must be used for the service for which it was imposed, and for no other purpose.

[(7)] (9) Provide service from inside the region to convenient airport, railroad and interstate bus terminals without regard to the boundaries of the region.

[(e)] (g) The legislatures of the states of California and Nevada may, by substantively identical enactments, amend this article.

Section 2 of BDR 22-210 proposes to amend Article IX of the Tahoe Regional Planning Compact in the following manner. These proposed amendments become effective upon proclamation by the governor of this state of:

1. The enactment by the State of California of amendments which are substantially identical; and
2. The approval by the Congress of the United States of the amendments proposed to the Tahoe Regional Planning Compact by chapter 22, Statutes of Nevada 1987, at page 28.

ARTICLE IX. Transportation District

(a) The Tahoe transportation district is hereby established as a special purpose district. The boundaries of the district are coterminous with those of the region.

(b) The business of the district shall be managed by a board of directors consisting of:

- (1) One member of the county board of supervisors of each of the counties of El Dorado and Placer;
- (2) One member of the city council of the City of South Lake Tahoe;
- (3) One member each of the board of county commissioners of Douglas County and of Washoe County;

- (4) One member of the board of supervisors of Carson City;
- (5) *One member of the South Shore Transportation Management Association, or its successor organization;*
- (6) *One member of the North Shore Transportation Management Association, or its successor organization;*
- (7) *One member of each local transportation district in the region that is authorized by the State of Nevada or the State of California;*
- (8) *One member appointed by a majority of the other voting directors who represents a public or private transportation system operating in the region;*
- (9) The director of the California Department of Transportation; and
- [(6)] (10) The director of the department of transportation of the State of Nevada.

Any director may designate an alternate.

(c) *The directors of the California Department of Transportation and the department of transportation of the State of Nevada serve as nonvoting directors, but may attend the meetings of the board to provide technical and professional advice to the district.*

(d) The vote of [at least five] *a majority* of the directors must agree to take action. If [at least five] *a majority of votes* in favor of an action are not cast, an action of rejection shall be deemed to have been taken.

[(d)] (e) The Tahoe transportation district may by resolution establish procedures for the adoption of its budgets, the appropriation of its money and the carrying on of its other financial activities. These procedures must conform insofar as is practicable to the procedures for financial administration of the State of California or the State of Nevada or one or more of the local governments in the region.

[(e)] (f) The Tahoe transportation district may in accordance with the adopted transportation plan:

(1) Own and operate a public transportation system to the exclusion of all other publicly owned transportation systems in the region.

(2) *Own and operate support facilities for public and private systems of transportation, including, but not limited to, parking lots, terminals, facilities for maintenance, devices for the collection of revenue and other related equipment.*

(3) Acquire or agree to operate upon mutually agreeable terms any public transportation system or facility [owned by a county, city or special purpose district or any privately owned transportation system or facility] within the region.

[(3)] (4) Hire the employees of existing public transportation systems that are acquired by the district without loss of benefits to the employees, bargain collectively with employee organizations, and extend pension and other collateral benefits to employees.

[(4)] (5) Contract with private companies to provide supplementary transportation or provide any of the services needed in operating a system of transportation for the region.

[(5)] (6) Fix the rates and charges for transit services provided pursuant to this subdivision.

[(6)] (7) Issue revenue bonds and other evidence of indebtedness and make other financial arrangements appropriate for developing and operating a public transportation system.

[(7)] (8) By resolution, determine and propose for adoption a tax for the purpose of obtaining services of the district. The tax proposed must be general and of uniform operation throughout the region, and may not be graduated in any way, except for a sales and use tax which, if approved by the voters, may be administered by the states of California and Nevada respectively in accordance with the laws that apply within their respective jurisdictions. The district is prohibited from imposing any other tax measured by gross or net receipts on business, an ad valorem tax, a tax or charge that is assessed against people or vehicles as they enter or leave the region, and any tax, direct or indirect, on gaming tables and devices. Any such proposition must be submitted to the voters of the district and shall become effective upon approval of a majority of the voters voting on the proposition. The revenues from any such tax must be used for the service for which it was imposed, and for no other purpose.

[(8)] (9) Provide service from inside the region to convenient airport, railroad and interstate bus terminals without regard to the boundaries of the region.

[(f)] (g) The legislatures of the states of California and Nevada may, by substantively identical enactments, amend this article.

