

*Continued Review of the  
Tahoe Regional Planning Agency  
(1997-1998)*



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**CONTINUED REVIEW  
OF THE  
TAHOE REGIONAL PLANNING AGENCY (1997-1998)**

**BULLETIN NO. 99-5**

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**SUMMARY OF RECOMMENDATIONS**  
**LEGISLATIVE COMMISSION'S COMMITTEE**  
**TO CONTINUE THE REVIEW OF THE**  
**TAHOE REGIONAL PLANNING AGENCY (1997-1998)**  
**(S.C.R. 2)**

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) at its meeting of June 12, 1998. These recommendations will be forwarded to the Legislative Commission and subsequently to the 1999 Session of the Nevada Legislature, when appropriate.

**BACKGROUND INFORMATION**

In recent years, the Committee To Continue the Review of the TRPA has recommended that the emphasis in the Lake Tahoe Basin shift from *planning* per se to the *implementation* of projects and programs. The Presidential Forum in 1997 fostered this trend, and the capital improvement component of the basinwide Environmental Improvement Program (EIP) was subsequently compiled to outline the specific projects and funding needed to implement these projects as assigned to the States of Nevada and California, the Federal Government, local governments in the Basin, and the private sector.

Thus, most of the following recommendations relate to implementation of the EIP in some manner and also address revenue or funding needs.

**RECOMMENDATIONS CONCERNING IMPLEMENTATION OF THE EIP**

**Recommendations Relating to State Agencies**

1. Enact legislation containing the following major elements to provide funding for the State of Nevada's ten-year commitment to implementation of the EIP and protection of the Lake Tahoe Basin:
  - a. A preamble providing information concerning Nevada's commitment to protection of the Lake Tahoe Basin and the funding needs as outlined in the EIP;
  - b. Creation of a Fund to Protect Lake Tahoe to be administered by the Division of State Lands and through which grants would be provided to local governments and State agencies to implement projects to protect the natural environment of the Lake Tahoe Basin;

- c. A declaration that funds to implement Nevada's commitment to protection of the natural environment of the Lake Tahoe Basin are to be provided each biennium through appropriations made by the Legislature, revenue from bonds issued pursuant to this measure, or a combination of these mechanisms, and direction for the Administrator of the Division of State Lands to submit to the Legislature biennially a funding request proposing the specific method by which the State of Nevada will fulfill this commitment; and
  - d. Authorization of the State Board of Finance to issue up to \$56.4 million in general obligation bonds as necessary from time to time over the eight-year period through Fiscal Year 2006-2007 to provide grants to local governments and State agencies for the protection of the natural environment of the Lake Tahoe Basin. (BDR S-314)
- 2. Include in the final report a statement of support and transmit letters to the Senate Committee on Finance and the Assembly Committee on Ways and Means expressing support for State agency budget requests relating to ongoing programs in the Lake Tahoe Basin, such as forest health management, maintenance of highway facilities associated with environmental protection, protection of water quality, erosion control, and stream restoration.
  - 3. Include in the final report a statement of support for State agencies receiving adequate travel funding and policy support to participate in broad-based partnership efforts to facilitate implementation of the EIP.
  - 4. Urge, by resolution, relevant State agencies to use inmate and volunteer labor to the greatest extent possible in the construction and maintenance of projects and facilities in the Lake Tahoe Basin, and urge the Nevada Division of Forestry to provide the necessary crews dedicated specifically to these activities. (BDR R-315)
  - 5. Transmit letters to the Executive and Legislative agencies responsible for review of the TRPA's budget requests in Nevada and California urging these entities to establish an official mechanism to coordinate the process for review and approval of these requests, and urging appropriate staff of Nevada's Department of Administration to initiate these actions.

#### **Recommendations Specifically Related to Transportation Issues**

- 6. Urge, by resolution, relevant agencies at the federal and state government levels to support funding of projects to address parking issues along State Highway 28 in the Lake Tahoe Basin through the Scenic Byways Program in the Federal Transportation Equity Act for the Twenty-First Century (TEA 21) or other applicable sources of revenue, and specifically urge these agencies to provide assistance in obtaining funds for



projects like the joint retention basin/parking facilities proposal submitted originally by Carson City. (BDR R-316)

7. Transmit letters to the Nevada Department of Transportation and the Regional Transportation Commissions in Clark and Washoe Counties urging them to provide their expertise and technical assistance to the TRPA and other interested parties in their efforts to implement the designation of a Metropolitan Planning Organization in a timely fashion.
8. Include in the final report a statement of support for the mission of the Tahoe Transportation District (TTD) as provided in the Bistate Compact suggesting that the District:
  - a. Conduct a thorough evaluation of its programs and financial situation; and
  - b. Report its findings and recommendations to State and local entities interested in transportation issues in the Tahoe Basin, as well as the relevant committees of the Nevada and California Legislatures, if appropriate.

#### **Possible Sources of Funding for Broad-Based Environmental Efforts**

9. Include in the final report a statement of support for the goals of the “Alternative Revenue Sources Study” being conducted by a consultant for the TRPA recommending that:
  - a. The results of the study to be reported to the Governors and appropriate legislative committees in Nevada and California; and
  - b. These entities give serious consideration to the preferred package of alternatives for funding the implementation of environmental projects in the Lake Tahoe Basin.

#### **RECOMMENDATIONS CONCERNING THE FUTURE OF THE LEGISLATIVE COMMISSION’S COMMITTEE TO CONTINUE THE REVIEW OF THE TRPA**

10. Continue, by resolution, the existence of the Committee (during the interim after the 1999 Legislative Session) in a similar manner as prescribed in Senate Concurrent Resolution No. 2 (File No. 15, *Statutes of Nevada 1997*). (BDR R-317)
11. Request funds from the Legislative Commission to support a trip by the Committee to Sacramento, California, in order to discuss with legislators from that state issues and programs of mutual interest, including the Nevada Committee’s adopted recommendations.



**REPORT TO THE 70<sup>TH</sup> SESSION OF THE NEVADA LEGISLATURE  
BY THE LEGISLATIVE COMMISSION'S COMMITTEE  
TO CONTINUE THE REVIEW OF THE TRPA (1997-1998)**

**I. INTRODUCTION**

The 1997 Nevada Legislature adopted Senate Concurrent Resolution No. 2 (File No. 15, *Statutes of Nevada 1997*) which directed the Legislative Commission to appoint a Committee to continue the review of the Tahoe Regional Planning Compact and provide oversight of the Tahoe Regional Planning Agency (TRPA). The resolution further directed the Committee to review the programs of federal and State agencies having authority to regulate activities in the Lake Tahoe Basin. A copy of S.C.R. 2 is included in Appendix A.

The Legislative Commission appointed the following six members to the Committee:

Assemblyman Brian E. Sandoval, Chair\*  
Senator Lawrence E. Jacobsen  
Senator Mark A. James  
Senator Michael A. Schneider  
Assemblywoman Marcia de Braga  
Assemblywoman Vivian L. Freeman

\* Served until his resignation from the Legislature to accept an appointment to the Nevada Gaming Commission.

Staff services from the Legislative Counsel Bureau (LCB) were provided by Fred W. Welden, Chief Deputy Research Director; Eileen G. O'Grady, Principal Deputy Legislative Counsel; M. Scott McKenna, Deputy Legislative Counsel; and Susan Furlong Reil, Research Secretary.

The Committee held four hearings in the Basin. In addition, the members participated in a relatively extensive, on-the-ground review of projects and issues in the Nevada portion of the 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 adopted 11 recommendations relating primarily to implementation of the capital improvements component of the basinwide Environmental Improvement Program (EIP). This element of the EIP outlines projects needed in the Basin and funding necessary to implement these activities. The projects are also categorized as being the responsibilities of the States of Nevada and California, the Federal Government, local governments in the Basin, or the private sector.

## **II. REFERENCES TO REPORTS OF PREVIOUS OVERSIGHT COMMITTEES**

Legislative committees to oversee activities associated with the Tahoe Regional Planning Compact and the TRPA have been established during every interim between legislative sessions except one since 1985. The reports of these committees contain a broad range of background information and recommendations, and they may be referenced as follows:

- Legislative Counsel Bureau (LCB) 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;
- LCB Bulletin No. 95-10, *Continued Review of the Tahoe Regional Planning Agency*, September 1994; and
- LCB Bulletin No. 97-8, *Continued Review of the Tahoe Regional Planning Agency*, January 1997.

Copies of these bulletins are available through the LCB Publications Office at 775/687-6835.

## **III. THE LAKE TAHOE PRESIDENTIAL FORUM**

Much of the Committee's discussion during the 1997-1998 interim was related in some manner to the Lake Tahoe Presidential Forum (and related workshops) held in July 1997.

### **History and Organization of the Presidential Forum**

The value of holding some type of federal summit at Lake Tahoe had become apparent to many people working on environmental and planning matters in the Basin. Members of the Lake Tahoe Transportation and Water Quality Coalition, the TRPA, and other interested parties expressed concerns about fading knowledge of Lake Tahoe issues in the United States Congress, declining appropriations in several areas, and a general lack of coordination among the federal agencies in the Basin.

In order to obtain the public notice that such a summit would need, it was determined that a Presidential Forum would provide the most ideal vehicle. A 13-member Tahoe Basin Steering Committee was formed to work with the relevant federal officials and the local participants. Two community hearings were held to gather public input. The Steering Committee

developed an agenda focusing on three key issues facing the Lake Tahoe Basin (water quality, forest health, and transportation). A series of workshops led up to the actual forum, as follows:

- A water quality workshop held on June 18, 1997, at the Tallac site on the south shore of Lake Tahoe.
- A forest health workshop held on June 30, 1997, at the Hyatt Regency Lake Tahoe Resort and Casino at Lake Tahoe.
- A transportation workshop conducted on July 19, 1997, at the University of Nevada, Reno.
- A culminating workshop held on July 25, 1997, at the U.S. Forest Service Visitor Center in South Lake Tahoe, California, attended by Vice President Albert (Al) Gore, Jr.

The Presidential Forum took place on July 26, 1997, and a panel reported on the results of the issue workshops. At that time, the President issued an Executive Order designed to ensure increased coordination and cooperative efforts in planning and implementing environmental measures in the Basin.

### **Agreements and Documents Resulting from the Presidential Forum**

Several additional agreements and documents join the Executive Order as substantial products of the Presidential Forum. Including the Executive Order, the most substantive are:

- “A Memorandum of Understanding Between the State of California and the State of Nevada” was executed on July 22, 1997, by California Governor Pete Wilson and Nevada Governor Bob Miller, reaffirming the States’ commitment to the Bistate Compact and specifically to active involvement with their federal partners;
- A “Statement of Legislative Leadership of the States of California and Nevada on the Occasion of the Presidential Visit to Lake Tahoe” was signed on July 7, 1997, reaffirming the two legislatures’ commitment to the Bistate Compact, pledging support for increased communication and cooperation between the legislatures in activities relating to the TRPA, and assuring that the two legislatures will continue their efforts to secure the financial resources necessary to achieve the objectives of the Bistate Compact;
- An Executive Order dated July 26, 1997, was signed by President William J. Clinton. Key provisions of the order included the following:
  1. A directive to the federal agencies and departments having principal management or jurisdictional authorities in the Lake Tahoe Region to establish a Federal Interagency Partnership on the Lake Tahoe Ecosystem (Partnership) in order to facilitate coordination

of federal programs, projects, and activities within the Lake Tahoe Region and promote consistent policies and strategies to address the region's environmental and economic concerns;

2. A directive to the Partnership to ensure that federal agencies closely coordinate with the States of California and Nevada and appropriate tribal and local government entities to facilitate the achievement of environmental threshold standards for the Lake Tahoe Basin; and
  3. A further directive that the Partnership negotiate a memorandum of agreement with the States of California and Nevada, the Washoe Tribal Government, the TRPA, and other interested local governments and parties to assure cooperative efforts in planning and implementing environmental protection measures for the Lake Tahoe Basin.
- An "Agreement of Federal Departments and Agencies on Protection of the Environmental and Economic Health of the Lake Tahoe Basin" expressed commitment to cooperative efforts to enhance the environmental and economic health of the Basin and established a Federal Interagency Partnership on the Lake Tahoe Ecosystem and a Tahoe Basin Executive Committee to achieve the specified goals. Signatory officials included the Secretary of Agriculture, the Secretary of the Interior, the Secretary of Transportation, the Administrator of the Environmental Protection Agency, and the Assistant Secretary of the Army for Civil Works.
  - "A Memorandum of Agreement Between the Federal Interagency Partnership on the Lake Tahoe Ecosystem, the States of California and Nevada, the Washoe Tribe of Nevada and California, and the Tahoe Regional Planning Agency" incorporated the following elements:
    1. The signatories affirm their commitment to the Tahoe Regional Planning Compact, and to the sound management and protection of the Lake Tahoe Basin's natural resources and the support of a healthy, sustainable economy through their respective programs and policies;
    2. The signatories express their commitment to the achievement and maintenance of environmental thresholds, cultural and historical values, and economic health for Lake Tahoe and to the adoption and implementation of an appropriate Environmental Improvement Program;
    3. The signatories agree to cooperate with each other to pursue implementation, including funding, of an appropriate Environmental Improvement Program; and

4. The signatories affirm their commitment to continuing and expanding the participation of public-private partnerships and consensus-building groups in planning and implementing environmental protection measures for Lake Tahoe, including, but not limited to, the adoption, maintenance, funding, and implementation of an appropriate Environmental Improvement Program.

Appendix B contains copies of the agreements and documents discussed in this section of the report.

### **Environmental Improvement Program**

Discussed as a major aspect of implementing the agreements reached through the Presidential Forum, the EIP is an integrated procedure for identifying the projects, continuing programs, and studies necessary to achieve environmental goals in the Lake Tahoe Basin. Of special interest during the Legislative Committee's deliberations was the capital improvements element of the EIP. This component of the EIP outlines the projects and funding needed to address the environmental thresholds established for the Basin. Furthermore, it specifically categorizes the projects as being within the responsibilities of the Federal Government, the State of California, the State of Nevada, local governments in the Basin, or the private sector.

Table 1 summarizes the funding needs for projects (categorized by environmental thresholds) over the next ten years by participating entity. As noted, the total funding for projects basinwide is \$908 million, while the allocation for projects of the State of Nevada is \$82 million. Table 2 highlights the apportionment of these projects among Nevada's Division of State Lands, the Department of Transportation, and the Division of State Parks.

TABLE 1

FUNDING NEEDS FOR CAPITAL PROJECTS — ALL ENTITIES (1997-2006)

(Dollars in Millions)

Threshold	Private Sector	Local Government	State of California	State of Nevada	Federal Government	Total
Water Quality	\$75.0	\$41.0	\$88.0	\$30.4	\$116.2	\$350.6
Soil Conservation	1.2	11.2	74.2	12.9	93.2	192.7
Air Quality	28.1	22.0	41.8	19.5	17.7	129.1
Vegetation	6.0	0	7.2	5.6	23.8	42.6
Wildlife	0	1.3	3.6	1.2	11.1	17.2
Fisheries	9.9	9.2	20.4	5.9	20.4	65.8
Recreation	10.8	9.8	35.2	4.2	10.1	70.1
Scenic	21.7	6.5	4.7	2.3	4.7	39.9
Total	\$152.7	\$101.0	\$275.1	\$82.0	\$297.2	\$908.0

Source: EIP, Tahoe Regional Planning Agency

TABLE 2

FUNDING NEEDS — STATE OF NEVADA BY AGENCY (1997-2006)

(Dollars in Millions)

Threshold	Division of State Lands	Department of Transportation	Division of State Parks	Total
Water Quality	\$18.5	\$11.6	\$0.3	\$30.4
Soil Conservation	12.8	0	0.1	12.9
Air Quality	1.8	16.8	0.9	19.5
Vegetation	0.1	0	5.5	5.6
Wildlife	0	0	1.2	1.2
Fisheries	5.9	0	0	5.9
Recreation	0	0	4.2	4.2
Scenic	0	2.3	0	2.3
Total	\$39.1	\$30.7	\$12.2	\$82.0

Source: EIP, Tahoe Regional Planning Agency



Testimony indicated that the State of Nevada currently has approximately \$25.6 million allocated toward its portion of the EIP projects. Thus, a total of \$56.4 million will be needed over the next eight years. The Committee voted to support a recommendation that the necessary additional funding be provided each biennium through legislative appropriations, revenue from bonds, or a combination of these mechanisms. In supporting proposed legislation authorizing issuance of \$56.4 million in bonds over the ten-year period, the Committee also recommended that the Administrator of the Division of State Lands be directed to submit to the Legislature biennially a funding request proposing the specific method of financing to fulfill the State's commitment.

In addition, the Committee voted to express its support for the goals of an "Alternative Revenue Sources Study" designed primarily to identify viable sources of funding at the local levels. The TRPA, through its EIP Implementation Committee, is also compiling a coordinated finance plan outlining the projected sources of revenue for all of the participating entities.

#### **IV. UPDATE — STRUCTURE AND PROGRAMS OF THE TRPA**

The history of the Bistate Compact and the TRPA is outlined in previous Committee bulletins as referenced in Section II of this document. The goal of the present report is to provide an update on the Agency's major activities during the past two to three years.

##### **TRPA Structure**

The Agency restructured its staff during the biennium to enable it to more fully focus on the Environmental Improvement Program. The 47-member staff is organized in eight basic units as described in the organizational chart included as Appendix C.

##### **Update on Selected Activities and Programs**

In addition to more traditional ongoing programs such as long-range planning and project review, the following Agency activities were updated for the Committee:

##### *Evaluation of Thresholds*

The TRPA developed environmental thresholds for the Basin in the early 1980s and incorporated these standards into the Regional Plan. The degrees to which these thresholds are attained is an indicator of the Agency's success in achieving its objectives.

The Agency is required to evaluate progress in attaining the thresholds at least every five years. The most recent evaluation is entitled "1996 Evaluation — Environmental Threshold Carrying Capacities and the Regional Plan Package." The 27-page Executive Summary is incorporated in the current report as Appendix D.

Air and water quality thresholds, however, have been measured on a much more frequent basis, referred to as “real time monitoring.” In 1997, the States of California and Nevada provided funding to institute “real time monitoring” for other thresholds. Furthermore (as recommended in the 1996 Evaluation), Nevada’s Interim Finance Committee approved in the fall of 1998 the sum of \$83,333 for additional EIP threshold studies.

#### *“Alternative Revenue Sources Study”*

In the 1970s, an initial analysis of alternative sources of revenue for environmental efforts in the Lake Tahoe Basin (known as the “McDonald & Smart Report”) was compiled. Testimony has consistently indicated that an updating and expansion of this project is needed, especially as related to local sources of revenue within the Basin.

Utilizing funds provided by the State of California and local entities, the TRPA contracted with Arthur Bower and Associates to compile an updated “Alternative Revenue Sources Study.” Informational gathering phases of the study were initiated during the time of the Legislative Committee’s deliberations.

