

# Continued Review of Programs and Activities in the Lake Tahoe Basin (2001–2002)



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**CONTINUED REVIEW OF  
PROGRAMS AND ACTIVITIES IN THE  
LAKE TAHOE BASIN  
(2001-2002)**

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## SUMMARY OF RECOMMENDATIONS

### LEGISLATIVE COMMISSION'S COMMITTEE TO CONTINUE THE REVIEW OF PROGRAMS AND ACTIVITIES IN THE LAKE TAHOE BASIN (2001-2002)

Following is a summary of the recommendations adopted by the Legislative Commission's Committee to Continue the Review of Programs and Activities in the Lake Tahoe Basin at its meeting of May 10, 2002. These recommendations will be forwarded to the Legislative Commission and ultimately to the 2003 Session of the Nevada Legislature, as appropriate.

#### **Funding for Implementation of Federal EIP Projects**

1. *Transmit a letter to the members of Nevada's Congressional Delegation urging them to actively support appropriation of funds to implement federal EIP projects as outlined in the Lake Tahoe Transportation and Water Quality Coalition's "Environmental Improvement Program Request for Congressional FY '03 Appropriations."*

#### **Continuation of Approval for Issuance of Nevada Bonds**

2. *Enact legislation:*
  - a. *Highlighting that Subsection 3 of Section 1 of Assembly Bill 285 (Chapter 514, Statutes of Nevada 1999) provides for the periodic issuance of general obligation bonds in a total face amount of not more than \$53.2 million between July 1, 2001, and June 30, 2007, to implement EIP projects identified in a schedule established by the Administrator of the Division of State Lands and approved by the Legislature or the Legislature's Interim Finance Committee;*
  - b. *Authorizing the issuance of state bonds and the use of revenue in the amount of approximately \$12.9 million for EIP projects during the 2003-2005 biennium; and*
  - c. *Outlining the schedule of EIP projects for which the revenue may be used.*

*(BDR S-174)*

### **Continued Support for Nevada Tahoe Resource Team**

3. *Transmit a letter to the members of the Nevada Legislature’s “money committees” urging them to continue to provide adequate and appropriate levels of funding to support the activities of the State agencies involved in the Nevada Tahoe Resource Team or otherwise involved in implementation of the Nevada EIP projects.*

### **Funding for Local EIP Projects**

4. *Transmit a letter to the members of Nevada’s Congressional Delegation and the Nevada Legislature’s “money committees”: (1) explaining that the local governments in the Lake Tahoe Basin have accepted the responsibility for long-term maintenance of local EIP projects, but have no dedicated funding source to support this function and are severely constrained in their ability to independently obtain new revenue; and (2) urging these public officials to work with the local entities in efforts to identify the necessary funding sources and assist in implementing recommended actions resulting from these efforts.*

### **Tahoe Regional Planning Agency (TRPA) Activities**

5. *Transmit a letter to the TRPA Governing Board requesting that the Agency provide a report to the “Legislative Oversight” Committee at its initial meeting of the 2003-2005 biennium concerning implementation of the Committee’s recommendations relating to priorities and administration of the Agency’s responsibilities and programs.*
6. *Transmit a letter to the TRPA Governing Board requesting that the Board consider retaining an outside firm to conduct an independent program audit of the TRPA designed primarily to prepare analyses and make recommendations concerning obstacles hindering the Agency from achieving the goals provided in the Tahoe Regional Planning Compact; staffing allocations in relation to Agency goals and programs; activities associated with implementation, compliance, and/or enforcement responsibilities; and efficiency of the Agency’s regulatory process.*

### **Fire Service Programs in the Lake Tahoe Basin**

7. *Include in the final report a commendation and a statement of support for continued coordination and cooperation among the fire service agencies in the Basin and expressing a recognition of the financial issues that continue to face these fire service agencies.*
8. *Transmit a letter to the members of Nevada's "money committees" highlighting the value of inmate crews to the fire service programs in the Lake Tahoe Basin and requesting that maintenance of and access to these inmate crews be a considered a priority.*

### **Housing Programs in the Lake Tahoe Basin**

9. *Transmit a letter to the U. S. Department of Housing and Urban Development: (1) expressing support for the creation of a bistate Community Housing Development Office to facilitate and implement efforts to provide affordable housing within the Lake Tahoe Basin; (2) requesting the Department's active participation in the Federal Interagency Partnership on the Lake Tahoe Ecosystem and the Lake Tahoe Federal Advisory Committee; and (3) expressing support for the Department's efforts to include the relevant Nevada and California housing agencies as joint participants in the housing programs in the Basin.*

### **Continuation of Legislative Oversight Committee**

10. *Provide, by resolution, for the continued existence of the "Legislative Oversight" Committee (during the 2003-2005 biennium) in a similar manner as prescribed in Assembly Concurrent Resolution No. 5 (File No. 124, Statutes of Nevada 2001).*

*(BDR R-175)*



# **REPORT OF THE LEGISLATIVE COMMISSION'S COMMITTEE TO CONTINUE THE REVIEW OF PROGRAMS AND ACTIVITIES IN THE LAKE TAHOE BASIN (2001-2002)**

## **I. INTRODUCTION**

The 2001 Nevada Legislature adopted Assembly Concurrent Resolution No. 5 (File No. 124, *Statutes of Nevada 2001*), which directed the Legislative Commission to appoint a Committee to continue the review of programs and activities in the Lake Tahoe Basin. The Committee was specifically directed to continue the review of the Tahoe Regional Planning Compact and provide oversight of the Compact's implementing body, the Tahoe Regional Planning Agency (TRPA). The measure further directed the Committee to review the programs of federal and state agencies having authority to regulate activities in the Basin. Similar resolutions reestablishing this Committee have been approved for every legislative interim except one since 1985, and the Committee's role has evolved into one of continuing legislative oversight for a broad range of programs and activities in the Lake Tahoe Basin.