SUMMARY—Urges department of transportation to allocate money available from Intermodal Surface Transportation Efficiency Act of 1991 for certain projects in Lake Tahoe Basin. (BDR R-211)

_____ CONCURRENT RESOLUTION—Urging the department of transportation to include certain projects in the Lake Tahoe Basin in its list of projects eligible to receive the money set aside for transportation enhancement activities pursuant to the Interstate Surface Transportation Efficiency Act of 1991 and urging the board of directors of the department to allocate money for those projects based upon its determination of priorities.

WHEREAS, Streets and highways occupy approximately 40 percent of the total ground covered in the Lake Tahoe Basin; and

WHEREAS, The runoff of water from streets and highways contributes to the degradation of the supply of water in the Lake Tahoe Basin; and

WHEREAS, The Federal Government passed the Intermodal Surface Transportation Efficiency Act of 1991; and

WHEREAS, The Intermodal Surface Transportation Efficiency Act of 1991 requires each state to use 10 percent of the money it receives from the federal government for surface transportation programs to finance transportation enhancement activities which include

landscaping or other scenic beautification projects and projects for the mitigation of water pollution caused by the runoff of water from streets and highways; and

WHEREAS, The Board of Directors of the Department of Transportation chooses the projects that receive the money set aside for transportation enhancement activities from a list of eligible projects submitted to the board by the department; and

WHEREAS, The completion of certain projects in the Lake Tahoe Basin that are eligible for money set aside for transportation enhancement activities would control a major portion of the runoff and erosion from streets and highways in the basin and increase the scenic beauty of the areas surrounding those streets and highways; now, therefore, be it

RESOLVED BY THE _____ OF THE STATE OF NEVADA, THE _____
CONCURRING, That the Department of Transportation is hereby urged to include the following projects on the list of projects eligible to receive the money set aside for transportation enhancement activities pursuant to the Intermodal Surface Transportation Efficiency Act of 1991:

1. The project to improve landscaping, water quality and sidewalk facilities along state highway Route No. 28 on the north shore of Lake Tahoe from the Nevada state line to Reservoir Drive, commonly referred to as the North Shore Beautification and Water Quality Project;
2. The project to control erosion and treat the runoff of water along state highway Route No. 28 from Lakeshore Boulevard to Spooner Summit, commonly referred to as the Lakeshore Boulevard to Spooner Summit Project;

3. The project to construct parking facilities along state highway Route No. 28, commonly referred to as the Alternative Parking Facilities Project;

4. The completion of the project adjacent to U.S. Highway No. 50 in Stateline, Nevada, that is designed to improve the drainage to Edgewood Creek from the Loop Road to the commercial area at the lower end of Kingsbury Grade;

5. The performance of an engineering study to determine the actions necessary to control erosion and treat the runoff of water on U.S. Highway No. 50 from Spooner Summit to Kingsbury Grade; and

6. The performance of an engineering study to determine the actions necessary to control erosion and treat the runoff of water on Kingsbury Grade; and be it further

RESOLVED, That the Board of Directors of the Department of Transportation is hereby urged to allocate to those projects, based upon its determination of priorities, such an amount of the money set aside for transportation enhancement activities pursuant to the Intermodal Surface Transportation Efficiency Act of 1991, as it deems appropriate; and be it further

RESOLVED, That the _____ of the _____ prepare and transmit a copy of this resolution to the Director and the Board of Directors of the Department of Transportation.

SUMMARY—Makes appropriation to department of transportation for North Shore Beautification and Water Quality Project. (BDR S-212)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: Contains Appropriation.

AN ACT making an appropriation to the department of transportation for carrying out the North Shore Beautification and Water Quality Project; and providing other matters properly relating thereto.

WHEREAS, Many visitors enter Nevada on state highway Route No. 28 near the north shore of Lake Tahoe; and

WHEREAS, The first sight that these visitors see are commercial buildings and signs that contrast with the natural environment of the Lake Tahoe Basin; and

WHEREAS, The runoff of water from the streets and highways in the area surrounding state highway Route No. 28 from the Nevada state line to Reservoir Drive contributes to the degradation of the supply of water in the Lake Tahoe Basin; and

WHEREAS, A group of persons interested in enhancing the aesthetics along state highway Route No. 28 from the Nevada state line to Reservoir Drive and improving the quality of water in the Lake Tahoe Basin has participated in the design of the North Shore Beautification and Water Quality Project that will:

1. Provide benches, landscaping, sidewalks, street lamps and vegetation along state highway Route No. 28 from the Nevada state line to Reservoir Drive;
2. Control erosion and treat any runoff of water from that portion of the highway; and
3. Reduce by 50 percent the amount of area covered by commercial signs and modernize the signs that remain along that portion of the highway; and