#### *Streamlining*

During each of the past three bienniums, the Legislative Committee has adopted recommendations urging the TRPA to continue streamlining its regulatory programs. Testimony indicated that, during the past biennium, the Agency has undertaken the following actions in this regard:

- Creating the position of Hearings Officer as an intermediate level in the regulatory process to speed approval of proposed projects.
- Establishing a Local Assistance Unit within the TRPA’s Project Review Division to provide education, guidance, and support to local entities participating in the Agency’s Memorandum of Understanding (MOU) program.
- Negotiating expanded terms of activity in MOUs to increase local regulatory responsibility. (Participants with the TRPA in MOUs include the City of South Lake Tahoe, California; El Dorado County, California; Washoe County, Nevada; California’s Lahontan Regional Water Quality Control Board; the California Tahoe Conservancy; the U.S. Department of Agriculture; and the U.S. Forest Service. Of note, Douglas County, Nevada, is not a participant in the MOU process.)
- Entering into a contract with the Sedway Consulting firm to gather background information and compile an action plan designed to allow all of the participating entities to function under a consistent set of regulations.

### *Water Quality Model*

The Tahoe Research Group has been awarded an \$880,000 contract to create a water quality model for the Lake Tahoe Basin. Initial work on the model has been completed, and the Group is now able to more accurately pinpoint the sources of runoff, discharge points, the effect of runoff relative to the streams, and the ultimate impact of these types of factors on the nutrient level of the Lake.

### *Formation of a Metropolitan Planning Organization*

As one of its recommendations during the 1993-1995 biennium, the Legislative Committee expressed support for designation of a Metropolitan Planning Organization (MPO) in the Lake Tahoe Basin to facilitate acquisition of funding for the provision of public transportation systems and other types of transportation projects. The 1995 Session of the Nevada Legislature also provided its support through adoption of Assembly Joint Resolution No. 10 (File No. 38, *Statutes of Nevada 1995*).

As part of enacting the Transportation Equity Act for the Twenty-First Century (TEA 21) (*Public Law 105-178*), Congress approved a provision authorizing formation of an MPO in the Basin. Advocates of this proposal are working toward such a designation.

## **V. DISCUSSION OF RECOMMENDATIONS**

As previously highlighted, the Committee To Continue the Review of the TRPA (1997-1998) approved a total of 11 recommendations. Four of these provisions call for additional legislative action during the 1999 Legislative Session. (Appendix I contains copies of the Bill Draft Requests developed to address these four recommendations.)

### **Relationship of Recommendations to Environmental Improvement Program**

In recent years, the Legislative Committee has recommended that the emphasis of the TRPA shift from *planning* per se to the *implementation* of projects and programs. The Lake Tahoe Presidential Forum in 1997 fostered this trend, and the capital improvement component of the basinwide Environmental Improvement Program (EIP) was subsequently compiled to outline the specific projects needed to address environmental thresholds established for the Basin. This element of the EIP also identifies funding needed to implement the projects and categorizes them as being within the responsibility of the Federal Government, the State of Nevada, the State of California, local governments in the Basin, or the private sector.

## **Funding for the Nevada Portion of the EIP**

As previously discussed, the capital improvements element of the EIP identifies \$908 million in projects needed basinwide over a ten-year period (1997-2006). Nevada's portion of this figure totals \$82 million as allocated among the Division of State Lands, the Department of Transportation, and the Division of State Parks (see Tables 1 and 2).

Testimony before the Committee indicated that Nevada currently has \$25.6 million designated for implementation of its portion of the EIP. Thus, an additional \$56.4 million will be needed over the next eight years. The Committee agreed with recommendations that the necessary additional funding should be provided each biennium through legislative appropriations, revenue from bonds, or a combination of these mechanisms. Likewise, the Committee supported the suggestion that the Administrator of the Division of State Lands be directed to submit to the Legislature biennially a funding request proposing the specific method for financing the State's portion of the projects in the EIP.

Thus, the Committee approved the following recommendation which outlines the funding options and authorizes issuance of general obligation bonds as necessary over the next eight years to finance the State's portion of the EIP:

- *Enact legislation containing the following major elements to provide funding for the State of Nevada's ten-year commitment to implementation of the EIP and protection of the Lake Tahoe Basin:*
  - a. *A preamble providing information concerning Nevada's commitment to protection of the Lake Tahoe Basin and the funding needs as outlined in the EIP;*
  - b. *Creation of a Fund to Protect Lake Tahoe to be administered by the Division of State Lands and through which grants would be provided to local governments and State agencies to implement projects to protect the natural environment of the Lake Tahoe Basin;*
  - c. *A declaration that funds to implement Nevada's commitment to protection of the natural environment of the Lake Tahoe Basin are to be provided each biennium through appropriations made by the Legislature, revenue from bonds issued pursuant to this measure, or a combination of these mechanisms, and direction for the Administrator of the Division of State Lands to submit to the Legislature biennially a funding request proposing the specific method by which the State of Nevada will fulfill this commitment; and*
  - d. *Authorization of the State Board of Finance to issue up to \$56.4 million in general obligation bonds as necessary from time to time over the eight-year period through Fiscal Year 2006-2007 to provide grants to local governments and State agencies*

*for the protection of the natural environment of the Lake Tahoe Basin.*  
(BDR S-314)

### **State Agency Budget Requests for Ongoing Programs**

In addition to projects outlined in the State's \$82 million portion of the EIP, State agencies presently administer several ongoing programs in the Lake Tahoe Basin. Among these are activities addressing forest health, maintenance of highway facilities relating to environmental protection, water quality protection, erosion control, and stream restoration.

The Committee recognized the importance of these ongoing programs and adopted the following recommendation:

- *Include in the final report a statement of support and transmit letters to the Senate Committee on Finance and the Assembly Committee on Ways and Means expressing support for state agency budget requests relating to ongoing programs in the Lake Tahoe Basin, such as forest health management, maintenance of highway facilities associated with environmental protection, protection of water quality, erosion control, and stream restoration.*

A copy of the letter sent to the two legislative committees is contained in Appendix E.

### **Participation of State Agencies in Partnership Efforts**

As products of the Lake Tahoe Presidential Forum, several agreements address partnership efforts in which Nevada State agencies participate. Specifically, the "Memorandum of Understanding Between the State of California and the State of Nevada" executed on July 22, 1997, the Executive Order signed by the President on July 26, 1997, and the "Memorandum of Agreement Between the Federal Interagency Partnership on the Lake Tahoe Ecosystem, the States of California and Nevada, the Washoe Tribe of Nevada and California, and the Tahoe Regional Planning Agency" contain provisions relating to cooperative efforts and partnerships including Nevada State agencies.

Based on these documents and testimony during hearings, the Committee approved the following recommendation:

- *Include in the final report a statement of support for State agencies receiving adequate travel funding and policy support to participate in broad-based partnership efforts to facilitate implementation of the EIP.*

### **Use of Inmate and Volunteer Labor by State Agencies**

The use of inmate and volunteer labor by State agencies was discussed in some depth by the Committee. The topic is of special relevance to analyses of mechanisms to efficiently fund additional projects and the maintenance of existing improvements in the Basin.

Inmate crews, traditionally provided through the Conservation Camp Program administered by Nevada's Division of Forestry (NDF), have been active in the State since the initial camp was created 40 years ago at Spooner Lake in the Tahoe Basin. In the late 1970s, the Legislature approved a major expansion of inmate camps, and there are presently ten such camps statewide. The Conservation Camp Program is the product of a contractual agreement between NDF and the Department of Prisons through which NDF employs prison labor to carry out conservation work and the Department of Prisons utilizes the bed space afforded by the Camp at a cost which is lower than that of a prison cell.

Inmate crews have been used by the Divisions of State Lands and State Parks primarily for the purpose of reducing fuels such as trees and brush on State-owned property in the Basin. Nevada's Department of Transportation (NDOT) has also used inmate crews primarily for maintenance activities that do not require skilled labor. According to representatives of the Department, however, inmates may not operate equipment or provide labor on projects for which NDOT has hired a private contractor. Likewise, inmate employment must not be favored over the private sector and may only have an insignificant impact on private labor. Even within these constraints, testimony before the Committee strongly supported increased employment of inmate labor under appropriate circumstances.

In a similar manner, though to a lesser degree, volunteer labor has been used for projects within the Basin. Volunteers have been used in fuels reduction projects, the stenciling of certain storm drains to indicate that they empty directly into the Lake, and the construction of wooden pathways at Lake Tahoe Nevada State Park.

Some conflicts have arisen, however. Because the primary responsibility of most Conservation Camp crews is to assist in firefighting efforts, they are often required to leave a conservation project prior to its completion. In addition to this occurrence causing delays in some existing projects, the potential for crews to be called from a conservation job has "dampened" the enthusiasm of some agencies to request the employment of these crews, especially for cooperative projects with other public or private entities that are restricted to a specific time frame.

The Committee concluded that increased employment of inmate and volunteer labor offers a significant opportunity to positively impact the implementation and maintenance of necessary projects in the Basin. Thus, the following recommendation was approved:

- *Urge, by resolution, relevant State agencies to use inmate and volunteer labor to the greatest extent possible in the construction and maintenance of projects and facilities in the Lake Tahoe Basin, and urge the Nevada Division of Forestry to provide the necessary crews dedicated specifically to these activities. (BDR R-315)*

## **Coordination of the Review of TRPA Budget Requests**

Because of the bistate nature of the TRPA, procedures for review and approval of Agency budget requests are complicated. Several Executive and Legislative agencies and committees are involved in analyses of requests for state funding from Nevada and California. As the Agency's emphasis shifts from planning per se to implementation of projects to preserve and enhance the environment of the Basin, it will be necessary for the TRPA to broaden its perspectives while maintaining its traditional roles. Thus, coordination of the analyses of funding needs will become even more crucial in the future.

For these reasons, the Committee adopted the following recommendation:

- *Transmit letters to the Executive and Legislative agencies responsible for review of the TRPA's budget requests in Nevada and California urging these entities to establish an official mechanism to coordinate the process for review and approval of these requests, and urging appropriate staff of Nevada's Department of Administration to initiate these actions.*

A copy of the letter sent to the respective Executive and Legislative agencies is contained in Appendix F.

## **Projects To Address Parking Issues Along Nevada State Highway 28**

Nevada State Highway 28 runs along the eastern shore of Lake Tahoe for several miles. This highway along with the portion of U.S. Highway 50 from its intersection with Highway 28 south to the state line has been designated as the Eastshore Drive National Scenic Byway (one of only 20 federally designated scenic byways in 1996 when the designation was made).

In addition to offering spectacular views of the Lake, the highway provides the only nearby vehicular access to many public beaches such as Hidden Beach, Chimney Beach, Secret Cove, and Whale Beach. However, parking on the shoulder of the highway has created significant safety, erosion, and scenic problems. To address these issues, a cooperative effort of the Tahoe East Area Management group (TEAM Tahoe), the Nevada Department of Transportation, the U.S. Forest Service, the TRPA, and the Tahoe Area Naturists (TAN) has developed a proposed project, and Carson City has agreed to act as the primary sponsoring agent in an application for National Scenic Byway Grant funds to implement the proposal. The application is consistent with the recommendations from existing management studies for the area and calls for the planning, design, and construction of off-highway parking facilities along the highway. Each parking area, where possible, is being designed as a dual purpose retention basin/parking facility.

Testimony indicated that the proposal has received positive review, but additional environmental documentation is needed. To lend additional support to the cooperative effort, the Committee voted to approve the following recommendation:

- *Urge, by resolution, relevant agencies at the federal and state government levels to support funding of projects to address parking issues along State Highway 28 in the Lake Tahoe Basin through the Scenic Byways Program in the Federal Transportation Equity Act for the Twenty-First Century (TEA 21) or other applicable sources of revenue, and specifically urge these agencies to provide assistance in obtaining funds for projects like the joint retention basin/parking facilities proposal submitted originally by Carson City. (BDR R-316)*

### **Designation of a Metropolitan Planning Organization**

In 1993 and 1995, the Legislative Committee recommended expressing support for designation of a Metropolitan Planning Organization in the Lake Tahoe Basin, and the Nevada Legislature subsequently adopted the applicable resolutions to implement these recommendations. Such a designation can be a significant factor in obtaining certain Federal transit and surface transportation funds.

Enactment in 1998 of the Federal Transportation Equity Act for the Twenty-First Century (TEA 21) authorized formation of a Metropolitan Planning Organization for the Basin. Testimony indicated that a considerable amount of dedicated effort had been invested in getting this provision incorporated in the Federal act. Additional cooperative effort, however, is needed to actually implement the designation in a timely manner.

Thus, the Committee adopted the following recommendation:

- *Transmit letters to the Nevada Department of Transportation and the Regional Transportation Commissions in Clark and Washoe Counties urging them to provide their expertise and technical assistance to the TRPA and other interested parties in their efforts to implement the designation of a Metropolitan Planning Organization in a timely fashion.*

Appendix G includes a copy of the letter transmitted in response to this recommendation.

### **Recommendation Concerning the Tahoe Transportation District**

The Committee received a considerable amount of testimony about the programs and financial situation of the Tahoe Transportation District (TTD). The District operates pursuant to Article IX of the Bistate Tahoe Regional Planning Compact which was amended in 1997 to provide a structure which can emphasize more public-private cooperative activities in the Basin.

The District's basic mission and several TTD programs received positive comments during Committee hearings, but the District's overall direction and its financial situation were the subject of many questions. To address these concerns, the Committee adopted the following recommendation:



- *Include in the final report a statement of support for the mission of the Tahoe Transportation District (TTD) as provided in the Bistate Compact suggesting that the District:*
  - a. *Conduct a thorough evaluation of its programs and financial situation; and*
  - b. *Report its findings and recommendations to state and local entities interested in transportation issues in the Tahoe Basin, as well as the relevant committees of the Nevada and California Legislatures, if appropriate.*

### **Possible Sources of Funding for Broad-Based Environmental Efforts**

As discussed on page 8 of this document, a consultant has been retained to compile an “Alternative Revenue Sources Study” for the Lake Tahoe Basin. The “Request for Proposal” for the study states that the primary purpose of the consultant is to prepare a new report which identifies and evaluates all potential regional revenue sources and describes feasible and equitable financing strategies to fund the EIP and long-term maintenance and operations of the program. The consultant will prepare, at a minimum, alternatives generating between \$10 million and \$30 million per year with long-term feasibility. This range is an estimate of the local Region’s share of the annual capital, operating, and maintenance costs associated with attaining established thresholds.

Based on an understanding of the objectives of the study, the Committee approved the following recommendation:

- *Include in the final report a statement of support for the goals of the “Alternative Revenue Sources Study” being conducted by a consultant for the TRPA recommending that:*
  - a. *The results of the study to be reported to the Governors and appropriate legislative committees in Nevada and California; and*
  - b. *These entities give serious consideration to the preferred package of alternatives for funding the implementation of environmental projects in the Lake Tahoe Basin.*

A copy of the “Request for Proposal” is included as Appendix H.

### **Future of Legislative Committee**

As outlined on page 2 of this document, Legislative Committees to review the activities of the TRPA have been established during every interim except one since 1985. Testimony during the current Committee’s hearings again expressed support for continuation of its activities during the 1999-2001 biennium. 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 of the Committee (during the interim after the 1999 Legislative Session) in a similar manner as prescribed in Senate Concurrent Resolution No. 2 (File No. 15, Statutes of Nevada 1997). (BDR R-317)*

As has been the case on previous occasions, the current Committee made several attempts to initiate more extensive communications with counterparts in the California Legislature. For various reasons, primarily timing problems, these efforts were unsuccessful during the period when the Committee was holding its public hearings. Thus, the Committee adopted the following recommendation:

- *Request funds from the Legislative Commission to support a trip by the Committee to Sacramento, California, in order to discuss with legislators from that state issues and programs of mutual interest, including the Nevada Committee's adopted recommendations.*

At its meeting of June 26, 1998, the Legislative Commission approved a maximum of \$3,500 from the Legislative Fund to support the proposed trip to Sacramento. The Committee outlined its objective of scheduling individual meetings with relevant California legislators and representatives of the California Executive Branch to discuss issues and programs of mutual interest, including the Committee's adopted recommendations.

However, almost all of the members of the Nevada Committee were unavailable for a meeting until September of 1998. Conversely, the California Legislature was in session only through August, and the most intensive campaign period in both states extended through September and October. In addition, California State Senator Tim Leslie (who represents the California portion of the Basin and has been the Committee's primary contact) was running for Lieutenant Governor and indicated that he would be unavailable until after the first of the year. He did, however, offer to coordinate the desired meetings during 1999.

## **VI. ACKNOWLEDGMENTS AND CONCLUDING COMMENTS**

The participation of many people and organizations has been crucial to the success of the Committee's activities during the 1997-1998 biennium. Input and assistance from the TRPA staff and representatives of groups having special interest in the future of the Lake Tahoe Basin deserve special notice. The Committee's appreciation is also extended to Incline High School, the Lakeside Inn and Casino, the Incline Village General Improvement District, and the

Hyatt Regency Lake Tahoe Resort and Casino who provided meeting rooms and valuable technical assistance.

Copies of minutes from hearings and background materials are available through the Legislative Counsel Bureau's Research Library (775/687-6827). As mentioned earlier, copies of the final reports from previous Legislative Committees may be obtained through the Bureau's Publications Office at 775/687-6835 (see page 2 for a listing of these documents).



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APPENDIX A

SENATE CONCURRENT RESOLUTION NO. 2  
(FILE NO. 15, *STATUTES OF NEVADA 1997*)





FILE NUMBER 15

**SENATE 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 SENATE OF THE STATE OF NEVADA, THE ASSEMBLY 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 communicate with 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 no action may be taken by the study committee on recommended legislation unless it receives a majority vote of the Senators on the committee and a majority vote of the Assemblymen on the committee; and be it further

RESOLVED, That the Legislative Commission shall submit a report of its findings and any recommendations for legislation to the 70th session of the Nevada Legislature; and be it further Resolved, That the Secretary of the Senate 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.