In response to A.C.R. 5 (copy included as Appendix A), the Legislative Commission appointed the following six members to the Oversight Committee:

Senator Lawrence E. Jacobsen, Chairman  
Senator Mark E. Amodei  
Senator Margaret A. Carlton  
Assemblyman Greg Brower  
Assemblywoman Vivian L. Freeman  
Assemblyman John J. Lee

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; Mary Alice McGreevy, Deputy Legislative Counsel; and Deborah Rengler, Senior Research Secretary.

The Committee held four regular meetings and one special meeting during the 2001-2003 biennium. The regular meetings addressed the full spectrum of public and private programs and activities while the special meeting was devoted to the single topic of the TRPA's scenic threshold program. As a result of these hearings, the committee adopted ten recommendations that address:

- Implementation of projects contained in the Environmental Improvement Program, which defines the specific projects, funding needed, and sources of money to implement these projects within a ten-year time frame;

- The TRPA’s implementation of previous Committee recommendations and independent audit of the Agency’s programs;
- Support for fire service programs in the Basin;
- Support for creation of a bistate Community Housing Development Office to facilitate and implement efforts to provide affordable housing in the Lake Tahoe Basin; and
- Reestablishment of the legislative Oversight Committee during the next (2003-2005) biennium.

## II. REFERENCES TO REPORTS OF PREVIOUS OVERSIGHT COMMITTEES

As previously mentioned, legislative Committees to oversee activities in the Lake Tahoe Basin have been established during every interim between legislative sessions except one since 1985.

### Citations for Committee Reports

The reports of the Oversight Committees contain a broad range of background information and recommendations, and they may be referenced as follows:

#### LISTING OF PREVIOUS REPORTS (BULLETINS)

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;

LCB Bulletin No. 97-8, *Continued Review of the Tahoe Regional Planning Agency*, January 1997;

LCB Bulletin No. 99-5, *Continued Review of the Tahoe Regional Planning Agency (1997-1998)*, January 1999; and

LCB Bulletin No. 01-7, *Continued Review of the Tahoe Regional Planning Agency (1999-2000)*, October 2000.

Copies of these bulletins are available through the LCB Publications Office at 775/684-6835.

### **Selected Topics Covered in Previous Reports**

While the previous Committee reports incorporate a considerable amount of background information, several topics may be of special interest (even though some of the materials may not contain statistics for current years). The selected topics may be outlined as follows:

#### *History and Major Elements of the Bistate Compact*

An overview of the legislative history and major elements of the Tahoe Regional Planning Compact is contained on pages 3 through 6 of Bulletin No. 01-7.

#### *Nevada Legislation Associated with the Lake Tahoe Basin and the TRPA*

Appendix B (pages 43 through 48) of Bulletin No. 95-10 outlines all of the measures considered by the Nevada Legislature from 1968 through 1985. Pages 5 through 7 of the same document identify the measures that were enacted or approved from 1987 through 1993.

#### *State Funding of TRPA*

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

An overview of state appropriations to the Agency through Fiscal Year (FY) 1993-1994 is provided on pages 11 through 15 of Bulletin 95-10, and corresponding statistics for FY 1994-1995 and 1995-1996 are contained on pages 3 through 4 of Bulletin 97-8.

#### *Public Programs for Purchase of Property and Erosion Control Projects*

Since the early 1980's, the Federal Government and the States of Nevada and California have funded programs for the purchase of environmentally sensitive property and the financing of erosion control projects in the Lake Tahoe Basin. Pages 16 through 19 of Bulletin 95-10 provide explanations and statistics relating to the Federal Santini-Burton Program, the Nevada \$31 million bond program initiated in 1986 and administered through Nevada's Division of State Lands, and the California programs administered by the California Tahoe Conservancy. (Nevada's \$31 million bond issue financed the acquisition of sensitive lands and funded erosion control projects in the Nevada portion of the Basin.)

In 1996, the Nevada Legislature placed an additional \$20 million bond issue on the ballot, and the voters subsequently approved the proposal which provided grants to local governments and the State's Department of Transportation to carry out erosion control and stream restoration projects in the Basin.

#### *The Lake Tahoe Presidential Forum*

A summary of the history and organization of the Presidential Forum, the agreements and documents resulting from the Forum, and the Lake Tahoe Federal Advisory Committee as a product of the Forum is provided on pages 6 through 8 of Bulletin No. 01-7.

#### *The Environmental Improvement Program (EIP)*

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 significance has been the EIP's capital improvements element, which outlines specific projects and funding sources. An overview of the EIP is discussed on pages 8 through 10 of Bulletin No. 01-7.