WHEREAS, The cost of the North Shore Beautification and Water Quality Project is estimated to be \$1,300,000; now, therefore,

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. 1. There is hereby appropriated from the state general fund to the department of transportation for the costs associated with carrying out the North Shore Beautification and Water Quality Project the sum of \$200,000 upon the condition that:

(a) The board of county commissioners of Washoe County appropriates not less than \$200,000 to the department of transportation for the costs of carrying out the project on or before June 30, 1999;

(b) Persons who own commercial property along state highway Route No. 28 from the Nevada state line to Reservoir Drive collectively contribute not less than \$200,000 to the department of transportation for the costs of carrying out the project on or before June 30, 1999; and

(c) The remainder of the money necessary to carry out the project is available to the department from other sources on or before June 30, 1999.

2. The state controller shall not distribute any money from the appropriation made pursuant to subsection 1 until the department of transportation demonstrates that the conditions prescribed in paragraphs (a), (b) and (c) of subsection 1 have been satisfied.

3. If the department of transportation fails to demonstrate that the conditions prescribed in paragraphs (a), (b) and (c) of subsection 1 have been satisfied on or before June 30, 1999, the money appropriated pursuant to subsection 1 reverts to the state general fund.

Sec. 2. This act becomes effective on July 1, 1997.

SUMMARY—Supports development of regional drainage system for storm water in Stateline, Nevada. (BDR R-213)

_____ CONCURRENT RESOLUTION—Commending the department of transportation, Douglas County and certain businesses for their efforts in the development of a regional drainage system for storm water in Stateline, Nevada, and urging the department to provide funding for its share of the costs of constructing, operating and maintaining the system.

WHEREAS, The Lake Tahoe Basin exhibits unique environmental and ecological conditions that are irreplaceable; and

WHEREAS, The increasing development of the Lake Tahoe Basin is threatening the quality of the water in Lake Tahoe; and

WHEREAS, The operation of systems for the collection, transportation and disposal of rainfall and other storm waters that no longer percolate into the ground because of the increased development is necessary to protect the quality and integrity of the water in Lake Tahoe; and

WHEREAS, The Department of Transportation, Douglas County and businesses owning property in Stateline, Nevada, adjacent to the northern portion of U.S. Highway 50 and the Loop Road are working toward an agreement for the construction, operation and maintenance of a regional drainage system for storm water that will serve approximately

150 acres by interconnecting and improving the individual treatment systems operated by those businesses; and

WHEREAS, If an agreement is entered into for the construction, operation and maintenance of the system, the Department of Transportation, Douglas County and the businesses participating in the construction of the system will be required to provide money for their respective shares of the costs of operating and maintaining the system after it is constructed; now, therefore, be it

RESOLVED BY THE _____ OF THE STATE OF NEVADA, THE _____
CONCURRING, That the Legislature of the State of Nevada hereby commends the Department of Transportation, Douglas County and the businesses that are working toward an agreement for the development of a regional drainage system for storm water in Stateline, Nevada, for their efforts in developing the system to protect the quality and integrity of the water in Lake Tahoe; and be it further

RESOLVED, That the Department of Transportation is hereby urged to include in the estimates of its expenditure requirements that it submits biennially to the chief of the budget department of the department of administration pursuant to NRS 353.210 the money necessary to pay the department's share of the costs for constructing, operating and maintaining the system; and be it further

RESOLVED, That the _____ of the _____ prepare and transmit a copy of this resolution to the Director of the Department of Transportation, the Board of County

Commissioners of Douglas County and the Executive Director of the Lake Tahoe Gaming Alliance.

SUMMARY—Urges Tahoe Regional Planning Agency to prepare plan to carry out master plan for extending existing systems and facilities for nonmotorized transportation completely around Lake Tahoe. (BDR R-214)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: No.

_____ JOINT RESOLUTION—Urging the Tahoe Regional Planning Agency to prepare a plan to carry out its master plan for extending the existing systems and facilities for nonmotorized transportation completely around Lake Tahoe.