## APPENDIX B

### AGREEMENTS AND DOCUMENTS RESULTING FROM THE PRESIDENTIAL FORUM



**A MEMORANDUM OF UNDERSTANDING  
BETWEEN THE  
STATE OF CALIFORNIA  
AND THE  
STATE OF NEVADA**

**WHEREAS**, the Lake Tahoe basin is one of the world's extraordinary natural features and is an ecological, biological, and aesthetic resource of great significance to the people of California, Nevada, and the United States;

**WHEREAS**, the natural and recreational attributes of Lake Tahoe are the foundation of the regional economy, and future prosperity is dependent upon the sustainable development of the Lake Tahoe basin and on continued progress in achieving a careful balance between conservation and economic goals;

**WHEREAS**, there exists among the citizens of the Lake Tahoe basin in both California and Nevada a unique and strong consensus on the need to aggressively and effectively manage and protect the natural assets of the Lake Tahoe basin; the partnership of public and private interests includes the environmental community, the local business community, and the recreation and gaming industries; and this partnership is exemplified by the Lake Tahoe Transportation and Water Quality Coalition;

**WHEREAS**, the States of California and Nevada since 1969 have been parties to a bi-state compact that pursues joint efforts to protect the quality and the clarity of Lake Tahoe's waters, control soil erosion, protect the forests of the basin, ensure the Lake's scenic beauty, provide recreational opportunities and public access to the Lake, restore streams and watersheds, improve transportation, and generally enhance the rich biodiversity of the region;

**WHEREAS**, the people of California and Nevada have provided more than \$200 million to protect and manage the natural resources of the Lake Tahoe basin since the bi-state compact was created in 1969, including the approval of \$10 million and \$20 million by the voters of California and Nevada, respectively, in 1996 alone;

**WHEREAS**, the States of California and Nevada, in close cooperation with the people and agencies of the Lake Tahoe basin and the native peoples of the region, have supported effective and innovative efforts at protection and management of the natural resources of Lake Tahoe through the work of many agencies of both States, local governments, and the United States;

**WHEREAS**, the Tahoe Regional Planning Agency has adopted nine thresholds for environmental quality, lake restoration and protection, and the carrying capacity of the Lake Tahoe basin; the thresholds are water quality, air quality, soil conservation, vegetation, fisheries, wildlife, scenic resources and community design, recreation, and noise; and the Agency has compiled a database of existing programs and projects designed to attain and maintain the thresholds;

**WHEREAS**, based on the thresholds and the database, the Tahoe Regional Planning Agency has proposed an Environmental Improvement Program for the long-term protection and management of the region's natural resources and economy;

**WHEREAS**, a renewed commitment to the bi-state compact between California and Nevada, the continuation of existing State and local programs, and pursuing the objectives of the Environmental Improvement Program remain the greatest opportunities for achieving both the long-term well-being of the natural resources and the economic growth of the Lake Tahoe basin;

**BE IT THEREFORE RESOLVED,**

**THAT**, the States of California and Nevada reaffirm their commitment to the bi-state compact, and to the sound management and protection of the Lake Tahoe basin's natural resources and the support of a healthy, sustainable economy through their respective State programs and policies;

**THAT**, the States of California and Nevada commit to working with the outstanding public-private partnerships that exists in the Lake Tahoe basin, including, but not limited to, the Tahoe Regional Planning Agency, the Lake Tahoe Transportation and Water Quality Coalition, and many Federal and local agencies;

**THAT**, the States of California and Nevada express their commitment to the attainment of the environmental thresholds for Lake Tahoe and to the development and implementation of an appropriate Environmental Improvement Program, and urge other members of the public-private partnerships to also make such commitments;

**THAT**, the States of California and Nevada commit especially to active involvement with our Federal partners, who will share with the States and local members of the partnership the implementation and funding of this effort;

**THAT**, the States of California and Nevada request the Tahoe Regional Planning Agency to be the lead agency in bringing together those parties needed to pursue implementation of the Environmental Improvements Programs; and

THAT, this Memorandum of Understanding is to be expeditiously transmitted to all appropriate parties, including the President of the United States, the United States Congress, the California and Nevada Legislatures, the local governments of the Lake Tahoe basin, Tahoe Regional Planning Agency, and the Lake Tahoe Transportation and Water Quality Coalition.

SIGNED



Governor of California



Governor of Nevada

This 22nd day of July 19 97

At South Lake Tahoe, California







# Nevada Legislature

## STATEMENT OF LEGISLATIVE LEADERSHIP OF THE STATES OF CALIFORNIA AND NEVADA

### ON THE OCCASION OF THE PRESIDENTIAL VISIT TO LAKE TAHOE


JULY 7, 1997

In light of the increased partnership activities of parties interested in the future of the Lake Tahoe Basin and the upcoming efforts of national and state administrative leaders to promote cooperative, coordinated actions to preserve the environmental qualities of the Basin as assets for residents and visitors, legislative leaders in the states of California and Nevada hereby:


- Reaffirm the two legislatures' commitment to the principles of the Bi-State Tahoe Regional Planning Compact;
- Assure continued efforts to secure the financial resources necessary to achieve the objectives of the Bi-State Compact; and
- Pledge support for increased communication and cooperation between the legislatures of the two states in activities relating to the Tahoe Regional Planning Agency and achieving the objectives of the Bi-State Compact.


#### California Legislative Leadership

  
\_\_\_\_\_  
Senator Bill Lockyer  
President pro Tem of the Senate

  
\_\_\_\_\_  
Speaker Cruz M. Bustamante  
Speaker of the Assembly

#### Nevada Legislative Leadership

  
\_\_\_\_\_  
Senator William J. Raggio  
Majority Leader of the Senate

  
\_\_\_\_\_  
Speaker Joseph E. Dini, Jr.  
Speaker of the Assembly



THE WHITE HOUSE

Office of the Press Secretary

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For Immediate Release

July 26, 1997

EXECUTIVE ORDER

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FEDERAL ACTIONS IN THE LAKE TAHOE REGION

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to ensure that Federal agency actions protect the extraordinary natural, recreational, and ecological resources in the Lake Tahoe Region ("Region") (as defined by Public Law 91-148), an area of national concern, it is hereby ordered as follows:

## Section 1. Tahoe Federal Interagency Partnership.

1-101. The Federal agencies and departments having principal management or jurisdictional authorities in the Lake Tahoe Region are directed to establish a Federal Interagency Partnership on the Lake Tahoe Ecosystem ("Partnership").

1-102. Members of the Partnership shall include the Secretary of Agriculture, the Secretary of the Interior, the Secretary of Transportation, the Administrator of the Environmental Protection Agency, the Secretary of the Army, and the heads of any other Federal agencies operating in the Region that choose to participate. Representation on the Partnership may be delegated. The Partnership shall be chaired by the Secretary of Agriculture for the first year after its establishment. The Chair of the Partnership shall thereafter be rotated among the members on an annual basis.

1-103. The Partnership will:

(a) facilitate coordination of Federal programs, projects, and activities within the Lake Tahoe Region and promotion of consistent policies and strategies to address the Region's environmental and economic concerns;

(b) encourage Federal agencies within the Region to coordinate and share resources and data, avoid unnecessary duplication of Federal efforts, and eliminate inefficiencies in Federal action to the greatest extent feasible;

(c) ensure that Federal agencies closely coordinate with the States of California and Nevada and appropriate tribal or local government entities to facilitate the achievement of desired terrestrial and aquatic ecosystem conditions and the enhancement of recreation, tourism, and other economic opportunities within the Region;

(d) support appropriate regional programs and studies needed to attain environmental threshold standards for water quality, transportation, air quality, vegetation, soils (stream environment zone restoration), wildlife habitat, fish habitat, scenic resources, recreation, and noise;

(e) encourage the development of appropriate public, private, and tribal partnerships for the restoration and management of the Lake Tahoe ecosystem and the health of the local economy;

(f) support appropriate actions to improve the water quality of Lake Tahoe through all appropriate means, including restoration of

shorelines, streams, riparian zones, wetlands, and other parts of the watershed; management of uses of the lake; and control of airborne and other sources of contaminants;

(g) encourage the development of appropriate vegetative management actions necessary to attain a healthy Lake Tahoe ecosystem, including a program of revegetation, road maintenance, obliteration, and promotion of forest health;

(h) support appropriate regional transportation and air quality goals, programs, and studies for the Region;

(i) support appropriate fisheries and wildlife habitat restoration programs for the Region, including programs for endangered species and uncommon species;

(j) facilitate coordination of research and monitoring activities for purposes of developing a common natural resources data base and geographic information system capability, in cooperation with appropriate regional and local colleges and universities;

(k) support development of and communication about appropriate recreation plans and programs, appropriate scenic quality improvement

programs, and recognition for traditional Washoe tribal uses;

(l) support regional partnership efforts to inform the public of the values of managing the Lake Tahoe Region to achieve environmental and economic goals;

(m) explore opportunities for public involvement in achieving its activities; and

(n) explore opportunities for assisting regional governments in their efforts.

1-104. The Partnership will report back to the President in 90 days on the implementation of the terms of this order.

## Sec. 2. Memorandum of Agreement.

2-201. The Partnership shall negotiate a Memorandum of Agreement with the States of California and Nevada, the Washoe Tribal Government, the Tahoe Regional Planning Agency, and interested local governments.

2-202. The Memorandum of Agreement shall be designed to facilitate coordination among the parties to the Agreement, and shall document

areas of mutual interest and concern and opportunities for cooperation, support, or assistance.

### Sec. 3. General Provisions.

3-301. The Chair of the Partnership shall advise the President on the implementation of this order. The Chair may recommend other administrative actions that may be taken to improve the coordination of agency actions and decisions whenever such coordination would protect and enhance the Region's natural, ecological, and economic values.

3-302. Nothing in this order shall be construed to limit, delay, or prohibit any agency action that is essential for the protection of public health or safety, for national security, or for the maintenance or rehabilitation of environmental quality within the Region.

3-303. Nothing in this order is intended to create, and this order does not create, any right to administrative or judicial review, or any other right or benefit, substantive or procedural, enforceable by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.



WILLIAM J. CLINTON

THE WHITE HOUSE,

July 26, 1997.

###



AGREEMENT OF FEDERAL DEPARTMENTS AND AGENCIES ON  
PROTECTION OF THE ENVIRONMENTAL  
AND ECONOMIC HEALTH OF  
THE LAKE TAHOE REGION

WHEREAS, President Clinton signed Executive Order 13057, "Federal Actions in the Lake Tahoe Region," on July 26, 1997, directing the Federal departments and agencies having principal management or jurisdictional authorities in the Lake Tahoe Region to establish a Federal Interagency Partnership on the Lake Tahoe Ecosystem to ensure that Federal agency actions are coordinated and operate to protect the extraordinary natural, recreational, and ecological resources in the Lake Tahoe Region and the economies that depend on them;

WHEREAS, Congress recognized in 1969 in Public Law 91-148, 83 Stat. 360, and then in 1980 in Public Law 96-551, 94 Stat. 3233, that there were special conditions and circumstances in the Lake Tahoe Region and that the waters and other resources of the Lake Tahoe Region were threatened with deterioration or degeneration, which required the establishment of an area-wide planning agency to maintain an equilibrium between the region's natural endowment and its human-made environment;

WHEREAS, Congress further recognized in 1980 in Public Law 96-586, 94 Stat. 3381, that the unique character of the Lake Tahoe Basin was of national significance and that special provisions were needed to be implemented to protect the environmental quality of the Lake Tahoe Basin;

WHEREAS, Lake Tahoe is a national treasure and a resource of worldwide significance;

WHEREAS, the people in the Lake Tahoe Region know that their successful economic future relies on the health of the environment; and

WHEREAS, the U.S. Departments of Agriculture, the Army, the Interior, and Transportation and the U.S. Environmental Protection Agency recognize this interdependence of economic and environmental sustainability in the Lake Tahoe Region;

NOW, THEREFORE, we, the undersigned Secretaries and Administrator of the participating Federal departments and agencies, commit ourselves to enhancing the environmental and economic health of the Lake Tahoe Region and further commit ourselves to working together and with the State, regional, and local governments and with the Washoe Tribe and other parties to achieve the actions directed by the President's Executive Order of July 26, 1997. Specifically, we agree to:

**Partnerships:** (1) work with the States of California and Nevada, the Washoe Tribe, and appropriate local government entities to achieve desired environmental thresholds for the Lake Tahoe Basin, and to enhance recreation, tourism, and other economic opportunities within the Region. These partnership

efforts are further defined in a multi-agency Memorandum of Agreement for the Lake Tahoe Region.

(2) encourage development of partnerships among governmental agencies and the private sector to augment the efforts undertaken by individual entities for the restoration and management of the Lake Tahoe ecosystem and the health of the local economy.

**Coordination:** (3) coordinate Federal programs, projects, and activities within the Lake Tahoe Basin, and to use consistent policies and strategies among all Federal agencies to address the Region's environmental and economic concerns.

(4) encourage Federal agencies within the Region to coordinate and share resource data, to avoid duplication of Federal efforts, and to eliminate inefficiencies in Federal actions to the greatest extent feasible.

**Environmental Thresholds:** (5) support and participate in programs and studies needed to identify and attain environmental thresholds for water quality, transportation, air quality, vegetation, soils, stream environment and restoration, wildlife habitat, fish habitat, scenic resources, recreation, and noise.

**Clean Water:** (6) support and participate in actions necessary to improve the water quality of Lake Tahoe through all appropriate means, including restoration and maintenance of shorelines, streams environment zones, and watersheds; protection of Lake designated uses; and control of airborne and other contaminants.

**Forest Health:** (7) support and participate in development of vegetative management actions necessary to attain a healthy Lake Tahoe Region, including a program of revegetation, road maintenance and obliteration, insect and disease management, and promotion of forest ecosystem health.

**Transportation:** (8) support and participate in programs and studies necessary to achieve transportation and air quality goals for the Lake Tahoe Region.

**Habitat:** (9) support and participate in fisheries and wildlife habitat restoration programs necessary to achieve habitat goals for the Lake Tahoe Region, including programs for threatened, uncommon, and endangered species.

**Recreation & Tourism:** (10) support and participate in development of and communication about recreational plans and programs, scenic quality improvement programs, and tourism opportunities in the Lake Tahoe Region.

**Washoe Tribe:** (11) support recognition for traditional and customary Washoe Tribal uses of, and for access to, Lake Tahoe.

**Research and Data Management:** (12) foster coordination of necessary scientific research and monitoring activities in the Lake Tahoe Region, and development of a common natural resource data base, including Geographic Information System (GIS) capability, in cooperation with regional and local colleges and universities.

**Public Involvement:** (13) support and participate in regional efforts to inform the public of the values of managing the Lake Tahoe Region to achieve environmental and economic goals, and to inform the public about what individuals, both resident and tourist, can do to contribute to successful achievement of these goals.

(14) convene and facilitate public forums to provide opportunities for public involvement in solutions to the issues in the Lake Tahoe Region.

In order to establish the necessary coordinating mechanism to effectuate these goals, and to implement the Executive Order, the signatory Federal departments and agencies hereby establish this Federal Interagency Partnership. For the first year after its establishment, the Federal Interagency Partnership will be chaired by the Secretary of Agriculture. The Chair will be rotated among the members on an annual basis as determined by the Partnership.

The Secretaries and Administrator or their representatives shall meet at least annually to discuss progress on implementation of this agreement and to take such additional actions as may be necessary. The regional executives representing the Federal departments and agencies shall meet twice a year to discuss progress of implementing this agreement and to take such additional actions as may be necessary. These regional executives shall be representatives from the following Federal departments and agencies: U.S. Department of Agriculture, U.S. Department of the Interior, U.S. Department of Transportation, U.S. Environmental Protection Agency, U.S. Army Corps of Engineers, and other Federal departments and agencies as deemed appropriate by the Federal Interagency Partnership.

The Partnership shall be supported by a Tahoe Basin Executive Committee comprised of local managers of the Federal departments and agencies responsible for implementing the terms of this agreement. The Tahoe Basin Executive Committee shall:

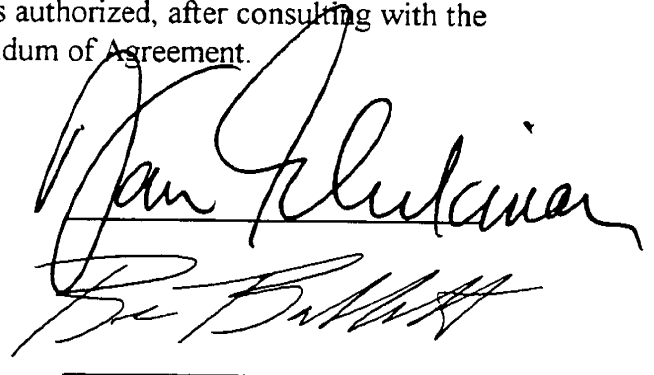
- (a) meet at least on a quarterly basis.
- (b) cooperate with the Lake Tahoe Basin Advisory Committee, an advisory committee, consisting of non-Federal representatives, to be established by USDA under the Federal Advisory Committee Act, which shall be used to advise them on implementing the terms of this Agreement and on other matters raised by the Committee.

- (c) notify the public of the meetings of the Tahoe Basin Executive Committee and of the twice-a-year regional executive meetings, each of which shall be open to the public.
- (d) By December 1, 1998, review and comment on the draft Environmental Improvement Program prepared by the Tahoe Regional Planning Agency and integrate appropriate Federal programs and funds to help achieve the goals of the Environmental Improvement Program.
- (e) be represented by the Chair of the Partnership in the Tahoe Regional Planning Agency's Environmental Improvement Program Partnership.

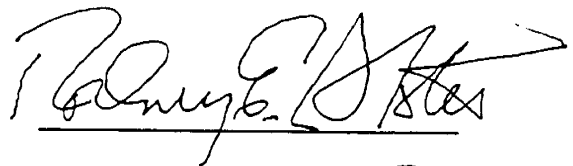
The Forest Supervisor of the USDA Lake Tahoe Basin Management Unit shall serve as the Chair of the Lake Tahoe Basin Executive Committee and shall provide the necessary staff support to the Tahoe Basin Executive Committee. The Tahoe Basin Management Unit shall also be responsible for arranging the regional executive meetings and for maintaining the Partnership's official records.

The Chair of the Partnership shall continually advise the President on the implementation of Executive Order 13057. This will take the form of an annual report to the President on the progress in the implementation of this agreement. The first report will be issued on or before September 30, 1998. The Chair of the Partnership is authorized, after consulting with the Partnership, to sign the Intergovernmental Memorandum of Agreement.