In 1999, the Nevada Legislature enacted Assembly Bill 285 (Chapter 514, *Statutes of Nevada 1999*), which provided for the periodic issuance of up to \$53.2 million in bonds to implement projects in the EIP between 2001 and 2007. At that time, the Legislature also specifically approved the issuance of a \$3.2 million portion of these bonds. Subsequently in 2001, the Legislature enacted Assembly Bill 177 (Chapter 302, *Statutes of Nevada 2001*) approving an additional issuance of \$16.2 million in bonds for the 2001-2003 biennium, and a recommendation to issue approximately \$12.9 million in project bonding for the 2003-2005 biennium is contained in the present report.

### **III. SCENIC THRESHOLDS**

The topic of scenic thresholds and regulations designed to preserve scenic qualities in the Lake Tahoe Basin received a considerable amount of attention during the Committee's hearings. In fact, the Committee convened a special meeting on August 26, 2002, for the sole purpose of taking input concerning this controversial subject.

#### **Pertinent References in the Bistate Compact**

As related to scenic values, the Tahoe Regional Planning Compact references the TRPA's responsibilities in a couple of especially pertinent provisions. In Article I under the heading of "Findings and Declarations of Policy," the Compact incorporates the following statements:

(a) (6) Maintenance of the social and economic health of the region depends on maintaining the significant scenic, recreational, educational, scientific, natural and public health values provided by the Lake Tahoe Basin.

(a) (10) In order to preserve the scenic beauty and outdoor recreational opportunities of the region, there is a need to insure an equilibrium between the region's natural endowment and its man-made environment.

(b) In order to enhance the efficiency and governmental effectiveness of the region, it is imperative that there be established a Tahoe Regional Planning Agency with the powers conferred by this compact including the power to establish environmental threshold carrying capacities and to adopt and enforce a regional plan and implementing ordinances which will achieve and maintain such capacities while providing opportunities for orderly growth and development consistent with such capacities.

Article II of the Compact defines environmental threshold carrying capacity as follows:

(i) "Environmental Threshold Carrying Capacity" means 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. Such standards shall include but not be limited to standards for air quality, water quality, soil erosion, vegetation preservation and noise.

### **Agency Actions in Response to the Provisions of the Bistate Compact**

In response to the provisions of the Bistate Compact as outlined above, the TRPA in 1982 adopted environmental thresholds within nine categories including scenic resources. After lengthy litigation, the Agency in 1987 adopted a regional plan designed to achieve and maintain these environmental thresholds, and ordinances to implement the regional plan were subsequently adopted.

Reviews to evaluate progress toward achieving the thresholds have been conducted on a five-year cycle in 1991, 1996, and 2001-2002. As a result of the most recent review, the TRPA Governing Board approved the "2001 Threshold Evaluation Report" which contains findings and recommendations relating to all nine of the threshold categories. Of significance to the current discussion, testimony indicated that the document found scenic resources (especially in the shorezone units) to be moving further from attaining the scenic threshold and more specifically that the visual balance/dominance is moving toward the "built" or man-made environment rather than the natural environment. Therefore, a "Shorezone Scenic Review System" was proposed to address this issue.

According to testimony, the proposed review system is designed to implement a Visual Magnitude/ Contrast Rating System that assigns numerical values to relevant design elements.

The Contrast Rating Score rates color contrast, perimeter visibility, surface plan, and texture; the Visual Magnitude is the amount of square footage of structure that is visible from the Lake.

### **Discussion of Issues Related to the Proposal and Relevant Testimony**

The Committee received an extensive amount of testimony concerning the overall topic of scenic thresholds and specifically the proposed review system. The subject has become extremely controversial with testimony ardently in support and opposition to the proposal. The issues most often raised by opponents of the proposal include the following points:

- ❑ Opposition to the Visual Magnitude element of the proposal;
- ❑ Opposition to screening requirements that would obstruct the homeowners' views;
- ❑ Concern about economic impacts on homeowners and local governments which opponents contend will occur if the proposed system is employed; and
- ❑ Concern about potential use of the proposed system to review projects for which applications have already been filed (projects already in the "pipeline").

Conversely, supporters of the proposal contend that the current review system is not working as evidenced by the declining scenic evaluations. They further express their position that the TRPA is required through the Bistate Compact to implement a regional plan that achieves and maintains the adopted environmental thresholds. Thus, while not necessarily supporting every element of the proposed scenic review system, they contend that the current proposal should be adopted by the TRPA's Governing Board.

At the conclusion of the Committee's special hearing, the stakeholders in the issue agreed to continue their discussions in an attempt to develop what they consider to be a workable proposal. (Note: Although all of the issues had not been resolved, the TRPA Governing Board adopted a scenic threshold ordinance at its November meeting.)

## **IV. DISCUSSION OF COMMITTEE RECOMMENDATIONS**

As part of its oversight role, the Committee reviewed a broad range of topics and adopted a total of ten recommendations. Four of these recommendations relate to implementation of projects contained in the EIP.

The capital improvements element of the Environmental Improvement Program (EIP) identifies the specific projects needed to address environmental thresholds established for the Lake Tahoe Basin. This element of the EIP also specifies funding necessary 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 Implementation of Federal EIP Projects**

Testimony before the Committee indicated that all of the partners in the EIP are progressing toward their goals for project funding and construction. However, the members were urged to do whatever they could to keep the program on the high priority list for all of the various participants.