WHEREAS, The Tahoe Regional Planning Compact requires the Tahoe Regional Planning Agency to develop environmental threshold carrying capacities for the Lake Tahoe Basin which are necessary to maintain the significant scenic, recreational, educational, scientific and natural values in the Lake Tahoe Basin and to maintain public health and safety within the basin; and

WHEREAS, Providing systems and facilities for nonmotorized transportation that allow bicyclists and pedestrians to travel in the Lake Tahoe Basin without a motor vehicle is consistent with the environmental threshold carrying capacities for the basin; and

WHEREAS, The Tahoe Regional Planning Agency has adopted a master plan for the extension of the existing systems and facilities for nonmotorized transportation completely around Lake Tahoe, commonly referred to as the Loop Bikeway 2000 Project; and

WHEREAS, The master plan for the project has not been fully implemented; now, therefore, be it

RESOLVED BY THE _____ AND _____ OF THE STATE OF NEVADA, JOINTLY, That the Legislature of the State of Nevada hereby urges the Tahoe Regional Planning Agency to prepare a plan to carry out its master plan for the extension of the existing facilities for nonmotorized transportation completely around Lake Tahoe; and be it further

RESOLVED, That the Tahoe Regional Planning Agency is hereby urged to:

1. Identify those state agencies, local governments and special districts of the State of Nevada that are responsible for carrying out any portion of the master plan;
2. Include in its plan a statement concerning the amount of money necessary to carry out the master plan; and
3. Include in the plan the possible sources from which the money necessary to carry out the master plan may be obtained; and be it further

RESOLVED, That the Tahoe Regional Planning Agency is hereby urged to submit the plan to all state agencies, local governments and special districts of the State of Nevada that it identifies as being responsible for the completion of any portion of the master plan and

SUMMARY—Provides for issuance of special license plates for support of preservation and restoration of natural environment of Lake Tahoe Basin. (BDR 43-215)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: Yes.

AN ACT relating to motor vehicles; providing for the issuance of special license plates for the support of the preservation and restoration of the natural environment of the Lake Tahoe Basin; imposing a fee for the issuance of those license plates to finance programs for the preservation and restoration of the natural environment of the Lake Tahoe Basin; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 482 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Except as otherwise provided in this subsection, the department, in cooperation with the division of state lands of the state department of conservation and natural resources, shall design, prepare and issue license plates for the support of the preservation and restoration of the natural environment of the Lake Tahoe Basin using any colors that

the department deems appropriate. The design of the license plates must include a depiction of Lake Tahoe and its surrounding area. The department shall not design, prepare or issue the license plates unless it receives at least 250 applications for the issuance of those plates.

2. The department may issue license plates for the support of the preservation and restoration of the natural environment of the Lake Tahoe Basin for a passenger car or light commercial vehicle upon application by a person who is entitled to license plates pursuant to NRS 482.265 and who otherwise complies with the requirements for registration and licensing pursuant to this chapter. A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with license plates for the support of the preservation and restoration of the natural environment of the Lake Tahoe Basin if that person pays the fees for the personalized prestige license plates in addition to the fees for the license plates for the support of the preservation and restoration of the natural environment of the Lake Tahoe Basin pursuant to subsections 3 and 4.

3. The fee for license plates for the support of the preservation and restoration of the natural environment of the Lake Tahoe Basin is \$35, in addition to all other applicable registration and license fees and motor vehicle privilege taxes. The license plates are renewable upon the payment of \$10.

4. In addition to all fees for the license, registration and privilege taxes, a person who requests a set of license plates for the support of the preservation and restoration of the natural environment of the Lake Tahoe Basin must pay for the initial issuance of the plates

an additional fee of \$25 and for each renewal of the plates an additional fee of \$20 to finance projects for the preservation and restoration of the natural environment of the Lake Tahoe Basin.

5. The department shall deposit the fees collected pursuant to subsection 4 with the state treasurer for credit to the account for license plates for the support of the preservation and restoration of the natural environment of the Lake Tahoe Basin created pursuant to section 3 of this act.

6. If, during a registration year, the holder of license plates issued pursuant to the provisions of this section disposes of the vehicle to which the plates are affixed, he may retain the plates and:

(a) Affix them to another vehicle that meets the requirements of this section if the transfer and registration fees are paid as set out in this chapter; or

(b) Within 30 days after removing the plates from the vehicle, return them to the department.

Sec. 2. NRS 482.270 is hereby amended to read as follows:

482.270 1. Except as otherwise provided in NRS 482.3747, 482.3775, 482.379, 482.3791, 482.3792, 482.3793, 482.3794 or 482.384, or section 1 of this act, the director shall order the preparation of motor vehicle license plates with no other colors than blue and silver. The director may substitute white in place of silver when no suitable material is available.

2. The director may determine and vary the size, shape and form and the material of which license plates are made, but each license plate must be of sufficient size to be plainly readable from a distance of 100 feet during daylight. All license plates must be treated to reflect light and to be at least 100 times brighter than conventional painted number plates. When properly mounted on an unlighted vehicle, the license plates, when viewed from a vehicle equipped with standard headlights, must be visible for a distance of not less than 1,500 feet and readable for a distance of not less than 110 feet.