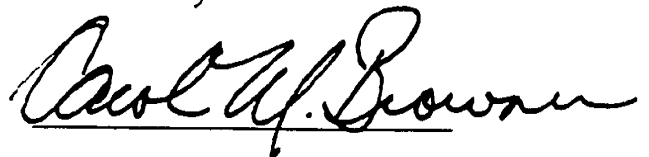
Secretary of Agriculture



Secretary of the Interior



Secretary of Transportation



Administrator, Environmental Protection Agency



Assistant Secretary of the Army (Civil Works)



**A MEMORANDUM OF AGREEMENT  
BETWEEN THE FEDERAL INTERAGENCY PARTNERSHIP  
ON THE LAKE TAHOE ECOSYSTEM,  
THE STATES OF CALIFORNIA AND NEVADA,  
THE WASHOE TRIBE OF NEVADA AND CALIFORNIA, AND  
THE TAHOE REGIONAL PLANNING AGENCY**

WHEREAS, on July 26, 1997, the President of the United States issued Executive Order 13057, "Federal Actions in the Lake Tahoe Basin," which, among other things, provided for the creation of a Federal Interagency Partnership on the Lake Tahoe Ecosystem, and directed that partnership "to negotiate a Memorandum of Agreement with the States of California and Nevada, the Washoe Tribal Government, the Tahoe Regional Planning Agency, and interested local governments...designed to facilitate coordination among the parties to the Agreement and...document areas of mutual interest and concern and opportunities for cooperation, support, or assistance";

- WHEREAS, the Lake Tahoe Basin is one of the world's extraordinary natural features and is an ecological, biological, cultural, historical, and aesthetic resource of great significance to the people of California, Nevada, and the United States, as well as to its permanent residents and to its indigenous people, the Washoe Tribe of Nevada and California;

WHEREAS, the natural and recreational attributes of Lake Tahoe are the foundation of the regional economy, and the future prosperity of the region is dependent upon the sustainable development of the Lake Tahoe Basin and on continued progress in harmonizing conservation and economic goals;

WHEREAS, the United States Congress has consented to the adoption of the Tahoe Regional Planning Compact (P.L. 96-551) between the states of California and Nevada, which created the bistate Tahoe Regional Planning Agency and charged that agency with the adoption, achievement, and maintenance of environmental threshold carrying capacities for the region, as standards to assure the preservation and restoration of significant scenic, recreational, educational, scientific, and natural values of the region, and to maintain public health and safety within the region;

WHEREAS, the Tahoe Regional Planning Agency has proposed a draft Environmental Improvement Program setting forth the capital projects and other actions toward the achievement and maintenance of the thresholds it has established;

WHEREAS, the Tahoe Regional Planning Compact finds and declares that "Responsibilities for providing recreational and scientific opportunities, preserving scenic and natural areas, and safeguarding the public who live, work, and play in or visit the region are divided among local governments, regional agencies, the States of California and Nevada, and the Federal Government" and that "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";

WHEREAS, the States of California and Nevada have previously entered into a Memorandum of Understanding expressing their commitment to the attainment of the environmental thresholds for Lake Tahoe and to the development and implementation of an appropriate Environmental Improvement Program;

WHEREAS, there exists among the citizens of the Lake Tahoe Basin in both California and Nevada widely shared agreement on the measures and processes needed to protect the natural assets of the Lake Tahoe Basin, including the need for the adoption and implementation of an appropriate Environmental Improvement Program and the need for continued and expanded participation of public-private partnerships and consensus-building groups in the planning and implementation of environmental protection measures for Lake Tahoe;

BE IT THEREFORE RESOLVED,

THAT, the signatories affirm their commitment to the Tahoe Regional Planning Compact, and to the sound management and protection of the Lake Tahoe Basin's natural resources and the support of a healthy, sustainable economy through their respective programs and policies;

THAT, the signatories express their commitment to the achievement and maintenance of environmental thresholds, cultural and historical values, and economic health for Lake Tahoe and to the adoption and implementation, of an appropriate Environmental Improvement Program;

THAT, the signatories agree to cooperate with each other to pursue implementation, including funding, of an appropriate Environmental Improvement Program; and

THAT, the signatories affirm their commitment to continuing and expanding the participation of public-private partnerships and consensus-building groups in planning and implementing environmental protection measures for Lake Tahoe, including, but not limited to, the adoption, maintenance, funding and implementation of an appropriate Environmental Improvement Program.





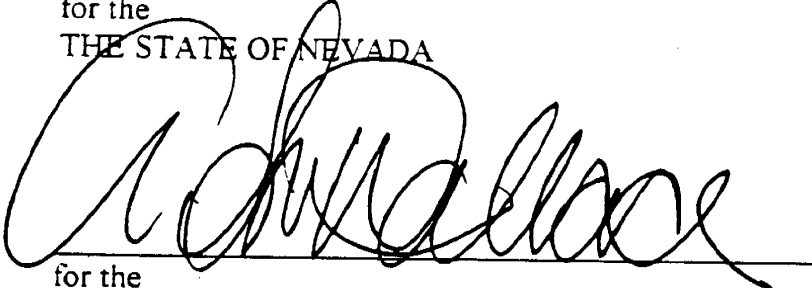
for the  
FEDERAL INTERAGENCY PARTNERSHIP ON THE LAKE TAHOE ECOSYSTEM



for the  
STATE OF CALIFORNIA



for the  
THE STATE OF NEVADA



for the  
THE WASHOE TRIBE OF NEVADA AND CALIFORNIA



for the  
THE TAHOE REGIONAL PLANNING AGENCY



## APPENDIX C

### "TRPA ORGANIZATION CHART"



## TRPA ORGANIZATION CHART

### TRPA Governing Board

Jim Baetge, Exec. Dir.  
Jerry Wells, Dep. Dir.

### Advisory Planning Commission

<u>Long Range Planning</u>	<u>Environmental Improvement</u>	<u>Project Review</u>	<u>Environmental Compliance</u>	<u>Legal</u>	<u>Finance</u>	<u>Management Support</u>	<u>Public Educa./ Outreach</u>
Gordon Barrett*	Carl Hasty*	Rick Angelocci*	Steve Chilton*	Rachelle Nicole	Paula Bergamini*	Julie Frame*	Pam Drum
Roxie Duer**	<u>GIS/Data Base</u>	Judy McIntire**	Judy DeMeola**	Susan Scholley	Annette James	Kitt Watkins	
<u>Land Use</u>	David Atkins	Lynn Barnett	Mike Solt	Sue Mikanovich**		Judy Faylor	
Andrew Strain	Emily Mathews	Paul Pettersen	Brian Judge				
Coleen Shade	<u>RTM</u>	Jim Lawrence	Kim Johnson				
John Hitchcock	Kevin Hill	Paul Nielsen	Doug Smith				
<u>Water Quality</u>	Larry Benoit	Kathy Canfield	Linda Allen				
Jon Paul Kiel		Vanessa Mongeon					
<u>Land Capability</u>		Chuck Donaldson					
Joe Pepi		Kara Russell					
Tom Sinclair		Susan Knutson					
Laurie Hockenberry							
<u>Transportation</u>							
Richard Wiggins							
Bridget Cornell							
Jim Allison							

\* Unit Manager

\*\* Executive Assistant

Mailing Address: P. O. Box 1038, Zephyr Cove, NV 89448  
Physical Location: 308 Dorla Court, Zephyr Cove, NV 89448  
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**APPENDIX D**

**EXECUTIVE SUMMARY OF THE  
1996 EVALUATION — ENVIRONMENTAL THRESHOLD CARRYING CAPACITIES  
AND THE REGIONAL PLAN PACKAGE**





## **1996 EVALUATION**

### **Environmental Threshold Carrying Capacities and the Regional Plan Package**

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**Tahoe Regional Planning Agency**

**Issued December 1996**

**Draft**



## **EXECUTIVE SUMMARY**



” . . . and at last the lake burst upon us--a noble sheet of blue water lifted six thousand three hundred feet above the level of the sea, and walled in by a rim of snow-clad mountain peaks that towered aloft full three thousand feet higher still! It was a vast oval, and one would have to use up eighty or a hundred good miles in traveling around it. As it lay there with the shadows of the mountains brilliantly photographed upon its still surface I thought it must surely be the fairest picture the whole earth affords.

The forest about us was dense and cool, the sky above us was cloudless and brilliant with sunshine, the broad lake before us was glassy and clear, or rippled and breezy, or black and storm-tossed, according to Nature's mood; and its circling border of mountain domes, clothed with forests, scarred with landslides, cloven by canyons and valleys, and helmeted with glittering snow, fitly framed and finished the noble picture. The view was always fascinating, bewitching, entrancing. The eye was never tired of gazing, night or day, in calm or storm; it suffered but one grief, and that was that it could not look always, but must close sometimes in sleep.

So singularly clear was the water, that where it was only twenty or thirty feet deep the bottom was so perfectly distinct that the boat seeming floating in the air! Yes, where it was even eighty feet deep. Every little pebble was distinct, every speckled trout, every hand's-breadth of sand. . . . The water was not merely transparent, but dazzlingly, brilliantly so.”

--excerpts from  
Roughing It, by  
Mark Twain (1871)

## **EXECUTIVE SUMMARY**

The purpose of this report is to present the results of the Tahoe Regional Planning Agency's second comprehensive evaluation of environmental threshold carrying capacities, adopted in 1982, and the subsequent Regional Plan package, adopted in various parts from 1984 to the present.

The 1996 Evaluation Report is intended to provide information and recommendations to the TRPA Governing Board to assist in making necessary adjustments to the environmental threshold carrying capacities and the Regional Plan package, in compliance with the provisions of the Tahoe Regional Planning Compact.

The Tahoe Regional Planning Compact, along with other state and federal environmental legislation, establishes TRPA's mission. TRPA's Mission and Statement of Principles is set forth in Figure 1. In addition to its mission under the Compact, TRPA is also responsible for certain planning activities under the Federal Clean Air Act, the Federal Clean Water Act, the California Transportation Development Act, and the California Clean Air Act.

In August 1982, TRPA adopted Resolution No. 82-11, adopting environmental threshold carrying capacities for the Lake Tahoe Region. The Compact defines "environmental threshold carrying capacity" as "an environmental standard necessary to maintain a significant scenic, recreational, educational, scientific or natural value of the region or to maintain public health and safety within the region."

Throughout the Regional Plan package and this report, TRPA commonly refers to "environmental threshold carrying capacities," "threshold standards," or simply "thresholds." These terms are interchangeable.

Prior to adopting Resolution 82-11, TRPA considered lengthy public testimony, an Environmental Impact Statement, and a study report on the establishment of the threshold standards. The thresholds set forth in Exhibit A of Resolution 82-11 address the following nine components of the environment of the Tahoe Region: water quality, soil conservation, air quality, vegetation preservation, wildlife, fisheries, noise, recreation, and scenic resources.

The threshold standards guide virtually all aspects of TRPA's planning and operating functions. Article V(c) of the Compact requires TRPA to amend the Regional Plan so that, "at a minimum, the plan and all of its elements, as implemented through agency ordinances, rules and regulations, achieves and maintains the adopted environmental threshold carrying capacities. Each element of the plan shall contain implementation provisions and time schedules for such implementation by ordinance."

Article V(d) of the Compact also requires the Regional Plan to "provide for attaining and maintaining Federal, State, or local air and water quality standards, whichever are strictest, in the respective portions of the region for which the standards are applicable." Each element of the plan, where applicable, must identify the means and time schedule by which air and water quality standards will be attained.

## **Figure 1**

### **Statement of Mission**

**THE TAHOE REGIONAL PLANNING AGENCY LEADS THE COOPERATIVE EFFORT TO PRESERVE, RESTORE, AND ENHANCE THE UNIQUE NATURAL HUMAN ENVIRONMENT OF THE LAKE TAHOE REGION**

### **Statement of Principles**

#### **Preamble**

TRPA shall interpret and administer its plans, ordinances, rules, and regulations in accordance with the provisions of the Compact. This statement of principles is intended to confirm the policies set forth in the Tahoe Regional Planning Compact (P.L. 96-551, December 19, 1980), in its specific provisions and as a whole, so as to guide the Agency in resolving conflicts, in charting the future direction, and in enhancing public understandability. The following statement of general policy provides TRPA with direction and consistency for enactment and implementation of the Regional Plan and increases TRPA and public understanding of the TRPA Goals and Policies.

#### **Principles.**

1. The Tahoe Region exhibits unique and irreplaceable environmental and ecological values of national significance which are threatened with deterioration or degeneration.
2. The purpose of TRPA is to:
  - a. Maintain the significant scenic, recreational, educational, scientific, natural, and public health values provided by the Region; and
  - b. Insure an equilibrium between the Region's natural endowment and its manmade environment.

Together these will encourage the wise use of the waters of Lake Tahoe and the resources of the area, preserve public and private investments in the Region, and preserve the social and economic health of the Region.

3. In accomplishing its purpose, TRPA is to:
  - a. Establish environmental threshold carrying capacities, defined as environmental standards necessary to maintain significant scenic, recreational, educational, scientific, or natural values of the Region or to maintain public health and safety within the Region, including but not limited to standards for air quality, water quality, soil conservation, vegetation preservation, and noise;
  - b. Adopt and enforce a Regional Plan and implementing ordinances which achieve and maintain such capacities while providing opportunities for orderly growth and development consistent with such capacities; and
  - c. Pursue such activities and projects consistent with the Agency's purposes.

Source: TRPA Goals and Policies, 1996

Finally, Article V(g) of the Compact requires TRPA to make specific written findings prior to approving any project in the Region. These findings must "insure that the project under review will not adversely affect implementation of the Regional Plan and will not cause the adopted environmental threshold carrying capacities of the region to be exceeded."

Although the thresholds do not address the economy of the Tahoe Region, TRPA recognizes the interdependence of environmental quality, economic health, and social well-being in the Tahoe Region. The Regional Plan Goals and Policies (1986) provide that TRPA will monitor economic conditions, report on the state of the Region's economy, consider the impacts of the Regional Plan on the Region's economy, and consider adjustments to the Regional Plan consistent with the attainment of the threshold standards.

Resolution 82-11 states that the threshold standards shall be reviewed at the time of adoption of the Regional Plan to ensure that the plan and the thresholds are consistent, and at least every five years thereafter. The thresholds shall be amended where scientific evidence and technical information indicate: (a) two or more thresholds are mutually exclusive, or (b) substantial evidence to provide a basis for a threshold does not exist, or (c) a threshold cannot be achieved, or (d) a threshold is not sufficient to maintain a significant value of the Region or additional thresholds are required to maintain a significant value.

The Regional Plan Goals and Policies (Monitoring and Evaluation Subelement) and the Code of Ordinances, in Chapter 32, also require TRPA to evaluate the thresholds and the Regional Plan package at least every five years. Although Regional Plan litigation in the mid-1980s created uncertainty as to the date of the first five-year review, the Water Quality Management Plan for the Lake Tahoe Region (TRPA, 1988) established the date for the first evaluation as September, 1991.

The 1996 Evaluation Report consists of an Executive Summary with findings and conclusions and nine chapters, which include the evaluation results for the various categories of threshold standards and the economy of the Region.

There are three appendices. Appendix A contains the list of control measures and related information prepared pursuant to Chapter 32 of the TRPA Code of Ordinances. Appendix B contains a schedule of implementation for the many recommendations of the 1996 Evaluation Report. Appendix C is the Technical Appendices.

TRPA would like to express its gratitude to the numerous individuals who assisted with this evaluation through participation, formally and informally, as technical advisors, commenters, and reviewers. Their names are listed in the acknowledgments. Without their assistance, preparation of this report would not have been possible.



## **THE LAKE TAHOE REGION**

The Tahoe Region is a special place. To those who have visited Lake Tahoe and its surroundings, from earliest pre-history to the present, the Region is an exceptional, inspiring place of spiritual proportion.

The Tahoe Region was once a place of inestimable beauty. The American author Samuel Clemens ("Mark Twain") wrote of its beauty over a century ago. Photographer Ansel Adams captured it in his photographs.

Yet, like other natural places in California and the Great Basin, its beauty has been severely compromised. As at Yosemite, Pyramid Lake, the lakes and marshes of the Pacific flyway, San Francisco Bay and the California Delta, the progress of modern life has diminished the unique values that make the Tahoe Region so extraordinary.

With ever-increasing pressure upon the Region as a recreational resource and an urban center, preservation of the values of the Tahoe Region is vitally important and—at the same time—immensely difficult. The Region acts as a haven from the urbanized and urbanizing areas surrounding it, and for others who travel from afar to appreciate it. Ironically, the millions who enjoy the area simultaneously endanger it with their very presence.

### **About the Tahoe Region**

Located between the Carson Range on the east and the Sierra Nevada on the west, the Tahoe Region is divided by the California-Nevada state line. Approximately one-third of the Region is in Nevada, and two-thirds in California. The total land area of the Region is over 207,000 acres, with about 75 percent in public ownership.

Lake Tahoe is the dominant feature of the Region and is world renowned for its crystal clear water and beautiful setting. Lake Tahoe is approximately 12 miles wide and 22 miles long, with a surface area of 192 square miles and 75 miles of shoreline. With a maximum depth of 1,645 feet, Lake Tahoe is the tenth deepest lake in the world. Maximum elevation of the Lake's surface is 6,229 feet above sea level.

The topography of the Region consists chiefly of steeply sloping mountains with a few flat or moderately sloping areas where most development has occurred. Elevations of the peaks surrounding Lake Tahoe range from about 8,000 feet to almost 11,000 feet above sea level.

Long, relatively mild winters and short, dry summers characterize the climate of the Region. Precipitation normally falls as snow during the winter months. During the summer, there are infrequent thunderstorms. The western side of the Region receives about twice the precipitation as the eastern side.

Most development and urbanization of the Tahoe Region occurred during and following the Squaw Valley winter Olympics in 1960. Since that time, the population of the Region has increased over five times, with about 80 percent of the population residing in California. The summer population in 1995 is estimated at 102,000.

There are about 20 developed towns and communities; however, the City of South Lake Tahoe is the only incorporated city. The Region is home to about 42,800 residences, 9,600 vacation homes, 11,500 tourist accommodation units, and 2,500 campground units. Figure 2 is the TRPA Regional Plan map which generally matches the land use pattern of the Region.

Casino gaming areas are located at the north and south stateline areas, and in Incline Village. These areas provide tourist, commercial, and indoor entertainment facilities.

The undeveloped areas of the Region are predominantly publicly owned. Public ownership is increasing, largely through the efforts of federal and state land acquisition programs. Outdoor recreation use of the Region is extensive.

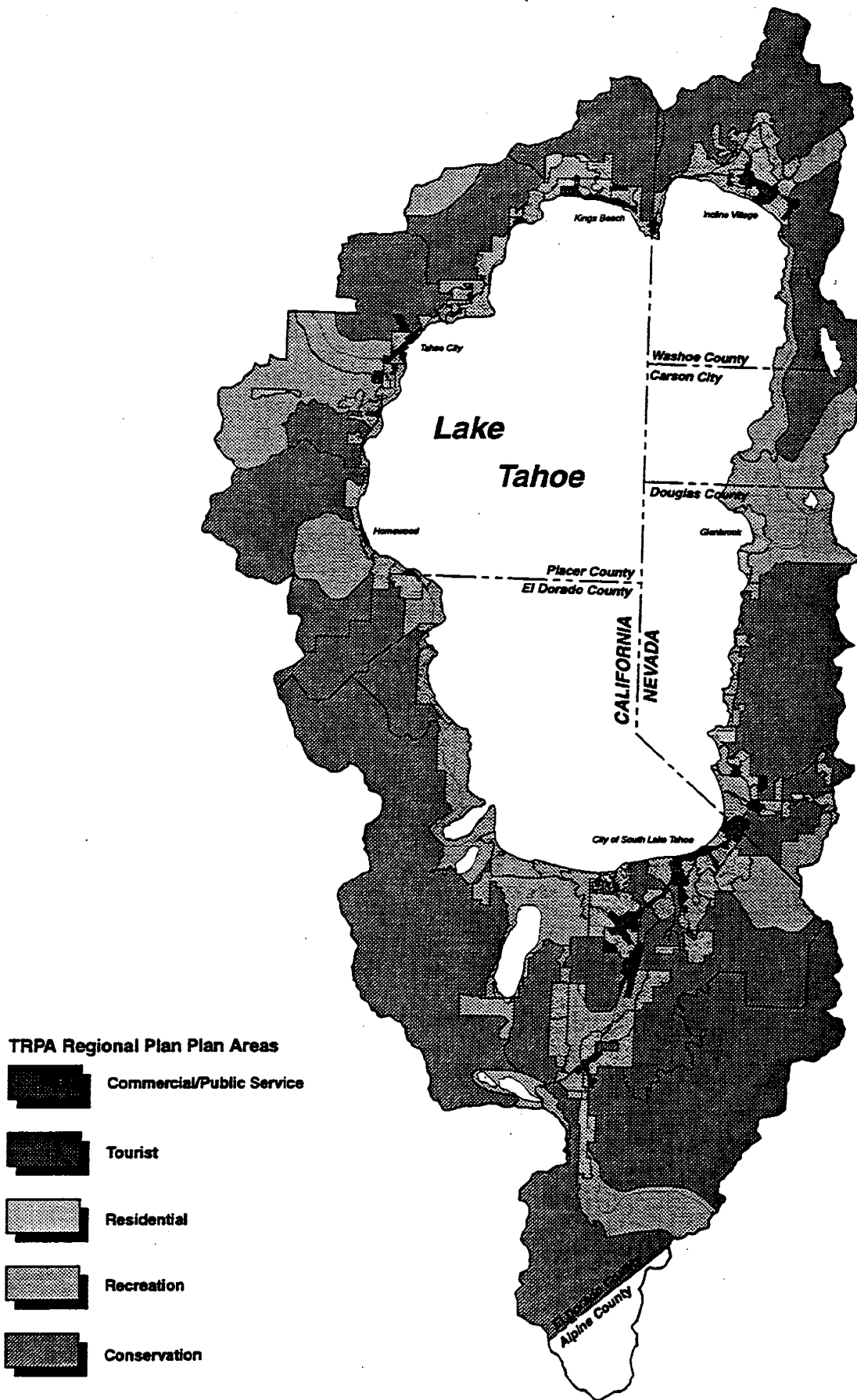
The dominant transportation system in the Region is the highway system. There are seven highways that allow access to the Region, four in California and three in Nevada. The dominant form of transportation is the private automobile, but buses, taxis, and other modes accommodate some trips. The South Tahoe Airport, located in the City of South Lake Tahoe, serves the Region.