Thus, as related to the Federal EIP commitment, the Committee adopted the following recommendation:

- *Transmit a letter to the members of Nevada's Congressional Delegation urging them to actively support appropriation of funds to implement federal EIP projects as outlined in the Lake Tahoe Transportation and Water Quality Coalition's "Environmental Improvement Program Request for Congressional FY '03 Appropriations."*

A copy of the letter sent to the Congressional Delegation is provided in Appendix B.

## **Continuation of Approval for Issuance of Nevada Bonds**

The capital improvements element of the EIP outlines a total of \$908 million in projects needed basinwide over a ten-year period (1997-2007). Nevada's portion totals \$82 million as allocated among the Division of State Lands, the Department of Transportation, and the Division of State Parks. At the time the EIP was compiled, Nevada already had \$25.6 million assigned to implementation of its part of the program.

In 1999, the Legislature enacted legislation providing for the periodic issuance of up to \$53.2 million in bonds to implement EIP projects, and specifically approving the issuance of a \$3.2 million portion of these bonds for the 1999-2001 biennium. In 2001, the Legislature enacted a subsequent measure approving an additional \$16.2 million in bonds for the 2001-2003 biennium. As a continuing part of this program, and based upon testimony concerning the Governor's support for the effort, the Committee adopted the following recommendation relative to bonding for the 2003-2005 biennium:

- *Enact legislation:*
  - a. *Highlighting that Subsection 3 of Section 1 of Assembly Bill 285 (Chapter 514, Statutes of Nevada 1999) provides for the periodic issuance of general obligation bonds in a total face amount of not more than \$53.2 million between July 1, 2001, and June 30, 2007, to implement EIP projects identified in a schedule established by the Administrator of the Division of State Lands and approved by the Legislature or the Legislature's Interim Finance Committee;*

- b. Authorizing the issuance of state bonds and the use of revenue in the amount of approximately \$12.9 million for EIP projects during the 2003-2005 biennium; and*
- c. Outlining the schedule of EIP projects for which the revenue may be used.*

*(BDR S-174)*

Appendix G contains a copy of the Bill Draft Request (BDR) developed to address this recommendation.

### **Continued Support for Nevada Tahoe Resource Team**

In 1997-1998, the Division of State Lands initiated efforts to put together an interagency, interdisciplinary team of professionals to lead the State's efforts to implement the EIP. Through the budget process during the 1999 Legislative Session, authorization was approved to expand the team to include a complement of:

- ❑ A coordinator and a land agent from the Division of State Lands;
- ❑ A full-time forester to manage state-owned lands in the Basin;
- ❑ A water quality expert from the Division of State Lands;
- ❑ A professional forester from the Division of Forestry;
- ❑ A resource specialist for the Division of State Parks; and
- ❑ A wildlife biologist from the Division of Wildlife.

Although being from several different agencies, the team members are co-located at a single office site in Carson City.

Testimony before the Oversight Committee indicated that the team's activities have received commendation from a wide variety of sources. In addition to carrying out the EIP program for the Nevada portion of the Basin, the team provides a vital link to the region's Federal Interagency Partnership and the California Tahoe Conservancy on the California side of the Basin. While the Governor supported and the Legislature approved funding for the team in 2001, the Committee determined that a letter of support for continued funding would be appropriate at this time and therefore adopted the following recommendation:

- *Transmit a letter to the members of the Nevada Legislature's "money committees" urging them to continue to provide adequate and appropriate levels of funding to support the activities of the State agencies involved in the Nevada Tahoe Resource Team or otherwise involved in implementation of the Nevada EIP projects.*

A copy of the letter transmitted to the members of the Legislature’s “money committees” in response to this and two other Committee recommendations is included in Appendix C.

### **Funding for Local EIP Projects**

The EIP identifies an estimated \$100 million in capital improvement projects as the responsibility of the city, counties, and special districts within the Lake Tahoe Basin. Furthermore, the TRPA has estimated that an additional \$100 million will be needed over time to maintain and operate these EIP projects.

In order to identify potential sources of funding for these local efforts, the TRPA has been conducting a Regional Revenue Feasibility Analysis with a steering committee made up of more than 20 public and private stakeholders in the region. The analysis has focused on six categories of potential funding sources and includes a report on public opinion, a legal constraints analysis, and an economic model. A consultant has also been retained to work with the local entities and the public to coordinate the identification of preferred alternatives and procedures for implementation.

Based on the probability that implementation of the preferred alternatives will require legislative and/or local governmental action, the Committee approved the following recommendation:

- *Transmit a letter to the members of Nevada’s Congressional Delegation and the Nevada Legislature’s “money committees”:* (1) *explaining that the local governments in the Lake Tahoe Basin have accepted the responsibility for long-term maintenance of local EIP projects, but have no dedicated funding source to support this function and are severely constrained in their ability to independently obtain new revenue; and* (2) *urging these public officials to work with the local entities in efforts to identify the necessary funding sources and assist in implementing recommended actions resulting from these efforts.*

Copies of the letters implementing this recommendation are contained in Appendices C and D.

### **Tahoe Regional Planning Agency Activities**

As is typically the case, the Oversight Committee received a considerable amount of testimony associated with the operation and activities of the TRPA. The Agency presented information related to its structure, major programs, and budget. Representatives of interested parties in the Basin, likewise, highlighted their concerns and questions relative to the Agency’s operations, staffing allocations, and regulatory process.