3. Every license plate must have displayed upon it:

(a) The registration number, or combination of letters and numbers, assigned to the vehicle and to the owner thereof;

(b) The name of the state, which may be abbreviated;

(c) If issued for a calendar year, the year; and

(d) If issued for a registration period other than a calendar year, the month and year the registration expires.

4. The letters I and Q must not be used in the designation.

5. Except as otherwise provided in NRS 482.379, all letters and numbers must be of the same size.

Sec. 3. Chapter 321 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *The account for license plates for the support of the preservation and restoration of the natural environment of the Lake Tahoe Basin is hereby created in the state general*

fund. The administrator of the division of state lands of the state department of conservation and natural resources shall administer the account.

2. The money in the account does not lapse to the state general fund at the end of a fiscal year.

3. The money in the account must be used only for the support of programs for the preservation and restoration of the natural environment of the Lake Tahoe Basin and must not be used to replace or supplant funding available from other sources.

SUMMARY—Directs Legislative Commission to appoint committee to continue review of Tahoe Regional Planning Compact. (BDR R-216)

_____ CONCURRENT RESOLUTION—Directing the Legislative Commission to appoint a committee to continue the review of the Tahoe Regional Planning Compact, including a review of the Tahoe Regional Planning Agency and the federal and state agencies that regulate activities in the Lake Tahoe Basin.

WHEREAS, The Tahoe Regional Planning Compact provides for the maintenance of the scenic, recreational, educational, scientific, natural and public health values of the entire Lake Tahoe Basin; and

WHEREAS, The Tahoe Regional Planning Compact establishes the Tahoe Regional Planning Agency to adopt and enforce a regional plan and to provide opportunities for the orderly growth and development of the Lake Tahoe Basin; and

WHEREAS, The Legislature of the State of Nevada is vitally concerned with achieving regional goals in conserving the natural resources of the entire Lake Tahoe Basin and with the programs and activities of the Tahoe Regional Planning Agency that affect these goals; and

WHEREAS, As a necessary corollary to this vital concern and for the protection of Lake Tahoe, the Legislature of the State of Nevada is also concerned with the role and efforts of those federal and state agencies that have authority to regulate activities in the Lake Tahoe

Basin and their interactions with and effect upon the Tahoe Regional Planning Agency and the Lake Tahoe Basin; and

WHEREAS, Subcommittees of the Legislative Commission have successfully reviewed the programs and activities of the Tahoe Regional Planning Agency on previous occasions; and

WHEREAS, Assembly Concurrent Resolution No. 4 of the 68th Legislative Session directed the Legislative Commission to appoint a committee of six legislators composed of three senators and three assemblymen to continue the review of the Tahoe Regional Planning Compact and to oversee the Tahoe Regional Planning Agency; and

WHEREAS, The review and oversight of the programs and activities of the Tahoe Regional Planning Agency and the role of each federal and state agency having authority and responsibility in the Lake Tahoe Basin continue to be necessary to ensure the proper functioning of those agencies; and

WHEREAS, It is vital to remain in communication with members of the Legislature of the State of California to continue to achieve the goals set forth in the Tahoe Regional Planning Compact; now, therefore, be it

RESOLVED BY THE _____ OF THE STATE OF NEVADA, THE _____
CONCURRING, That the Legislative Commission is hereby directed to appoint a committee of six legislators composed of three senators and three assemblymen to continue the review of the Tahoe Regional Planning Compact and to oversee the Tahoe Regional Planning Agency

and each federal and state agency having authority to regulate activities in the Lake Tahoe Basin; and be it further

RESOLVED, That the committee is directed to:

1. Review the budget, programs, activities, responsiveness and accountability of the Tahoe Regional Planning Agency; and

2. Study the role and activities of each federal and state agency having authority to regulate activities in the Lake Tahoe Basin, including their role in the protection of Lake Tahoe and their interactions with and effect upon the Tahoe Regional Planning Agency and the Lake Tahoe Basin; and be it further

RESOLVED, That the committee is directed to continue to communicate with interested members of the Legislature of the State of California to achieve the goals set forth in the Tahoe Regional Planning Compact; and be it further

RESOLVED, That the _____ of the _____ prepare and transmit a copy of this resolution to each member of the California delegation to the Tahoe Regional Planning Agency, the President pro Tempore of the Senate of the State of California and the Speaker of the Assembly of the State of California.