### **Effects of Human Activity**

There is extensive evidence of the adverse impacts of human activity in the Tahoe Region. Lake Tahoe itself suffers from cultural eutrophication, an increase in algal productivity that will continue until the Lake's nutrient budget is balanced. Even with aggressive management, Lake Tahoe's water quality trends will change slowly, due to the Lake's long residence time, approximately 700 years. Runoff from the watershed carries nutrients to Lake Tahoe; other nutrients come from the air.

Violations of water quality standards and guidelines for tributary streams and urban runoff are common. Water quality is best in watersheds draining relatively undeveloped areas. Accidental discharges from sewage collection and treatment systems and discharges of toxic and hazardous substances during transport or storage have occurred and endanger water quality and public health and safety.

Figure 2



The Region has many examples of soil conservation problems: erosion and runoff associated with urbanization; unstable cut and fill slopes, particularly associated with roads; denuded and compacted areas; stream channelization; and damage from outdoor recreation, off-road vehicles, and grazing.

Although a portion of the Region in California did not attain the federal, state, and TRPA air quality standards for carbon monoxide, due to the presence of a "hot spot" near the south Stateline-California monitoring station, recent monitoring indicates the entire Region is now in attainment. TRPA ozone standards continue to be exceeded in recent years. Based on data from more sophisticated monitors, the Region appears to be in non-attainment for some standards for visual range. The Region still does not meet one of the California inhalable particulate standards, a health-related standard. Other fine particles found in the air include high proportions of wood smoke for which TRPA has not met its threshold target to reduce emissions by 15 percent.

Traffic congestion is common in certain parts of the Region in both summer and winter. TRPA estimates that 1.73 million vehicle miles were traveled (VMT) in the Region on an average peak summer day in 1995. Although VMT projections have improved and improvements have occurred, the land use pattern still suffers from strip development; loss of view corridors; inefficiency in the distribution of uses; and automobile dependency. As indicated in the Summary Table, TRPA still does not meet its threshold targets for vehicle mile reductions.

Vegetation in the Region suffers from poor diversity, a result of the even-aged timber stand left by logging in the late 1800s and current fire suppression practices. Insects have attacked the forest, already weakened by stress, and have killed hundreds of millions of board feet of trees. Recent data still indicates that common vegetation does not meet the threshold, and there is a need to upgrade the thresholds for such things as old growth timber. As to fish and wildlife habitat, progress is being made toward attainment of thresholds which call for restoration of previous human disturbance that decreased the value of fish habitat and wildlife habitat.

Both single-event and cumulative noise affect the tranquillity of the Tahoe Region. Although most communities meet noise criteria, some suffer from elevated noise levels from traffic, the dominant noise source in the area. With the adoption of the South Tahoe Airport Master Plan, many of the issues of airport-related noise have been addressed.

Roads, buildings, signs, powerlines, and fences reduce the outstanding scenic attributes of the Region. The Regional Plan designates about 50 areas for scenic restoration. 1996 surveys indicate the Region has improved in the urban areas and has fallen behind in some rural and shorezone areas.

Although outdoor recreation facilities are heavily used during peak winter and summer periods, TRPA is behind in meeting its targets for outdoor recreation. During peak summer periods, there is a shortage of developed campsites, day use facilities, and trails. During peak winter days, capacity limits at developed ski areas and on the highway system are sometimes exceeded.

## **Concern, Preservation, and Remediation**

Tahoe has a long history of concern for environmental quality, preservation of its unique values, and remediation of its most serious problems. The individuals involved in this over the years are too numerous to list. TRPA, the California Tahoe Regional Planning Agency (CTRPA), and their forerunners in the 1960s have prepared a series of comprehensive plans for the Region. The U.S. Forest Service and state parks departments have planned for, preserved, and managed large tracts of land.

The Forest Service, through the Burton-Santini program, the California Tahoe Conservancy, and the Nevada Division of State Lands have purchased thousands of environmentally sensitive parcels to place them under the protection of public ownership. These same agencies have contributed mightily to the ongoing program of erosion and runoff control in the watershed and have led the way with pilot projects to restore stream environment zones. Units of local government generally construct and maintain these remedial projects.

From a very small program in the early 1960s, interagency monitoring efforts have grown to include almost 30 permanent water quality monitoring sites and five air quality monitoring sites, using the most up-to-date equipment and analysis, with a cost of about \$1 million annually. These monitoring programs provide information to direct and evaluate the control measures of the Regional Plan.

The City of South Lake Tahoe has been a leader in redevelopment of sub-standard urban areas, and redevelopment programs in North Lake Tahoe are now in progress.

These are just a few examples of the long history of concern for environmental quality and action in the Tahoe Region.

## **Institutional Arrangements**

Numerous public agencies govern the Tahoe Region, and other agencies assist with the provision of public services. The Water Quality Management Plan for the Region identifies 24 agencies with responsibilities in water quality alone. A partial list of the cooperating agencies follows:

Federal Agencies: Environmental Protection Agency, Forest Service, National Resource Conservation Service, Army Corps of Engineers

State Agencies: CALTRANS, California Air Resources Board, California Department of Forestry, California Department of State Parks, California Regional Water Quality Control Board—Lahontan Region, California State Lands Commission, California State Water Resources Control Board, California Tahoe Conservancy, Nevada Department of Transportation, Nevada Division of State Parks and Recreation, Nevada Division of Environmental Protection, Nevada Division of Forestry, Nevada Division of State Lands

Local Government: City of South Lake Tahoe, Carson City, Douglas County, El Dorado County, Placer County, Washoe County

Other Local Agencies: Douglas County Sewer Improvement District, El Dorado County Air Pollution Control District, Incline Village General Improvement District, Nevada Tahoe Conservation District, North Tahoe Public Utility District, Placer County Air Pollution Control District, South Tahoe Public Utility District, Tahoe City Public Utility District, Tahoe Resource Conservation District

Regional Agencies: Tahoe Regional Planning Agency, Tahoe Transportation District

## **SUMMARY OF THE 1996 EVALUATION**

This is a brief summary of the 1996 Evaluation, Environmental Threshold Carrying Capacities and the Regional Plan Package. It gives the reader an overview of the full Report. This summary contains:

Basic Assumptions and Recommendations

Summary of Trends, Status, and Recommendations for Individual Thresholds

**Basic Assumptions and Recommendations:** The 1996 Evaluation Report was prepared with some basic assumptions of policy and direction. The assumptions and the findings of the Report set the groundwork for the recommendations that follow.

**Assumption #1. There are no major changes to the environmental thresholds proposed with this Evaluation.** TRPA recognizes that many of the major studies needed to evaluate threshold amendments were not completed as proposed in the 1991 Evaluation. This Evaluation recommends a stronger effort be made to complete these studies, especially the water quality modeling studies. Where data does exist to support changes, this study does make appropriate recommendations.

**Assumption #2. The focus of the TRPA for the next five years will be on implementing environmental improvements.** The 1991 Evaluation recommended developing an integrated environmental improvement program to coordinate and assure implementation of all the projects, programs and studies needed to achieve and maintain environmental thresholds. Following on this recommendation, the 1996 Evaluation recommends focusing efforts of all entities in the Region upon implementing the Environmental Improvement Program with an emphasis on a 'Top Priority List' of projects for the next five years. Included with this recommendation is a refocusing of TRPA staff efforts on implementation that will be made possible through streamlining, delegation, and partnership efforts.

**Assumption #3.** The allocations of development for the next ten years will be within that projected by previous plans and EISs. It is the recommendation of this Evaluation that any major changes in growth limits would be premature based upon current progress on threshold attainment.

**Summary of Trends, Status, and Recommendations for Individual Thresholds:** For a brief summary of the individual thresholds, see Table 1 that follows. The table displays, for each threshold category, the trend toward attainment, the status of the threshold, and the report's recommendations. The table also provides recommendations for the Region's economy.

The recommendations are classified as "A List," which means the recommendations will be completed by TRPA as part of the 1996 Evaluation. Those recommendations classified "B List" will be completed by TRPA before the 2001 Evaluation. Those recommendations classified as "C List" will be completed; but, many of these recommendations will require additional funding, staffing, or cooperation from other agencies.

**TABLE 1**  
**SUMMARY OF THE 1996 EVALUATION**

**ENVIRONMENTAL THRESHOLD COMPLIANCE INDICATOR STATUS AND TRENDS**

Threshold			Evaluations		Trend
			1991	1996	
I.	AIR QUALITY				
	AQ-1	CO	Non-attainment	Attainment	↑
	AQ-2	O <sub>3</sub>	Non-attainment	Non-attainment	↑
	AQ-3	Particulate	Non-attainment	Non-attainment	↑
	AQ-4	Visibility	Attainment	Non-attainment	≡
	AQ-5	U.S. 50 Traffic Volume	Non-attainment	Attainment	↑
	AQ-6	Wood Smoke	Non-attainment	Non-attainment	≡
	AQ-7	VMT	Non-attainment	Non-attainment	↓
	AQ-8	Atmospheric Nutrient Loading	Attainment	Attainment	↑
II.	WATER QUALITY/SOIL CONSERVATION				
	WQ-1	Turbidity (Shallow)	Attainment	Attainment	≡
	WQ-2	Clarity, Winter	Non-attainment	Non-attainment	↓
	WQ-3	Phytoplankton PPr	Non-attainment	Non-attainment	↓
	WQ-4	Tributary Water Quality	Non-attainment	Non-attainment	≡
	WQ-5	Runoff Water Quality	Non-attainment	Non-attainment	≡
	WQ-6	Groundwater	Non-attainment	Non-attainment	↑
	WQ-7	Other Lakes	Unknown	Attainment	≡
	SC-1	Impervious Coverage	Non-attainment	Non-attainment	↑
	SC-2	Naturally-Functioning SEZ	Non-attainment	Non-attainment	↑
III.	VEGETATION				
	V-1	Relative Abundance and Pattern	Non-attainment	Non-attainment	↑
	V-2	Uncommon Plant Communities	Attainment	Attainment	↑
	V-3	Sensitive Vegetation	Non-attainment	Non-attainment	≡
IV.	FISHERIES				
	F-1	Lake Habitat	Non-attainment	Non-attainment	≡
	F-2	Stream Habitat	Non-attainment	Non-attainment	↑
	F-3	In-Stream Flows	Attainment	Attainment	≡
V.	WILDLIFE				
	W-1	Special Interest Species	Non-attainment	Non-attainment	↑
	W-2	Habitats of Special Significance	Attainment	Non-attainment	↓
VI.	SCENIC RESOURCES				
	SR-1	Travel Route Ratings	Non-attainment	Non-attainment	↑
	SR-2	Scenic Quality Ratings	Non-attainment	Non-attainment	↓
	SR-3	Public Recreation Area Scenic Quality Ratings	Not in Effect	Attainment	≡
	SR-4	Community Design	Unknown	Non-attainment	↑
VII.	NOISE				
	N-1	Single Event (Aircraft)	Unknown	Non-attainment	↑
	N-2	Single Event (Other)	Attainment	Attainment	≡
	N-3	Community Noise	Non-attainment	Non-attainment	≡
VIII.	RECREATION				
	R-1	High Quality Recreational Experience	Unknown	Unknown	≡
	R-2	Capacity Available to the General Public	Attainment	Attainment	↓
			Positive Trend ↑	Negative Trend ↓	No Trend ≡



**TABLE 1**  
**SUMMARY OF 1996 EVALUATION**

**AIR QUALITY THRESHOLDS**

Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
AQ-1	Carbon Monoxide	8-Hour	States/TRPA=6.0 ppm	Meet all Federal standards by 1997; meet States and TRPA standards by 2002.	<u>Attainment</u> : For 8 hour and the 1 hour standards.
		1-Hour	Federal=9.0 ppm		<u>Attainment</u> : For interim.
			California=20 ppm. Federal/NV=35 ppm.		

**Recommendations**

1. Continue to implement Regional Transportation Plan - Air Quality Plan, including the plan to complete the Loop Road System. (On-going)

Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
AQ-2	Ozone	1-Hour Average	TRPA-0.08 ppm	By September 1996, TRPA should prepare a report on ozone sources, controls and impacts.	<u>Attainment</u> : For Federal, Nevada and California Standards.
			California - 0.09 ppm		<u>Non-attainment</u> For TRPA standards.
			Nevada = 0.10 ppm		<u>Non-attainment</u> for Interim, but attainment for Interim anticipated in 1997.
			Federal = 0.12 ppm		

**Recommendations**

1. TRPA should continue to implement the control measures of the RTP-AQP, while also recognizing that there are strong indications that transport from upwind areas may be a significant contributor of ozone concentrations in the Region. (On-going)
2. TRPA should conduct a study to determine what role transport plays in the ozone concentration levels within the Tahoe Basin, and how the local  $\text{NO}_x$  and Hydrocarbon levels compare with ozone concentrations. (C List)

Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
AQ-3	Particulate Matter ( $\text{PM}_{10}$ )	24-Hour	California: 50 $\mu\text{g}/\text{m}^3$	For calendar 1995, 24-hour concentration (1st high) not to exceed 60 $\mu\text{g}/\text{m}^3$	<u>Attainment</u> for Federal 24 Hour Standard
		Average	Federal: 150 $\mu\text{g}/\text{m}^3$		<u>Non-attainment</u> : California 24 Hour Standard
		Annual Average	California: 30 $\mu\text{g}/\text{m}^3$		
			Federal: 50 $\mu\text{g}/\text{m}^3$		<u>Attainment</u> for Annual Standards <u>Non-attainment</u> : Interim Target

**Recommendations**

1. Revise Wood Heater Retrofit Program to give it more enforcement power and provide options to delegate to local government. (B List)
2. Develop and implement the high priority EIP projects to reduce the amount of exposed soil and reduce the vehicle miles of travel (VMT). (A List)
3. TRPA should add a new element to its particulate sampling to determine what levels of sand and salt, attributable to local road maintenance, exist in local particulate samples. (B List)

Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
AQ-4	Visibility	Regional	171 km, 50% of year	N/A	<u>Non-attainment</u> for 50% range: regional and sub-regional.
			97 km, 90% of year		
		Sub-Regional	87 km, 50% of year		<u>Attainment</u> : 90% range: regional and sub-regional.
			26 km, 90% of year		

**Recommendations**

1. Revise visibility threshold standards so that the numerical standard better corresponds with current monitoring methods. (Current standard was developed using contrast measurements from photometric data, but current monitoring consists of optical measurements and particulate data). (A List)
2. Evaluate possibility of having seasonal visibility thresholds. (C List)
3. Establish monitoring procedures for prescribed burns and wildfires so that TRPA has some means of evaluating individual events and whether thresholds can be met and maintained based on impacts from events. (B List)

**TABLE 1**  
**SUMMARY OF THE 1996 EVALUATION**

**AIR QUALITY THRESHOLDS**

Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
AQ-5	U.S. 50 Traffic Volume	Average volume, 4 pm to 12 am, November through February	7% reduction traffic volume on U.S. 50 corridor from 1981 values.	None	<u>Attainment</u> : The 1995 volumes show a 7.8% reduction.

**Recommendations**

1. Upon better evaluation of carbon monoxide data, determine whether or not this standard should be revised or eliminated. This management standard was developed as a means of meeting the CO threshold, and currently the CO threshold is being met. (C List)

Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
AQ-6	Wood Smoke	Wood smoke concentrations	Reduce annual emissions 15% from 1981 values.	By September 1996, TRPA shall prepare a report on historic vs. present wood smoke comparisons.	<u>Non-attainment</u> : Preliminary data shows an increase in wood smoke.  <u>Non-attainment</u> For Interim; However, it will be completed April 1997.

**Recommendations**

1. Revise Wood Heater Retrofit Program to allow for better enforcement of regulations and provide options to delegate to local governments. (B List)
2. Evaluate the possibility of having a wood smoke standard that would allow for wood smoke levels attributable to wild fires or prescribed burns. (C List)

Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
AQ-7	Vehicle Miles Traveled (VMT)	VMT based on TRANPLAN transportation model	Reduce VMT 10% from 1981 values	To not exceed RFP line identified as forecast in 1991 Evaluation.	<u>Non-attainment</u> : 1.735 million VMT exceeds 1981 levels.  <u>Attainment</u> of interim target - More accurate land use data indicate VMT is less than previously modeled.

**Recommendations**

1. Evaluate VMT and its effectiveness as a threshold standard for air quality. Determine whether another indicator would allow for better evaluation of air quality impacts (i.e., transit performance standards, LOS). Determine level of significance VMT plays in visibility impacts and increased NO<sub>x</sub> concentrations. (C List)
2. Develop and implement high priority air quality EIP projects. (A List)

Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
AQ-8	Atmospheric Nutrient Loading	Particulate concentrations of NO <sub>3</sub> ; gaseous concentrations of NO <sub>2</sub>	Reduce DIN load on Lake Tahoe from atmospheric sources by approximately 20% of the 1973-1981 annual average.	Indicator shall not exceed forecast lines identified in 1991 Evaluation.	<u>Attainment</u> : Based on sample monitoring. However, TRPA has not established 1973-1981 annual average.

**Recommendations**

1. Conduct study to establish 1973-1981 annual averages of NO<sub>2</sub> and NO<sub>3</sub> concentrations, so that current levels can be directly compared with the average to determine compliance with the threshold. (C List)

**TABLE 1**  
**SUMMARY OF THE 1996 EVALUATION**

**WATER QUALITY THRESHOLDS:**

Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
WQ-1	Shallow waters of Lake Tahoe	Turbidity, shallow waters of Lake Tahoe	Decreases sediment load as required to attain turbidity values not to exceed 3 NTU in littoral Lake Tahoe. In addition, turbidity shall not exceed 1 NTU in shallow waters of Lake Tahoe not directly influenced by stream discharges.		<u>Attainment</u> . Turbidity in the littoral zone of Lake Tahoe currently attains the standard for areas influenced by stream discharge and areas not influenced by stream discharge.