Based on this testimony, the Committee adopted the following two recommendations relating to administration and activities of the TRPA:

- *Transmit a letter to the TRPA Governing Board requesting that the Agency provide a report to the “Legislative Oversight” Committee at its initial meeting of the 2003-2005 biennium concerning implementation of the Committee’s recommendations relating to priorities and administration of the Agency’s responsibilities and programs.*
- *Transmit a letter to the TRPA Governing Board requesting that the Board consider retaining an outside firm to conduct an independent program audit of the TRPA designed primarily to prepare analyses and make recommendations concerning obstacles hindering the Agency from achieving the goals provided in the Tahoe Regional Planning Compact; staffing allocations in relation to Agency goals and programs; activities associated with implementation, compliance, and/or enforcement responsibilities; and efficiency of the Agency’s regulatory process.*

A letter transmitted to the Governing Board of the TRPA to address these two recommendations is included in Appendix E.

### **Fire Service Programs in the Lake Tahoe Basin**

Forest health and fire service programs in the Lake Tahoe Basin have always been significant for the Oversight Committee. During the 2001-2003 interim, the Committee received extensive testimony about forest conditions, forest management, and firefighting programs. These presentations were supplemented by a tour of local fire service facilities and a field trip to examine forest management practices being implemented in the Basin.

Representatives of Nevada’s Division of Forestry, the Tahoe-Douglas Fire Protection District, the North Lake Tahoe Fire Protection District, and the U. S. Forest Service provided testimony relative to:

- ❑ The biology and ecology of forest health;
- ❑ Fuels reduction and prescribed fire;
- ❑ Community awareness and “defensible space;”
- ❑ Fire hazard and response procedures;
- ❑ Coordination of fire service activities through organizations like the Lake Tahoe Regional Fire Chiefs Association and the Sierra Front Wildfire Cooperators;
- ❑ Volunteer and inmate support; and
- ❑ Fire service staff and funding.

As a result of this testimony, the Committee approved the following two recommendations:

- *Include in the final report a commendation and a statement of support for continued coordination and cooperation among the fire service agencies in the Basin and expressing a recognition of the financial issues that continue to face these fire service agencies.*
- *Transmit a letter to the members of Nevada’s “money committees” highlighting the value of inmate crews to the fire service programs in the Lake Tahoe Basin and requesting that maintenance of and access to these inmate crews be a considered a priority.*

The latter recommendation is incorporated in the letter contained in Appendix C.

### **Housing Programs in the Lake Tahoe Basin**

The subject of housing in the Lake Tahoe Basin, and especially affordable housing, has been a controversial topic in recent years. Testimony indicated that while there is a shortage of affordable housing, a relatively large percentage of vacation rentals and second homes experience high vacancy rates.

The TRPA has been coordinating community groups and relevant agencies in efforts to identify barriers and strategies to address the housing issues. Barriers identified by the working group include:

- ❑ Informational gaps on housing and land inventories and conversions;
- ❑ Inadequate institutional capacity including the absence of a basinwide housing agency, regional plans and strategies, and staffing resources;
- ❑ Funding gaps;
- ❑ Lack of available land and shrinking urban boundaries;
- ❑ High land and development costs; and
- ❑ Zoning and development regulations.

A representative of the United States Department of Housing and Urban Development (HUD) suggested the following five elements as being valuable in attempting to address the housing situation in the Lake Tahoe Basin:

1. Incorporate basinwide, bistate, and multicounty approaches;

2. Expand institutional capacity and identify nonprofit organizations to develop housing;
3. Design strategies to reduce the costs of development in the Basin;
4. Increase access to capital through joint programs with Nevada and California or working with national intermediaries to participate in low-cost financing; and
5. Identify possible incentives for housing development.

Testimony further indicated that the Rural Communities Assistance Corporation has been engaged as a technical assistance consultant to work with a nonprofit organization in the area, Kateri Tekakwitha Homes and Community Land Trust, to become a Community Housing Development Organization (CHDO). Because of its tax-exempt status, such a CHDO would be eligible to receive direct allocations from HUD for its operations. The organization would focus upon studying the housing situation; developing effective strategies; working with counties, developers, and the gaming alliance; and attempting to access financial resources like tax credits.

As a result of these discussions, the Committee adopted the following recommendation:

- *Transmit a letter to the U. S. Department of Housing and Urban Development: (1) expressing support for the creation of a bistate Community Housing Development Office to facilitate and implement efforts to provide affordable housing within the Lake Tahoe Basin; (2) requesting the Department's active participation in the Federal Interagency Partnership on the Lake Tahoe Ecosystem and the Lake Tahoe Federal Advisory Committee; and (3) expressing support for the Department's efforts to include the relevant Nevada and California housing agencies as joint participants in the housing programs in the Basin.*

A copy of the letter prepared to implement this recommendation is contained in Appendix F.

### **Continuation of the Legislative Oversight Committee**

As previously highlighted, Legislative Oversight Committees to review programs and activities in the Lake Tahoe Basin have been established during every interim except one since 1985. Testimony at the current Committee's hearings again expressed support for continuation of its activities during the 2003-2005 biennium.

From the time of their inception in 1985 through 2001, the Committees have adopted a total of 99 recommendations. Fifty-one of these recommendations have called for implementation through legislative actions (bills or resolutions). Only 5 of these proposed measures have not been approved by the full Legislature.