**Recommendations:** Amend the monitoring requirements for the indicator units to reflect monitoring needs closer to the shoreline. (A List)

Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
WQ-2	Deep waters of Lake Tahoe	Clarity, winter, pelagic Lake Tahoe	Average secchi depth, December-March, shall not be less than 33.4 meters.	Annual average secchi depth shall not be less than 20.7 meters in water year 1995	<u>Attainment</u> of Interim Target of 20.7 meters. Non-attainment of standard 33.4 meters.

**Recommendations:**

1. Develop clarity model to predict the total amount of nutrient loading per year that is allowed to achieve clarity standard. (C List)
2. Develop a BMP Maintenance Program and funding options for large project as part of the Water Quality Capital Improvement Program. (B List)

Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
WQ-2-A	Deep waters of Lake Tahoe	Clarity, winter, pelagic Lake Tahoe	Clarity, winter, pelagic Lake Tahoe. As a related factor to the deep water clarity of Lake Tahoe, progress by public agencies to construct erosion control projects is tracked.	From January 1, 1992, to December, 1996, total expenditures on capital improvement projects for 8 jurisdictions.	<u>Non-attainment</u> . Tentatively 6 out of 8 will attain interim target.

**Recommendations:**

1. Adopt a performance-based Water Quality CIP Program interim target where progress in implementing projects is directly tied to the allocation process. Also require a maintenance component within the five-year list and allocation process. (A List)
2. Develop High Priority Project list in the Environmental Improvement Program. (A List)
3. Amend the indicator units to reflect projects that will be completed by each jurisdiction and not base progress solely on dollar amounts, but on a water quality benefit basis. (B List)

Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
WQ-2-B	Deep waters of Lake Tahoe	Clarity, winter, pelagic Lake Tahoe	Clarity, winter, pelagic Lake Tahoe. As a related factor installation and maintenance of BMPs is tracked.	By December 30, 1996, 35 percent of the properties shall have BMPs in place, and 30 percent have revegetation of disturbed areas.	<u>Attainment</u> . For interim, results from four previous surveys of 525 parcels, show that installation and maintenance of BMPs generally increased since 1993.

**Recommendations:**

1. Restructure current format of evaluating each parcel. More specificity is needed, particularly in how effective the parcel is in treating runoff. Re-randomize parcel count for each survey, or drop 100 percent scores on parcels, and randomly add new parcels to the survey. (B list)

**TABLE 1**  
**SUMMARY OF 1996 EVALUATION**

<b>WATER QUALITY THRESHOLDS</b>					
Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
WQ-3	Deep waters of Lake Tahoe	Phytoplankton Primary Productivity	Annual mean phytoplankton primary productivity shall not exceed 52gC/m <sup>2</sup> /yr.  California: algal productivity shall not be increased beyond levels recorded in 1967-1971, based on a statistical comparison of seasonal and annual mean values.	Annual mean phytoplankton shall not exceed 145 gmC/m <sup>2</sup> /yr. for WY 1995.	<u>Non-attainment</u> for interim target of 145gC/m <sup>2</sup> /yr., and for long-term standard of 52gc/m <sup>2</sup> /yr.
<b>Recommendations:</b>					
<ol style="list-style-type: none"> <li>Develop water clarity model which mathematically links nutrient loading, algal growth rate and changes in water clarity, and will serve as a predictive tool on how much loading can be allowed to occur to achieve the primary productivity standard. (C List)</li> <li>Complete urban runoff model to evaluate the impacts of urban runoff and link it to the clarity model on a watershed basis. (B List)</li> </ol>					
Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
WQ-4	Tributaries	Tributary water quality	California: total nitrogen, total phosphorus and total iron (annual average).  Nevada: soluble phosphorus not to exceed 0.007mg/l annual average, soluble inorganic nitrogen not to exceed 0.025mg/l annual average.  TRPA: attain a 90th percentile value for suspended sediment of 60mg/l.	Total Phosphorus concentrations shall not exceed established forecast lines.	<u>Non-attainment</u> , depending on the water year, however, some tributaries are in attainment for total nitrogen and total phosphorous.
<b>Recommendations:</b>					
<ol style="list-style-type: none"> <li>Refine existing tributary monitoring program to include short-term indicators for tributaries to evaluate relative "health" of a watershed. Indicators of health include Rapid Bioassessment Protocol and Total Daily Maximum Loads (TMDLs). (B List)</li> <li>Complete and implement urban runoff model to address impacts of urban runoff. (B List)</li> <li>Commit resources to the Upper Truckee River Focused Watershed effort, and work towards consolidation of monitoring efforts. (C List) Develop models describing the hydrologic and nutrient cycling processes in the Upper Truckee River watershed.</li> <li>Amend 90th percentile total suspended sediment standard for tributaries to annual average. (A List)</li> <li>Commit resources to "real-time" interpretation of existing water quality data. (C List)</li> </ol>					
Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
WQ-5	Stormwater runoff quality	Surface discharge to surface water	TRPA threshold-dissolved inorganic nitrogen, 0.5mg/l; dissolved phosphorus, 0.1mg/l; dissolved iron, 0.5mg/l; suspended sediment, 250mg/l.	TRPA shall prepare a mitigation plan of urban runoff at the point of discharge	<u>Non-attainment</u> for interim and long term. Typically, stormwater runoff does not meet state standards for total nitrogen, total iron.
<b>Recommendations:</b>					
<ol style="list-style-type: none"> <li>Complete the interim target to prepare a mitigation plan of urban runoff at the point of discharge. (B List)</li> </ol>					

**TABLE 1**  
**SUMMARY OF 1996 EVALUATION**

<b>WATER QUALITY THRESHOLDS</b>					
Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
WQ-6	Stormwater runoff quality	Surface discharge to groundwater	Surface water infiltration into the groundwater shall comply with the Uniform Regional Runoff Guidelines. For total nitrogen, 5 mg/l; total phosphorus, 1 mg/l; total iron, 4 mg/l; turbidity, 200 NTU; grease and oil, 40 mg/l.	TRPA shall prepare a mitigation plan of urban runoff at the point of discharge.	<u>Non-attainment</u> for interim and long term. Typically, surface discharge to groundwater does not meet state standards.
<b>Recommendations:</b>					
1. Complete urban runoff model to evaluate impacts of urban runoff and to help prioritize future water quality projects. (B List)					
2. Develop and implement a BMP Maintenance Program for large projects and continue to implement the BMP Retrofit Program. (B List)					
3. Refine current monitoring program to collect urban runoff on a flow-weighted basis in the Upper Truckee River and Third Creek watershed, rather than focus on grab samples throughout the Basin. (B List)					
4. Develop a performance-based CIP list coordinated with the Environmental Improvement Program for each jurisdiction. (A List)					
Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
WQ-7	Other Lakes	California-Nevada Other Lakes	For other lakes in Nevada and California, the standards are the same as the tributary standards.	TRPA shall determine the status of developing standards by September, 1996.	<u>Attainment</u> : Under current State standards, the lakes are typically within the Standards.  <u>Attainment</u> for interim: Nevada is currently revising its tributary standards. TRG is currently preparing a report on California Other Lake Standards.
<b>Recommendations</b>					
1. Complete feasibility assessment of the need for establishment of water quality standards for California Other Lakes. (C List)					

**TABLE 1**  
**SUMMARY OF THE 1996 EVALUATION**

<b>SOIL CONSERVATION THRESHOLDS:</b>					
Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
SC-1	Impervious Land Coverage	Additional Land Coverage, by project (sq.ft).	Impervious coverage shall comply with the land capability classification of the Lake Tahoe Basin.	Spend 80% of excess coverage mitigation fee funds.	<u>Non-attainment</u> for coverage reductions <u>Non-attainment</u> for interim. Nevada has not purchased land coverage with the fees. California is in attainment.
<b>Recommendations</b>					
<ol style="list-style-type: none"> <li>Evaluate the effectiveness of land coverage limitations related to water quality improvement by developing a water clarity model. Recommendations regarding changes to the land coverage program should be a goal of the model. (C List)</li> <li>A full inventory and model of coverage within the Basin should be made by land capability type. (C List)</li> <li>Work with the Forest Service and State Parks to target up to 80% of coverage removed from the obliteration of unpaved roads be permanently retired. (C List)</li> <li>Amend excess coverage mitigation fee calculations to ensure the ability to retire the targeted coverage amount. (A List)</li> </ol>					
Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
SC-2	SEZ Restoration	Acres Restored	Restore 25% of the SEZ in developed, disturbed, and subdivided areas, restore 100% in outlying areas for 5% overall increase.	By December 31, 1992, TRPA shall adopt interim targets.	<u>Non-attainment</u> . Only a quarter of the 1100 acres of SEZ have been restored. <u>Non-attainment</u> for interim. TRPA has not adopted interim targets.
<b>Recommendations</b>					
<ol style="list-style-type: none"> <li>Amend the Code of Ordinances to provide language that clearly protects SEZs from disturbance and vegetation removal or conversion except under approved management plans. (A List)</li> <li>All SEZ lands within the subdivided, developed, or disturbed parts of the Region acquired by the Forest Service, California Tahoe Conservancy, or Nevada State Lands should be evaluated by qualified personnel for their restoration potential. (C List)</li> <li>Local governments should help fund the evaluation of publicly acquired SEZ lands for their restoration potential and inclusion in the EIP. (C List)</li> <li>Four hundred acres of SEZ should be included in the EIP as a priority for restoration over the next five years. (A List)</li> <li>A classification system of SEZ type by function both in terms of wildlife, fisheries, and hydrology should be created. (B List)</li> <li>An assessment and determination of the value of man-made SEZ should be made for purposes of both water quality and/or wildlife habitat improvements. (C List)</li> </ol>					

**TABLE 1**  
**SUMMARY OF THE 1996 EVALUATION**

**VEGETATION THRESHOLDS**

Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
V-1	Vegetation Protection	Common Vegetation	Increase plant and structural diversity of forest communities as measured by species richness, relative abundance and pattern.	To be determined pending completion of next U.S. Forest Service vegetation inventory.	<u>Attainment</u> for species richness and pattern. <u>Non-attainment</u> for relative abundance of deciduous riparian (low acreage), yellow pine forest (high acreage) and red fir forest (high acreage).

**Recommendations**

1. Adopt Vegetation Goals and Policies to reflect ecosystem/forest health approach to resource management. (B List)
2. Adopt Old Growth/Late Successional Stage Threshold to protect and perpetuate old growth stands in the urban and non-urban areas and single trees of significance in the urban areas. (A List)
3. Amend Chapter 74 of the Code of Ordinances to provide additional protections to stream environment zone vegetation. (A List)
4. Amend Chapter 71 of the Code of Ordinances to reflect ecosystem/forest health approach to resource management. (B List)
5. Develop and implement high priority vegetation EIP projects. (B List)

Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
V-2	Vegetation Protection	Uncommon Plant Communities	Provide for the non-degradation of deep water plants, Grass Lake, Osgood Swamp, and Free Peak Cushion Plant Community.	N/A	<u>Attainment</u> of standards for uncommon plant communities.

**Recommendations**

1. Complete an underwater survey of Lake Tahoe deep water plant communities by remote operated vehicle. (C List)
2. Provide for annual protection measures for Free Peak Community. (C List)

Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
V-3	Vegetation Protection	Sensitive Plants	Maintain a minimum number of population sites for each species.	By September 1996, TRPA should prepare a study and recommendation regarding possible listing of <u>Arabis rigidissimi</u> v. <u>demota</u> and <u>Silene invisa</u> .	<u>Non-attainment</u> of <u>Rorippa</u> . High water has reduced sites to less than 10. <u>Attainment</u> of <u>Lewisia</u> , and both <u>Draba</u> species as of 1993. <u>Attainment</u> with respect to the interim target.

**Recommendations**

1. For Rorippa, develop and implement California State Lands Commission's Stewardship Program. Continue population inventory surveys. Conduct biological study of Rorippa's genetic makeup, the effects of inundation, reproductive biology, population viability, root morphology, and habitat. (C List)

**TABLE 1**  
**SUMMARY OF THE 1996 EVALUATION**

**FISHERIES THRESHOLDS:**

Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
F-1	Fisheries Habitat Protection	Lake Habitat	A non-degradation standard shall apply to fish habitat in Lake Tahoe. Achieve the equivalent of 5,948 total acres of excellent habitat.	Develop a restoration program for Lake fisheries by September 1997..	<u>Non-attainment</u> - However the fish study and mapping indicate a reduced number of acres in need of restoration. <u>Non-attainment</u> for interim.

**Recommendations**

1. Revise the location standards relative to fish habitat for shorezone structures, enhance controls in the Code, and fund enforcement of lake bed manipulation based upon the Shorezone Final EIS. (B List)
2. Amend in-Lake fish habitat map to more accurately reflect habitat conditions. (A List)
3. Conduct an in-Lake fish habitat restoration study in order to provide scientifically accurate recommendations for restoration projects in the shorezone. (B List)
4. Develop a Fish Habitat Improvement Program in the EIP incorporating recommendations from restoration study. (B List)
5. Conduct a mountain whitefish survey to analyze its population status. (C List)

Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
F-2	Fisheries Habitat Protection	Stream Habitat	Maintain the 75 miles of excellent, 105 miles of good, and 38 miles of marginal stream habitat as indicated by the map on page 76 of the EIS for the establishment of the environmental thresholds.	25 stream habitat miles from good to excellent, and 45 miles from marginal to good, provided that if TRPA adopts a new rating system, substitute targets will be adopted simultaneously.	<u>Non-attainment</u> for long-term standards.

**Recommendations**

1. Amend Stream Habitat maps to reflect the changes that have occurred as a consequence of re-rating. (A List)
2. Adopt Appendix C-1 of the 96 Evaluation with the amended stream ratings and potential ratings for each stream. (A List)
3. Once the Riparian Assessment project is complete, incorporate the biological information into a revised rating system. (B List)
4. Improve the fish habitat improvement program for the Region's streams based on the potential a stream has in becoming good or excellent fish habitat. This should become part of the EIP. (B List)
5. Amend the Code of Ordinances to protect the SEZs consistent with non-degradation standards found in both the fisheries and wildlife thresholds. (A List)
6. Conduct feasibility study for the reintroduction of amphibians within the drainages that are rated marginal fisheries habitat and whose potential to provide fish habitat is marginal. (C List)
7. Facilitate the development of a beaver management program in coordination with the resource management agencies of the Region. (On-going)
8. Conduct a mountain whitefish survey to analyze its population status. (C List)



**TABLE 1**  
**SUMMARY OF THE 1996 EVALUATION**

Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
F-3	Instream Flows		A non-degradation standard shall apply to instream flows until instream flow standards are established in the Regional Plan to protect fishery values.	Adopt numerical instream flow standards for studied streams by June 1997.	<u>Unknown</u> for long term because of lack of monitoring data. <u>Non-attainment</u> for interim but will be adopted with this report.

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**Recommendations**

1. Adopt the instream flow requirements recommended in the 1987 report. (A List)
  2. Develop monitoring protocol to evaluate current and long-range compliance with the adopted instream flow numerical standards. (B List)
  3. Facilitate the exchange of water from stream diversions to lake uptake. (On-going)
-

**TABLE 1**  
**SUMMARY OF 1996 EVALUATION**

<b>WILDLIFE THRESHOLDS</b>					
Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
W-1	Wildlife Protection	Special Interest Species	Provide a minimum number of population sites and distance zones for the following six species: Goshawk = 12 sites; Osprey = 4 sites; Bald Eagle = 2 winter; Bald Eagle = 1 nesting; Golden Eagle = 4 sites; Peregrine = 2 sites; Waterfowl = 18 sites; Deer = as mapped.	To be determined based on further monitoring.	<u>Attainment</u> : Goshawk, Waterfowl, Osprey, Bald Eagle Nesting and Wintering and Deer are known to be in attainment. <u>Non-attainment</u> - Peregrine <u>Unknown</u> - Golden Eagle <u>Attainment</u> for interim
<b>Recommendations</b>					
<ol style="list-style-type: none"> <li>1. Conduct golden eagle survey and study. (B List)</li> <li>2. Conduct annual waterfowl survey. (On-going)</li> <li>3. Conduct a study that evaluates the overall population dynamics and habitat utilization of wildlife species in the Region. (B List)</li> <li>4. Evaluate the current controls on OHVs (to include snow mobiles and jet skis);. included in this study should be an analysis of the adequacy of the noise standards on wildlife. (C List)</li> <li>5. Study human impacts in the South and East Shores of Lake Tahoe on wintering bald eagles. (C List)</li> <li>6. Amend the Code of Ordinances to protect SEZs consistent with the non-degradation standards found in both the wildlife and fisheries thresholds. (A List)</li> <li>7. Update maps and data base for special interest species. (B List)</li> </ol>					
Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
W-2	Wildlife Habitat Protection	Habitat of Special Significance	A non-degradation standard shall apply to significant wildlife habitat consisting of deciduous trees, wetlands, and meadows while providing for opportunities to increase the acreage of such riparian associations.	See SC-2	<u>Non-attainment</u> - See SC-2
<b>Recommendations</b>					
<ol style="list-style-type: none"> <li>1. Amend the Code of Ordinances to protect the SEZs consistent with the non-degradation standards found in both the wildlife and fisheries thresholds. (A List)</li> <li>2. Revise Code of Ordinances to make land coverage mitigation requirements consistent between SEZ and backshore. (B List)</li> </ol>					

**TABLE 1**  
**SUMMARY OF 1996 EVALUATION**

**SCENIC THRESHOLDS:**

Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
SR-1	Travel Route Scenic Resources	Roadway and Shoreline Travel Route Ratings	1982 Threshold Rating Values for Roadway and Shoreline Travel Route Units shall be maintained or improved. Restore scenic quality in Roadway Units rated 15 or below and in Shoreline Units rated 7 or below.	Targets on Table SR-1.	<u>Non-attainment</u> for long term. Although the same 23 roadway units are still non-attainment, 9 showed improvement, 9 non-attainment shoreline units, and 0 showed improvement. <u>Non-attainment</u> for interim targets.

**Recommendations**

1. Integrate the Scenic Quality Improvements into the EIP. Seek dedicated funding for the needed threshold improvements. (A List)
2. TRPA should develop standards for upland of the shorezone for setbacks for bulk and mass, height, lot size, maximum glass area standards, and account for visual absorption capability. (B List)
3. Implement mitigation measures for shorezone structures based upon the final shorezone EIS. (B List)
4. Request the State of California to keep Rule 20/32 Program for undergrounding utilities, and work with Nevada to develop such a program. (B List)
5. Amend Code Chapter 26, Signs (and substitute ordinances) to trigger amortization/conformance with any permit action (A List). Fund a sign enforcement coordinator. (C List)
6. Develop an off-site mitigation program for scenic mitigation. (B List)
7. Develop a scenic mitigation credit system for projects. (B List)
8. Amend Guidelines and Code to include specific color requirements for visually sensitive areas and to allow longer driveways for scenic setbacks. (B List)
9. Work with the State of Nevada and utility providers to develop utility undergrounding program. (C List).

Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
SR-2	Mapped Scenic Resources	Roadway and Shoreline Scenic Quality Ratings	1982 Threshold Ratings Values for individual resources shall be maintained or improved.	Targets on Table SR-2	<u>Non-attainment</u> : Five of 202 roadway ratings and 184 shoreline ratings had reductions in score. <u>Non-attainment</u> : For interim targets.

**Recommendations**

1. Update the SQIP to identify degraded resources and list program mitigation needs to be included in the EIP. (A List)
2. Conduct the post construction review for Caltrans viaduct project in the Emerald Bay. (B List)
3. Integrate the threshold into the Real-Time Monitoring Program. (B List)

Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
SR-3	Recreation Area Scenic Resources	Bikepath and Public Recreation Area Scenic Quality Ratings	1993 Threshold rating values for individual resources shall be maintained or improved.	N/A	<u>Unknown</u> . Just recently adopted.

**Recommendations**

1. Integrate the threshold into the Real-Time Monitoring Program. (B List)
2. Add Spooner Lake State Park and Tahoe Valley State Recreation Area/Washoe Meadows State Park to the facilities covered by the threshold. (B List)
3. Work with recreation area managers to enhance threshold attainment and maintenance. (B List)

**TABLE 1**  
**SUMMARY OF 1996 EVALUATION**

**SCENIC THRESHOLDS**

Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
SR-4	Community Design	Design of Built Environment	The Built Environment Shall be Compatible With the Natural Environment.	Implement Sign Amortization Code Revisions	<u>Non-attainment</u>

**Recommendations**

1. Amend Chapter 30 to revise standards for exterior lighting of recreation areas and for building and landscape lighting, and develop standards for transportation corridor design. (B List)
2. Amend Chapter 26, Signs, and substitute sign ordinances to require more stringent requirements for conformance, to coordinate amortization, limit sign heights on buildings, to revise color and illumination standards, and to limit exemption policies. (A List)
3. Hold a design workshop to consider implementation of the scenic improvements and the delay of the Loop Road improvements for the South Stateline area. (B List)
4. Amend Chapter 22 to clarify and revise definitions, clarify and revise additional height provisions, and revise findings for additional height. (B List)

**TABLE 1**  
**SUMMARY OF THE 1996 EVALUATION**

**NOISE THRESHOLDS**

Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
N-1	Aircraft Noise	Single-event (aircraft)	80dBA at 6,500 meters from start of takeoff roll; 84dBA for general aviation and commuter, and 86dBA for transport aircraft at 2,000 meters from the runway threshold approach; 77.1 dBA between the hours of 8:00 pm and 8:00 am.	Sec. 2.2 Noise Mitigation of the Airport Settlement Agreement	<u>Attainment:</u> Transport and commuter aircraft. <u>Non-attainment:</u> One instance of violation for 19,000 plus GAO operations.

**Recommendations**

1. Implement the noise mitigation measures listed in the South Tahoe Airport Master Plan. (B List)

Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
N-2	Single-Event Noise	Single-Event (other than aircraft)	<p>Single-Event Noise (dBA)</p> <p><u>Boats:</u> Overall: 82 Distance: 50 ft. @ 3,000 rpm</p> <p><u>Motor Vehicles &gt; 6,000 GVW</u></p> <p>&lt;35MPH: 76, &gt;35MPH: 82, Distance: 50 ft.</p> <p><u>Motor Vehicles 6,000 GVW</u></p> <p>&lt;35MPH: 82, &gt;35 MPH: 86, Distance 50 ft.</p> <p><u>Motorcycles - &gt; 35MPH: 77, &lt;35MPH: 86, Distance: 50 ft.</u></p> <p><u>Off-Road Vehicles:</u></p> <p>&lt;35MPH: 72, &gt;35MPH: 86, Distance: 50 ft.</p> <p><u>Snowmobiles:</u> &lt;35MPH: 82, Distance: 50 ft.</p>	To be determined based on further monitoring.	<p><u>Attainment:</u> Available information on snowmobiles shows compliance in most cases. USFS monitoring of motorcycles shows attainment.</p> <p><u>Non-attainment on interim monitoring.</u></p>

**Recommendations**

1. TRPA should undertake a long-term single-event noise monitoring program for the major noise generators, such as personal water craft and those listed in the threshold. (B List)
2. Establish a noise enforcement MOU with local state and federal agencies. Additional single event standards in effect in the Meyers Community Plan and the Washoe and Placer County Community Plans should be considered for the Region. (C List)

N-3	Community Noise Levels	Community Noise Equivalent Levels (CNEL)	<p>High Density Residential Areas; 55dBA;</p> <p>Low Density Residential Areas; 50dBA;</p> <p>Hotel/Motel Facilities; 55dBA;</p> <p>Commercial Areas; 65dBA;</p> <p>Urban Outdoor Recreation Areas; 55dBA;</p> <p>Rural Outdoor Recreation Areas; 50dBA;</p> <p>Wilderness and Roadless Areas; 25dBA;</p> <p>Critical Wildlife Habitat</p>	TRPA should prepare a report on possible CNEL changes.	<p><u>Non-attainment:</u> Monitoring performed May 6-20, 1996, indicates 33 out of 40 sample sites in attainment.</p> <p><u>Attainment:</u> On interim, TRPA recommends changes in wilderness and commercial CNELs.</p>
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**TABLE 1**  
**SUMMARY OF 1996 EVALUATION**

**NOISE THRESHOLDS:**

Highway 50; 65dBA

Highways 89,107,28,267,  
and 431; 55dBA;

South Lake Tahoe Airport;  
60dBA

---

**Recommendations**

1. Commercial/public service plan areas, which are predominantly tourist or retail in use, should be lowered to 60 CNEL. (A List)
  2. Wilderness and roadless areas and critical wildlife habitat areas should be amended to account for evening and night time CNEL penalties. (A List)
  3. The threshold rule "background noise levels shall not exceed existing levels, or the following levels, whichever is less" should be reevaluated. (C List)
-

**TABLE 1**  
**SUMMARY OF 1996 EVALUATION**

**RECREATION THRESHOLDS**

Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
R-1	Quality of Recreation Experience	High Quality Recreational Experience	Preserve and enhance the high quality recreational experience including undeveloped shorezone.	Survey of public opinion on recreation.  Additional public access Regional Recreation Plan.	<u>Unknown</u> on long term <u>Attainment</u> on interim target.

**Recommendations**

1. User satisfaction surveys should occur on a regular (preferably annual) basis. (On-going)
2. Continue support and participation in TCORP. (On-going)
3. Implement the projects listed in the EIP for recreation. (On-going)
4. TRPA shall develop a more detailed regional recreation plan including measurable performance targets and a priority acquisition list of high quality lands suitable for low density recreation by the general public. (B List)
5. Recreation providers need to allocate adequate resources to the upkeep and repair of existing recreation facilities. A comprehensive and systematic program of maintenance and repair should be provided by each recreation entity. (On-going)
6. TRPA should adopt a policy statement which encourages local governments to retain public rights-of-way or easements which provide or can provide public access to the Lake. (A List)

Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
R-2	Public recreation opportunities.	Outdoor recreation capacity available to the general public.	PAOTs to public outdoor recreation projects.  Establish and ensure a fair share of the total Basin capacity for outdoor recreation available to the general public.	Estimate recreation resource capacity needs.  Interim PAOT development targets.	<u>Unknown</u> on long term. <u>Attainment</u> on interim target.

**Recommendations**

1. Recreation projects which implement the threshold should be integrated into TRPA's Environmental Improvement Program (A List).
2. As part of the recreation plan update, provide criteria for a more clear understanding of how to measure the threshold. Add additional uses which implement the additional developed outdoor recreation targets (B List).
3. TRPA should improve its tracking and information gathering systems in regards to recreation. (B List) TRPA should become an information clearing house and provider of recreation data (C List).
4. TRPA must revise its project review procedures to require findings that sufficient resource capacity remains to achieve the Regional Plan's recreation goals (C List).

**TABLE 1**  
**SUMMARY OF 1996 EVALUATION**

<b>ECONOMICS</b>					
Threshold	Description	Parameter	Standard	Interim Target	Attainment Status
N/A	N/A	N/A	N/A	N/A	N/A
<b>Recommendations</b>					
1.	Continue participation in TTREC. (On-going)				
2.	Gather economic data for key economic indicators. (C List)				
3.	Initiate a study of the local economy to determine key business relationships and impacts of development guidelines including mitigation programs. (C List)				
4.	Initiate a study of commercial needs for the Basin based on its tourist/service nature. (C List)				
5.	Study the rate of absorption of available commercial allocations by business type and location. (C List)				
6.	Develop a model of the local economy to determine significant contributors to local economic growth. (C List)				
7.	Study the recreational nature of the local economy to determine how this relates to the commercial needs of the Region. (C List)				



## APPENDIX E

### LETTER DATED JANUARY 5, 1999, FROM THE COMMITTEE CONCERNING FUNDING OF ONGOING STATE AGENCY PROGRAMS

The letter contained in this appendix was transmitted to the Chairmen of the Senate Committee on Finance and the Assembly Committee on Ways and Means.

Senator William J. Raggio, Chairman  
Senate Committee on Finance

Assemblyman Morse Arberry Jr., Chairman  
Assembly Committee on Ways and Means





# Nevada Legislature

SIXTY-NINTH SESSION

**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

January 5, 1999

Dear:


Throughout the 1997-1999 interim, the Legislative Committee To Continue the Review of the Tahoe Regional Planning Agency (TRPA) received testimony highlighting the significance of ongoing State agency programs in the Lake Tahoe Basin. Among the programs most often identified were those addressing forest health, maintenance of highway facilities relating to environmental protection, water quality protection, erosion control, and stream restoration.

As your Standing Committee reviews budget proposals relating to these ongoing programs, it is important that you are aware of the essential roles these activities play in protecting the environmental resources of the Basin. Thus, the Committee To Continue the Review of the TRPA adopted the following recommendation:

Include in the final report a statement of support and transmit letters to the Senate Committee on Finance and the Assembly Committee on Ways and Means expressing support for state agency budget requests relating to ongoing programs in the Lake Tahoe Basin, such as forest health management, maintenance of highway facilities associated with environmental protection, protection of water quality, erosion control, and stream restoration.

I would be pleased to answer any questions you may have concerning this recommendation. I would also be happy to ensure that the appropriate testimony is available when funding for these programs is being evaluated.

Sincerely,

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

LEJ/rd:L04

**DISTRICT OFFICE:**

P.O. Box 367, Minden, Nevada 89423-0367 • (702) 782-2334

**LEGISLATIVE BUILDING:**

401 S. Carson Street, Carson City, Nevada 89701-4747 • (702) 687-8125 or 687-5742 • Fax No. (702) 687-8206



## APPENDIX F

### LETTER DATED JANUARY 5, 1999, FROM THE COMMITTEE CONCERNING COORDINATION OF BUDGET REVIEW

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

John P. Comeaux, Director  
Budget Division and Department of Administration  
209 East Musser Street, Room 200  
Carson City, Nevada 89701-4298

Dan Miles, Senate Fiscal Analyst, and  
Mark Stevens, Assembly Fiscal Analyst  
Fiscal Analysis Division, Legislative Counsel Bureau  
Legislative Building  
401 S. Carson Street  
Carson City, Nevada 89701-4747

Timothy B. Gage, Director  
Department of Finance  
State Capitol, Room 1145  
Sacramento, California 95814-4905

Carol Baker, Principal Program Budget Analyst  
Department of Finance  
915 L Street, 9<sup>th</sup> Floor  
Sacramento, California 95814-4905

Elizabeth G. Hill, Fiscal Analyst  
Legislative Analyst's Office  
925 L Street, Suite 1000  
Sacramento, California 95814-3704

Dana Curry, Director  
Transportation and Resources Section  
Legislative Analyst's Office  
925 L Street, Suite 1000  
Sacramento, California 95814-3704





# Nevada Legislature

SIXTY-NINTH SESSION

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

January 5, 1999

Dear:

During recent bienniums between legislative sessions, the Nevada Legislature has appointed a committee to review and oversee the activities of the Tahoe Regional Planning Agency (TRPA). The 1997 Legislature continued this practice through adoption of Senate Concurrent Resolution No. 2 (File No. 15, *Statutes of Nevada 1997*).

Testimony before the Committee has highlighted the fact that the bistate nature of the TRPA fosters relatively complicated procedures for review and approval of funding from the States of California and Nevada. As the Agency's emphasis shifts from planning per se to implementation of projects to preserve and enhance the environmental resources of the Basin, it will be necessary for the TRPA to broaden its perspectives while maintaining its traditional roles. Thus, coordination of the analyses of funding needs will become even more crucial in the future.

For these reasons, the Committee adopted the following recommendation:

Transmit letters to the Executive and Legislative agencies responsible for review of the TRPA's budget requests in Nevada and California urging these entities to establish an official mechanism to coordinate the process for review and approval of these requests, and urging appropriate staff of Nevada's Department of Administration to initiate these actions.

I would urge you to consider this recommendation seriously and participate actively in its implementation. If I can be of assistance in this matter in any way, I would be more than happy to do so.

Sincerely,

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

LEJ/rd:09

DISTRICT OFFICE:

P.O. Box 367, Minden, Nevada 89423-0367 • (702) 782-2334

LEGISLATIVE BUILDING:

401 S. Carson Street, Carson City, Nevada 89701-4747 • (702) 687-8125 or 687-5742 • Fax No. (702) 687-8206





## APPENDIX G

### LETTER DATED JANUARY 5, 1999, FROM THE COMMITTEE URGING SUPPORT FOR DESIGNATION OF A METROPOLITAN PLANNING ORGANIZATION (MPO)

The letter included in this appendix was transmitted to the following entities urging them to provide their expertise and technical assistance in efforts to implement the MPO designation in the Lake Tahoe Basin:

Tom Stephens, Director  
Nevada Department of Transportation  
1263 South Stewart Street  
Carson City, Nevada 89701-5229

Kurt Weinrich, Director  
Clark County Regional Transportation Commission  
300 East Clark Avenue  
Las Vegas, Nevada 89101-6509

Celia G. Kupersmith, Executive Director  
Washoe County Regional Transportation Commission  
P.O. Box 30002  
Reno, Nevada 89520-3002





# Nevada Legislature

SIXTY-NINTH SESSION

**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

January 5, 1999

Dear:

During recent bienniums between legislative sessions, the Nevada Legislature has appointed a committee to review and oversee the activities of the Tahoe Regional Planning Agency (TRPA). The 1997 Legislature continued this practice through adoption of Senate Concurrent Resolution No. 2 (File No. 15, *Statutes of Nevada 1997*).

In 1993 and 1995, these Committees recommended expressing support for designation of a Metropolitan Planning Organization (MPO) in the Lake Tahoe Basin, and the Nevada Legislature subsequently adopted the applicable resolutions to implement these recommendations. As you are aware, such a designation can be a significant factor in obtaining Federal transit and surface transportation funds.

Testimony before the current Committee indicated that enactment in 1998 of the Federal Transportation Equity Act for the Twenty-First Century (TEA 21) authorized formation of an MPO for the Basin. A considerable amount of effort was invested in getting this provision incorporated in the Federal act. Additional cooperative effort, however, is needed to actually implement the designation, and your agency possesses important expertise that would be of special assistance in this endeavor.

Realizing the value of your expertise in this area, the Committee adopted the following recommendation to request your assistance for the program in the Basin:

Transmit letters to the Nevada Department of Transportation and the Regional Transportation Commissions in Clark and Washoe Counties urging them to provide their expertise and technical assistance to the TRPA and other interested parties in their efforts to implement the designation of a Metropolitan Planning Organization in a timely fashion.

**DISTRICT OFFICE:**

P.O. Box 367, Minden, Nevada 89423-0367 • (702) 782-2334

**LEGISLATIVE BUILDING:**

401 S. Carson Street, Carson City, Nevada 89701-4747 • (702) 687-8125 or 687-5742 • Fax No. (702) 687-8206

Page 2

I would urge you to consider this request seriously and attempt to assist the participants in the Basin as much as possible. If you have any questions or if I can be helpful in discussing this matter in greater depth, I would be more than happy to do so.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lawrence E. Jacobsen".

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

LEJ/rd:06

## **APPENDIX H**

### **REQUEST FOR PROPOSAL FOR PREPARATION OF A REPORT ON POTENTIAL REGIONAL REVENUE SOURCES AND FUNDING STRATEGIES FOR IMPLEMENTATION, MAINTENANCE, AND OPERATIONS OF THE ENVIRONMENTAL IMPROVEMENT PROGRAM FOR THE TAHOE REGION**



## **TAHOE REGIONAL PLANNING AGENCY**

308 Doria Court  
P.O. Box 1038  
Zephyr Cove, Nevada 89448-1038

(702) 588-4547  
Fax (702) 588-4527  
Email: trpa@sierra.net

### **REQUEST FOR PROPOSAL FOR PREPARATION OF A REPORT ON POTENTIAL REGIONAL REVENUE SOURCES AND FUNDING STRATEGIES FOR IMPLEMENTATION, MAINTENANCE, AND OPERATIONS OF THE ENVIRONMENTAL IMPROVEMENT PROGRAM FOR THE TAHOE REGION**

#### **BACKGROUND**

TRPA is a bistate agency with jurisdiction within the Tahoe Region. TRPA was created by the States of Nevada and California and the U.S. Congress under the Compact Clause of the U.S. Constitution. The legislation creating TRPA is called the Tahoe Regional Planning Compact and is found in California Government Code Section 66801, Nevada Revised Statutes 277.200, and Public Law 96-551, 94 Stat. 3233.

The bistate compact requires TRPA to adopt environmental threshold carrying capacities for the Region and to adopt a Regional Plan which achieves and maintains these environmental threshold carrying capacities. The environmental thresholds were adopted in 1982, and the current Regional Plan was adopted in 1987. The Regional Plan consists of implementing ordinances, rules and regulations, and environmental improvement programs aimed at threshold attainment. Currently, TRPA is in the process of adopting an integrated Environmental Improvement Program (EIP) which contains a listing of all the capital improvement projects, regulatory amendments, and environmental studies that are necessary in order to reach and maintain the threshold attainment goals. This program is heavily aimed at water quality management strategies related to past transportation facilities construction. It is currently estimated that approximately \$900 million in private, local, state, and federal capital funding will be necessary over the next 10-year period in order to meet threshold attainment goals. Maintenance and operational costs are currently estimated at an additional \$10 million per year.

The water quality needs identified in the EIP include substantial investment in roadway erosion control and stormwater runoff treatment. These improvements are needed on all federal, state, and locally maintained streets and highways. While federal and state grants are often available for project construction, local governments struggle to raise matching capital funds and ongoing maintenance and operations funds.

EIP implementation will also achieve transportation and air quality goals, which include:

- Improve air and water quality and reduce traffic congestion.
- Reduce total emissions in the Region.
- Establish a safe, efficient intermodal transportation system which reduces reliance on the private automobile and increases reliance on mass transit, pedestrian and bicycle facilities.
- Expand, coordinate, and consolidate mass transit services.
- Support public/private partnerships for planning, financing, and implementation.
- Have basin users pay a fair share of their impacts on transportation and air quality.

At the 1997 Lake Tahoe Presidential Forum, President Clinton signed an Executive Order to "ensure that Federal agency actions protect the extraordinary natural, recreational, and ecological resources in the Lake Tahoe Region..., an area of national concern..." In addition, Governor Pete Wilson of California and Governor Bob Miller of Nevada renewed their commitments to the attainment of the environmental thresholds. These actions speak louder than we can to the critical water quality, air quality, and transportation needs which must be met at Lake Tahoe.