Following is a selection of significant actions supported by the Legislative Oversight Committee in recent years:

**SELECTED RECENT ACTIONS SUPPORTED BY THE  
LEGISLATIVE OVERSIGHT COMMITTEE**

Providing support and special funding to establish the “Partnership Approach” as a method for interested public and private participants to work toward consensus in the compilation and implementation of plans and programs in the Tahoe Basin. This “Partnership Approach” eventually led to hosting of the 1997 Presidential Forum through which the current Environmental Improvement Program was developed for the Basin.

Promoting, through recommendation and legislative resolution, a shift of emphasis by the Tahoe Regional Planning Agency (TRPA) from planning *per se* to fostering implementation of on-the-ground projects that have environmental benefits.

Continually supporting efforts to streamline the TRPA regulations and programs resulting in several Memorandums of Understanding through which local planning personnel implement joint regional/local project reviews.

Proposing legislation modifying the structure and authorities of the Tahoe Transportation District so that it may function as a public/private partnership.

Continually expressing support for designation of a Metropolitan Planning Organization (MPO) related to transportation in the Basin; construction of the areawide storm water drainage project in the casino core-loop road portion of Stateline, Nevada; and activities initiated or coordinated through the Forest Health Consensus Group.

Placing on the 1986 statewide ballot a proposed \$31 million bond issue, which the public approved, to finance acquisition of environmentally sensitive lands and fund erosion control projects in the Nevada portion of the Basin.

Placing on the 1996 statewide ballot a proposed \$20 million bond issue, again approved by the public, to provide grants to local governments and the State’s Department of Transportation to carry out erosion control and stream restoration projects in the Basin.

Proposing legislation in 1997 to provide for the issuance of special license plates to support the preservation and restoration of Lake Tahoe’s environment. Over 20,000 plates have been registered generating more than \$1 million in special funds.

Providing legislative support for funding of Nevada’s portion of the capitol improvements included in the Environmental Improvement Program (EIP) for the Basin. With the Committee’s support, the Legislature in 1999 provided authority for issuance of \$53.2 million in bonds between 2001 and 2007 and specifically approved the initial sale of a \$3.2 million portion of the bonds. The 2001 Legislature directly authorized sale of an additional \$16.2 million portion of the bonds, and the Committee has expressed support for continued bond issuance during the 2003-2005 biennium.

In addition to these actions which have been taken over the years as a result of various Committees' recommendations and support, participants in the hearings point out the value of these meetings in providing a forum for discussion of major issues and programs with the legislative policy makers.

Based on these factors, the Committee approved the following recommendation:

- *Provide, by resolution, for the continued existence of the "Legislative Oversight" Committee (during the 2003-2005 biennium) in a similar manner as prescribed in Assembly Concurrent Resolution No. 5 (File No. 124, Statutes of Nevada 2001). (BDR R-175)*

Appendix G contains a Bill Draft Request (BDR) prepared to implement this recommendation.

## **V. ACKNOWLEDGEMENTS AND CONCLUDING COMMENTS**

The participation of many people and organizations has been crucial to the success of the Committee's activities during the 2001-2003 biennium. Of special note is the assistance provided by the TRPA staff; representatives of the Nevada State agencies active in the Basin; representatives of private groups having special interest in the future of the Basin; representatives of the fire service providers in the Basin and the private sector participants in EIP projects; as well as staff members of the California Tahoe Conservancy, the U. S. Forest Service, and the U.S. Department of Housing and Urban Development.

The Committee's special appreciation is extended to the Incline Village General Improvement District and the Lake Tahoe Horizon Casino Resort who provided meeting rooms and valuable technical assistance. The Committee members also wanted to express their gratitude to the Thunderbird Lodge Preservation Society, the participants in the South Shore Redevelopment Project, and the North Lake Tahoe Fire Protection District for hosting special tours.

Copies of minutes from hearings and background materials are available through the Legislative Counsel Bureau's Research Library (775/684-6827). Copies of final reports from previous Legislative Oversight Committees may be obtained through the Bureau's Publications Office as 775/684-6835 (see page 2 for a listing of these documents).

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**APPENDIX A**

ASSEMBLY CONCURRENT RESOLUTION NO. 5  
OF THE 2001 LEGISLATIVE SESSION  
(FILE NO. 124, *STATUTES OF NEVADA 2001*)

Assembly Concurrent Resolution No. 5  
Committee on Natural Resources, Agriculture, and Mining  
File No. 124, *Statutes of Nevada 2001*

ASSEMBLY 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. 16 of the 70th 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 ASSEMBLY AND OF THE STATE OF NEVADA, THE SENATE 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 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 the Chief Clerk of the Assembly 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.



**APPENDIX B**

LETTER TO THE MEMBERS OF NEVADA'S CONGRESSIONAL DELEGATION  
URGING SUPPORT FOR APPROPRIATION OF FUNDS  
TO IMPLEMENT FEDERAL EIP PROJECTS

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

PRESIDENT PRO TEMPORE

COMMITTEES:

*Chairman*  
Marlette Lake Water System Advisory  
Committee  
Nevada Veterans' Services Commission

*Vice Chairman*  
Natural Resources

*Member*  
Finance  
Transportation



# State of Nevada Senate

Seventy-first Session

May 16, 2002

DISTRICT OFFICE:  
P.O. Box 367  
Minden, Nevada 89423  
(775) 782-2334

LEGISLATIVE BUILDING:  
401 S. Carson Street  
Carson City, Nevada 89701-4747  
Office: (775) 684-6568 or 684-1401  
Fax No.: (775) 684-6522

The Honorable John Ensign  
United States Senate  
364 Russell Senate Office Building  
Washington, D.C. 20510-0001

The Honorable Harry Reid  
United States Senate  
528 Hart Senate Office Building  
Washington, D.C. 20510-0001

The Honorable Shelly Berkley  
House of Representatives  
439 Cannon House Office Building  
Washington, D.C. 20510-0001

The Honorable Jim Gibbons  
House of Representatives  
100 Cannon House Office Building  
Washington, D.C. 20510-0001

Dear :

The Nevada Legislature's Committee to Continue the Review of Programs and Activities in the Lake Tahoe Basin has completed its hearings for the 2001-2002 biennium. Four meetings were held on the Nevada side of the Basin. Background information and testimony were received from a broad range of citizens, interest groups, and governmental entities having responsibilities in the region.

The Committee ultimately adopted ten recommendations. One of these directly applies to Federal programs and activities. As you are aware, the Federal Government has entered into a partnership with state, local, and private entities in the Lake Tahoe Basin to implement an Environmental Improvement Program (EIP) designed to address the environmental issues facing the Basin over the next five- to ten-year period. In this regard, the Committee at its meeting of May 10, 2002, adopted the following recommendation:

*Transmit a letter to the members of Nevada's Congressional Delegation urging them to actively support appropriation of funds to implement federal EIP projects as outlined in the Lake Tahoe Transportation and Water Quality Coalition's "Environmental Improvement Program Request for Congressional FY '03 Appropriations."*

Nevada Congressional Delegation  
Page 2  
May 16, 2002

It is our understanding that you have previously received a copy of this document, which outlines priority appropriations for the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, the U.S. Forest Service, the U.S. Geological Survey, the Bureau of Reclamation, the Federal Highway Administration, and the Natural Resource Conservation Service. Testimony before the Committee consistently praised the commitment being made by all of the public and private partners to the Environmental Improvement Program, but it also pointed out the critical nature of securing continued support through the annual appropriations process.

As members of Nevada's legislative oversight committee, we sincerely appreciate your efforts to date in these areas, and we request your continued active support. We would also offer any assistance that we might be able to provide in order to achieve our joint goal.

Sincerely,

Senator Lawrence E. Jacobsen, Chairman  
Nevada Legislature's Committee to Continue the Review  
of Programs and Activities in the Lake Tahoe Basin

LEJ/dlr:W22432



## **APPENDIX C**

**LETTER TO CHAIRMAN AND MEMBERS OF THE  
LEGISLATURE'S "MONEY COMMITTEES" URGING:**

- **CONTINUED SUPPORT FOR NEVADA TAHOE RESOURCE TEAM;**
- **FUNDING FOR LOCAL EIP PROJECTS; AND**
- **THE AVAILABILITY OF INMATE CREWS TO PARTICIPATE IN FIRE SERVICE PROGRAMS.**

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

PRESIDENT PRO TEMPORE

COMMITTEES:

*Chairman*  
Marlette Lake Water System Advisory  
Committee  
Nevada Veterans' Services Commission

*Vice Chairman*  
Natural Resources

*Member*  
Finance  
Transportation



**State of Nevada**  
**Senate**  
**Seventy-first Session**

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Fax No.: (775) 684-6522

October 18, 2002

Nevada State Legislature  
Chairmen and Members  
Senate Committee on Finance and  
Assembly Committee on Ways and Means  
401 South Carson Street  
Carson City, Nevada 89701-4747

Dear Chairmen and Members:

As part of its duties during the 2001-2002 interim between legislative sessions, the Nevada Legislature's Committee to Continue the Review of Programs and Activities in the Lake Tahoe Basin received a considerable amount of testimony relating to three topics of relevance to the Legislature's "money committees."

***Continued Support for Nevada Tahoe Resource Team***

In 1997-1998, the Division of State Lands initiated efforts to put together an interagency, interdisciplinary team of professionals to lead the State's efforts to implement Nevada's portion of the Environmental Improvement Program (EIP) for the Lake Tahoe Basin. Through the budget process during the 1999 Legislative Session, authorization was approved to expand the team to include a complement of six professional positions. Although being from several different agencies, the team members are co-located at a single office site in Carson City.

Testimony before the Committee indicated that the team's activities have received commendation from a wide variety of sources. And in addition to carrying out the EIP for the Nevada portion of the Basin, the team provides a vital link to the region's Federal Interagency Partnership and the California Tahoe Conservancy on the California side of the Basin. While the Governor supported and the Legislature approved funding for the team in 2001, the

Committee determined that a letter of support for continued funding would be appropriate at this time and therefore adopted the following recommendation:

*Transmit a letter to the members of the Nevada Legislature's "money committees" urging them to continue to provide adequate and appropriate levels of funding to support the activities of the State agencies involved in the Nevada Tahoe Resource Team or otherwise involved in implementation of the Nevada EIP projects.*

***Funding for Local EIP Projects***

The Environmental Improvement Program (EIP) identifies an estimated \$100 million in capital improvement projects as the responsibility of the city, counties, and special districts within the Lake Tahoe Basin. Furthermore, the Tahoe Regional Planning Agency (TRPA) has estimated that an additional \$100 million will be needed over time to maintain and operate these EIP projects.