The firm federal and state commitments referenced above must be supported by an adequate level of locally-generated matching revenue. It is this gap in the EIP funding plan which we are attempting to address with this proposal.

Following adoption of the original TRPA Regional Plan in 1972, a report entitled "Tahoe Regional General Plan Implementation: Financial Feasibility" was prepared for TRPA by the firm of McDonald & Smart, Inc. ("Report"). This report identified potential revenue sources which could be utilized within the Region. The report also projected the revenue-generation characteristics of each identified source. Although this report is outdated, it could provide valuable background information in the development of potential additional regional revenue sources to fund the current Environmental Improvement Program. (To receive a copy of the McDonald & Smart report and the EIP Summary, please call Roy Harvey at Kinko's Copy Center (702) 322-5277.)

#### **PURPOSE**

In order to achieve successful and accelerated implementation of the current Regional Plan, of which the EIP and the Regional Transportation Plan (RTP) are critical components, and to reach threshold attainment, it is essential that a region-wide financing plan be developed that equitably distributes the costs of plan implementation and threshold attainment among those who benefit, e.g., local, state, and federal government, residents, and visitors. The primary purpose of this request for proposals is to seek consultants qualified to prepare a new report that identifies and evaluates all potential regional revenue sources and describes feasible and equitable financing strategies to fund the Environmental Improvement Program and long-term maintenance and operations of the program. The consultant will prepare, at a minimum, alternatives generating between \$10 million and \$30 million per year with long-term feasibility. This range is an estimate of the local Region's share of the annual capital, operating, and maintenance costs of threshold attainment.

#### **APPROACH**

The successful applicant will prepare a report describing and evaluating feasible and equitable financing strategies to fund the EIP. This report should focus on all regional revenue sources (both existing and new) which should be considered. The financing alternatives contained in the 1974 McDonald & Smart Report should be reevaluated and updated, if appropriate, and any new alternatives should also be identified and evaluated. This inventory and evaluation of funding alternatives will provide the basis for the development of a region-wide financing plan for the Environmental Improvement Program. In order to gain region-wide support for the final financing plan, it is imperative that the proposed revenue sources and financing package, as a whole, be equitable, legal, and administratively and economically feasible. When potential regional revenue sources require changes to existing laws, those changes shall be identified and an implementation plan for the changes proposed.



The consultant shall develop a work plan as the first element of the study to be presented to the TRPA Governing Board Environmental Improvement Program Implementation Committee (EIPIC) for approval before proceeding with the full study. The work plan shall include provisions for public workshops to allow the public to participate in the initial potential revenue identification process, as well as the opportunity to discuss and comment on the recommended revenue sources and funding strategies identified for the study. The final report shall comply with the approved work plan. The consultant shall plan on presenting the final draft report at a minimum of two public hearings, notices of which shall be sent to all local governments and major newspapers in the Region.

### PROCESS

1. Your proposal must include:
  - A. A written description of your understanding of the problem and the project and its objectives; a general description of your approach to the problem, and the content and format of the draft and final reports and a scope of work describing the work activities to be performed, including methodologies and techniques to be used.
  - B. Qualifications and relevant experience of the persons responsible for the work plan tasks; and the proposed management structure and organization, including any subcontractors who will be working on the project.
  - C. A completion schedule for each major activity and specific costs for each task. The total cost shall not exceed \$100,000. The final report shall be completed no later than June 30, 1998.
  - D. Identification of examples of promising revenue sources not previously considered for the Lake Tahoe Basin.
  - E. Description of extent to which an analysis of the impacts of the alternative revenue sources on the Lake Tahoe tourism-based economy can be conducted as part of the study.
2. Consultants shall provide twenty (20) hard copies of the proposal and one computer disk containing the report and supporting documents. These shall become the property of the Tahoe Regional Planning Agency.
3. Proposals must be received at the following address by March 18, 1998.

James W. Baetge, Executive Director  
Tahoe Regional Planning Agency  
P. O. Box 1038, Zephyr Cove, NV 89448
4. The three or four consultants selected for the final interview will be notified by 2:00 p.m. on March 23, 1998. Final interviews will be conducted Tuesday, March 24, 1998, beginning at 4:00 p.m. The final decision on expenditure of the funds for the contract will be made by the full TRPA Governing Board on Wednesday, March 25, 1998.

5. Proposals will be evaluated utilizing the following criteria:
  - A. Experience in developing financing alternatives and potential revenue sources for the funding of capital improvement projects and related programs and studies; and experience in analyzing the legal, political, administrative and economic feasibility of the various funding alternatives.
  - B. Knowledge of the Lake Tahoe Region in terms of economics, tax structures, political authorities, and the Environmental Improvement Program.
  - C. Demonstrated ability to perform work of this nature within time and budget limitations.
  - D. Clarity of objectives, methodology, and understanding of the problem.
  - E. Demonstrated ability to identify, analyze, and model the short- and long-term effects of various funding alternatives.
  - F. Demonstrated ability to work effectively and cooperatively with the public, local, state, and federal agencies, and numerous other private and public organizations in the development of a region-wide financing strategy.
6. The consultant selected will be notified and asked to submit a draft contract based on the RFP and proposal. Should the consultant and the Agency be unable to agree on the terms of the contract, the Agency reserves the right to disqualify the consultant and select another. TRPA reserves the right to reject all applicants and discontinue the process or to reissue this RFP.

APPENDIX I  
SUGGESTED LEGISLATION

	<u>Page</u>
BDR S-314	Establishes program to protect Lake Tahoe Basin . . . . . 107
BDR R-315	Urges certain state agencies to use labor provided by offenders and volunteers for construction and maintenance of certain facilities and projects in Lake Tahoe Basin . . . . . 113
BDR R-316	Urge certain federal and state agencies to provide money for construction of parking facilities within Lake Tahoe Basin . . . . . 117
BDR R-317	Directs Legislative Commission to appoint committee to continue review of Tahoe Regional Planning Compact . . . . . 121



SUMMARY—Establishes program to protect Lake Tahoe Basin. (BDR S-314)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: Yes.

AN ACT relating to the Lake Tahoe Basin; requiring the Administrator of the Division of State Lands of the State Department of Conservation and Natural Resources to establish and administer a program for the protection of the Lake Tahoe Basin; authorizing the issuance of general obligation bonds and providing for legislative appropriations to carry out the program; creating the fund to protect the Lake Tahoe Basin; authorizing the Administrator of the Division of State Lands to issue grants to carry out the program; and providing other matters properly relating thereto.

WHEREAS, In 1997, the Federal Government, the States of Nevada and California, the Tahoe Regional Planning Agency, local governments of the States of Nevada and California and many other interested parties held a series of meetings which are referred to collectively as the Presidential Forum; and

WHEREAS, The meetings culminated in July 1997, with visits to Lake Tahoe from the President and Vice President of the United States and with the release of a Presidential

Executive Order to protect the unique and irreplaceable natural, recreational and ecological resources in the Lake Tahoe Basin; and

WHEREAS, In October 1997, Governor Bob Miller, on behalf of the State of Nevada, signed a Memorandum of Agreement between the Federal Interagency Partnership on the Lake Tahoe Ecosystem, the States of Nevada and California, the Washoe Tribe, the Tahoe Regional Planning Agency and interested local governments, in which the parties affirmed their commitment to the Tahoe Regional Planning Compact, to the sound management and protection of the resources within the Lake Tahoe Basin and the support of a healthy, sustainable economy and to achieve environmental thresholds for Lake Tahoe, and agreed to cooperate to carry out, including, without limitation, providing money for, the Environmental Improvement Program; and

WHEREAS, The costs of carrying out the Environmental Improvement Program have been apportioned between the Federal Government, the States of Nevada and California and local governments within both states; and

WHEREAS, The cost of carrying out the Environmental Improvement Program apportioned to the State of Nevada and its political subdivisions is \$82,000,000 for a period of 10 years, commencing with fiscal year 1997-98 and ending in fiscal year 2006-07; and

WHEREAS, The State of Nevada and its political subdivisions have already raised approximately \$25,600,000 to meet their commitment, which includes \$20,000,000 from bonds issued to carry out projects for the control of erosion and the restoration of natural

watercourses in the Lake Tahoe Basin, which were approved by the voters of this state in 1996; now, therefore,

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

**Section 1.** 1. The Administrator of the Division of State Lands of the State Department of Conservation and Natural Resources shall establish a program for the protection of the Lake Tahoe Basin, including, without limitation:

- (a) The protection and enhancement of the quality of the air and water;
- (b) The protection and restoration of natural watercourses, wetlands, wildlife habitat, fisheries, vegetation and forests;
- (c) Prevention and control of erosion; and
- (d) Enhancement of recreational and tourism opportunities,

FLUSH in the Lake Tahoe Basin.

2. Money to carry out the program in an amount not to exceed \$56,400,000 must be provided for the period between the fiscal year beginning on July 1, 1999, and the fiscal year ending on June 30, 2007, by the issuance by the State Board of Finance of general obligation bonds of the State of Nevada in a total face amount of not more than \$56,400,000. The bonds may be issued from time to time pursuant to a schedule

established by the Administrator of the Division of State Lands. The provisions of NRS 349.150 to 349.364, inclusive, apply to the issuance of bonds pursuant to this subsection.

3. The amount of bonds authorized by subsection 2 must be reduced by the amount of any money appropriated by the Legislature for the same purpose upon certification by the Administrator of the Division of State Lands of the amount of each such appropriation to the State Board of Finance. The Administrator of the Division of State Lands shall submit a request to the Legislature each biennium, as necessary, for an appropriation for the program.

4. The Administrator of the Division of State Lands may adopt such regulations as are necessary to carry out the program.

**Sec. 2.** 1. The fund to protect the Lake Tahoe Basin is hereby created in the state general fund. The Administrator of the Division of State Lands shall administer the fund.

2. All money that is collected for the use of the program established pursuant to section 1 of this act, including, without limitation, an appropriation made by the Legislature and the proceeds of any bonds issued pursuant to section 1 of this act, after deducting any applicable charges, must be deposited in the fund.

3. Any interest or income earned on the money in the fund must be credited to the fund. Any money remaining in the fund at the end of the fiscal year does not lapse to the state general fund but must be carried over into the next fiscal year.

4. All claims against the fund must be paid as other claims against the state are paid.



5. The Administrator of the Division of State Lands may use the proceeds from any bonds issued pursuant to section 1 of this act or may request an appropriation to defray the costs of administering the program if the money in the fund is not sufficient.

6. The Administrator of the Division of State Lands shall report semiannually to the Interim Finance Committee concerning the establishment and administration of the program and the expenditure of money from the fund for the program.

**Sec. 3.** The Administrator of the Division of State Lands may issue grants to state agencies and local governments to carry out the program established pursuant to section 1 of this act. The Administrator shall adopt such regulations as are necessary for awarding the grants. The regulations must:

1. Set forth the procedure for applying for a grant;
2. Set forth the criteria that will be considered in awarding a grant; and
3. State whether and the extent to which an applicant must match any money awarded.

**Sec. 4.** The Legislature finds and declares that the issuance of securities and the incurrence of indebtedness pursuant to this act:

1. Are necessary for the protection and preservation of the natural resources of this state and for the purpose of obtaining the benefits thereof; and
2. Constitute an exercise of the authority conferred by the second paragraph of section 3 of article 9 of the Constitution of the State of Nevada.

**Sec. 5.** This act becomes effective on July 1, 1999.

SUMMARY—Urges certain state agencies to use labor provided by offenders and volunteers for construction and maintenance of certain facilities and projects in Lake Tahoe Basin. (BDR R-315)

SENATE CONCURRENT RESOLUTION—Urging certain state agencies to use labor provided by offenders and volunteers for the construction and maintenance of certain facilities and projects in the Lake Tahoe Basin.

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

WHEREAS, The Nevada Legislature is vitally concerned with conserving those unique environmental and ecological conditions; and

WHEREAS, The construction and maintenance of facilities and projects necessary for the conservation of those unique environmental and ecological conditions will be highly labor-intensive; and

WHEREAS, Public and private entities, including, without limitation, the Division of State Parks of the State Department of Conservation and Natural Resources and the League to Save Lake Tahoe, have successfully used labor provided by volunteers to carry out activities relating to conservation in the Lake Tahoe Basin; and

WHEREAS, Some state agencies that perform activities relating to conservation in the Lake Tahoe Basin, including, without limitation, the Department of Transportation and

the Divisions of Forestry, State Lands and State Parks of the State Department of Conservation and Natural Resources, have successfully used labor provided by offenders to construct and maintain facilities and projects to carry out those activities; and

WHEREAS, The use of labor provided by offenders and volunteers to construct and maintain facilities and projects in the Lake Tahoe Basin is a method by which state agencies may carry out activities relating to conservation within their budgets; and

WHEREAS, The Nevada Legislature has enacted laws authorizing the employment of offenders, including, without limitation, provisions requiring the Director of the Department of Prisons to contract with governmental agencies for the employment of offenders; and

WHEREAS, The Department of Prisons and the Division of Forestry have entered into a cooperative agreement that allows offenders housed in conservation camps to perform labor related to the conservation of the natural environment; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That the members of the 70th session of the Nevada Legislature hereby urge state agencies that perform activities relating to conservation in the Lake Tahoe Basin to use, to the greatest extent practicable, labor provided by offenders and volunteers to construct and maintain facilities and projects to carry out those activities; and be it further

RESOLVED, That the members of the 70th session of the Nevada Legislature hereby urge the Division of Forestry to, where practicable, provide crews composed of offenders to be dedicated exclusively to working on the construction and maintenance of facilities

and projects to carry out the conservation of the unique environmental and ecological conditions exhibited in the Lake Tahoe Basin; and be it further

RESOLVED, That any such use of labor provided by offenders to construct and maintain facilities and projects for the conservation of the unique environmental and ecological conditions exhibited in the Lake Tahoe Basin must have an insignificant effect on the number of jobs available to the residents of this state as required by NRS 209.461 for programs for the employment of offenders; and be it further

RESOLVED, That the Secretary of the Senate prepare and transmit a copy of this resolution to the governing body of the Tahoe Regional Planning Agency, the Director of the State Department of Conservation and Natural Resources, the executive head of the Divisions of Forestry, State Lands and State Parks of the State Department of Conservation and Natural Resources, the Director and the Board of Directors of the Department of Transportation, the Director of the Department of Prisons and the Chief of the Budget Division of the Department of Administration.



SUMMARY—Urges certain federal and state agencies to provide money for construction of parking facilities within Lake Tahoe Basin. (BDR R-316)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: No.

SENATE JOINT RESOLUTION—Urging certain federal and state agencies to provide money for the construction of parking facilities within the Lake Tahoe Basin.

WHEREAS, The Lake Tahoe Basin provides many significant scenic, recreational, educational, scientific, natural and public health values; and

WHEREAS, The Nevada Legislature determines that the preservation and enhancement of those values is necessary to maintain the natural, social and economic health of the Lake Tahoe Basin and its environs; and

WHEREAS, The highway known as state highway Route No. 28 has been designated by the Director of the Nevada Department of Transportation as a scenic route and is part of “Lake Tahoe Eastshore Drive,” which has been designated by the Federal Highway Administration as a National Scenic Byway; and

WHEREAS, Many persons use state highway Route No. 28 to gain access to popular sites for recreation at Lake Tahoe, including, without limitation, Chimney Beach, Hidden Beach and Sand Harbor; and

WHEREAS, The number of paved parking spaces along state highway Route No. 28 is inadequate to support the number of persons who use the highway for recreational access; and

WHEREAS, As a result of the lack of paved parking spaces, motorists frequently park along the shoulders of state highway Route No. 28, which has created a number of undesirable effects, including, without limitation, erosion of the soil, obstruction of scenic views from the highway and safety concerns created by the close proximity of pedestrians and parked vehicles to the highway; and

WHEREAS, Numerous entities, including, without limitation, the United States Forest Service, Federal Highway Administration, Nevada Department of Transportation, Tahoe Regional Planning Agency, the Divisions of Forestry and State Parks of the State Department of Conservation and Natural Resources and Carson City, Douglas County and Washoe County are collaborating to construct parking facilities adjacent to state highway Route No. 28; and

WHEREAS, In addition to providing parking space for multiple motor vehicles at various locations proximate to the highway which are not environmentally sensitive, the parking facilities are designed to control and treat any stormwater and wastewater that occurs as runoff from the parking facilities and adjacent roadway and may be used to



generate revenue to support transportation programs in the vicinity of state highway Route No. 28; now, therefore, be it

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That the members of the 70th session of the Nevada Legislature hereby urge the Secretary of the United States Department of Transportation to make grants to the State of Nevada pursuant to chapter 1 of title 23 of the United States Code, as amended by section 1219 of the Transportation Equity Act for the 21st Century, to provide money for the construction of parking facilities along state highway Route No. 28; and be it further

RESOLVED, That the members of the 70th session of the Nevada Legislature hereby urge the relevant authorities within this state, including, without limitation, the Nevada Department of Transportation, the Divisions of Forestry and State Parks of the State Department of Conservation and Natural Resources and Carson City, Douglas County and Washoe County, to cooperate with the United States Department of Transportation to facilitate the qualification of parking facilities constructed along state highway Route No. 28 for money available pursuant to the Transportation Equity Act for the 21st Century; and be it further

RESOLVED, That the members of the 70th session of the Nevada Legislature hereby urge the Nevada Department of Transportation, the Divisions of Forestry and State Parks of the State Department of Conservation and Natural Resources and Carson City, Douglas County and Washoe County to provide money or seek grants, to the greatest extent practicable, for that portion of the costs for the construction of the parking

facilities along state highway Route No. 28 for which money is not provided by the Federal Government pursuant to the Transportation Equity Act for the 21st Century; and be it further

RESOLVED, That the Secretary of the Senate prepare and transmit a copy of this resolution to the Lake Tahoe Basin Management Unit of the United States Forest Service, the Secretary of the United States Department of Transportation, the Director of the State Department of Conservation and Natural Resources, the executive heads of the Divisions of Forestry and State Parks of the State Department of Conservation and Natural Resources, the Director and the Board of Directors of the Nevada Department of Transportation, the governing body of the Tahoe Regional Planning Agency, the Board of Supervisors of Carson City and the Boards of County Commissioners of Douglas and Washoe Counties; and be it further

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

SUMMARY—Directs Legislative Commission to appoint committee to continue review of Tahoe Regional Planning Compact. (BDR R-317)

SENATE CONCURRENT RESOLUTION—Directing the Legislative Commission to appoint a committee to continue the review of the Tahoe Regional Planning Compact.

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, Senate Concurrent Resolution No. 2 of the 69th Legislative Session directed the Legislative Commission to appoint a committee of six legislators composed of three members of the Senate and three members of the Assembly 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 SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That the Legislative Commission is hereby directed to appoint a committee of six legislators composed of three members of the Senate and three members of the Assembly 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, without limitation, 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 Secretary of the Senate prepare and transmit a copy of this resolution to the Executive Director of the Tahoe Regional Planning Agency, 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.