In order to identify potential sources of funding for these local efforts, the TRPA has been conducting a Regional Revenue Feasibility Analysis with a steering committee made up of more than 20 public and private stakeholders in the region. The analysis has focused on six categories of potential funding sources and includes a report on public opinion, a legal constraints analysis, and an economic model. A consultant has also been retained to work with the local entities and the public to coordinate the identification of preferred alternatives and procedures for implementation.

Based on the probability that implementation of the preferred alternatives will require legislative and/or local governmental action, the Committee approved the following recommendation:

*Transmit a letter to the members of Nevada's Congressional Delegation and the Nevada Legislature's "money committees": (1) explaining that the local governments in the Lake Tahoe Basin have accepted the responsibility for long-term maintenance of local EIP projects, but have no dedicated funding source to support this function and are severely constrained in their ability to independently obtain new revenue; and (2) urging these public officials to work with the local entities in efforts to identify the necessary funding sources and assist in implementing recommended actions resulting from these efforts.*

***Availability of Inmate Crews to Participate in Fire Service Programs***

Forest health and fire service programs in the Lake Tahoe Basin have always posed significant issues. During the 2001-2002 interim, the Committee received extensive testimony about

Nevada State Legislature  
Page 3  
October 18, 2002

forest conditions, forest management, and firefighting programs. These presentations were supplemented by a tour of local fire service facilities and a field trip to examine forest management practices being implemented in the Basin.

Representatives of Nevada's Division of Forestry, the Tahoe-Douglas Fire Protection District, the North Lake Tahoe Fire Protection District, and the U. S. Forest Service provided testimony concerning a broad range of topics related to the fire service. Among these points was the considerable value of inmate crews working within the Lake Tahoe Basin. The inmate crews perform numerous critical functions ranging from fire suppression activities to assistance in all areas of maintaining good forest health.

As a result of this testimony, the Committee approved the following recommendation:

*Transmit a letter to the members of Nevada's "money committees" highlighting the value of inmate crews to the fire service programs in the Lake Tahoe Basin and requesting that maintenance of and access to these inmate crews be considered a priority.*

***Concluding Comments***

The Legislature's Committee to Continue the Review of Programs and Activities in the Lake Tahoe Basin has been reestablished during every interim except one since 1985. Among its duties, the Committee functions as the Legislature's continuous monitor for the significant and sometimes complicated activities being undertaken in the Basin. As its Chairman, I would request that you give serious consideration to the recommendations forwarded in this letter. I would be pleased to answer any questions you may have and provide any additional background information you may need.

Sincerely,

Senator Lawrence E. Jacobsen, Chairman  
Nevada Legislature's Committee to Continue the Review  
of Programs and Activities in the Lake Tahoe Basin

LEJ/dlr:L03

**APPENDIX D**

**LETTER TO THE MEMBERS OF  
NEVADA'S CONGRESSIONAL DELEGATION  
REGARDING LOCAL GOVERNMENT FUNDING FOR EIP PROJECTS**

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

PRESIDENT PRO TEMPORE

COMMITTEES:  
*Chairman*  
Marlette Lake Water System Advisory  
Committee  
Nevada Veterans' Services Commission

*Vice Chairman*  
Natural Resources

*Member*  
Finance  
Transportation



## State of Nevada Senate

Seventy-first Session

October 18, 2002

DISTRICT OFFICE:  
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The Honorable John Ensign  
United States Senate  
364 Russell Senate Office Building  
Washington, D.C. 20510-0001

The Honorable Harry Reid  
United States Senate  
528 Hart Senate Office Building  
Washington, D.C. 20510-0001

The Honorable Shelly Berkley  
House of Representatives  
439 Cannon House Office Building  
Washington, D.C. 20510-0001

The Honorable Jim Gibbons  
House of Representatives  
100 Cannon House Office Building  
Washington, D.C. 20510-0001

Dear :

As you are aware from previous correspondence, the Nevada Legislature's Committee to Continue the Review of Programs and Activities in the Lake Tahoe Basin has been reestablished during every interim between legislative sessions except one since 1985.

As part of its responsibilities during the 2001-2002 interim, the Committee has received a considerable amount of testimony concerning the Environmental Improvement Program (EIP) for the Basin. In its letter of May 16, 2002, the Committee requested your support for appropriations to fund the federal commitment under the EIP. The goal of the present correspondence is to make you aware of the growing concern over the inadequacy of funding sources to sustain the local governments in their EIP responsibilities.

The EIP identifies an estimated \$100 million in capital improvement projects as the responsibility of the city, counties, and special districts within the Lake Tahoe Basin. Furthermore, the TRPA has estimated that an additional \$100 million will be needed over time to maintain and operate these EIP projects.

In order to identify potential sources of funding for these local efforts, the TRPA has been conducting a Regional Revenue Feasibility Analysis with a steering committee made up of

Members of Nevada Congressional Delegation

Page 2

October 18, 2002

more than 20 public and private stakeholders in the region. The analysis has focused on six categories of potential funding sources and includes a report on public opinion, a legal constraints analysis, and an economic model. A consultant has also been retained to work with the local entities and the public to coordinate the identification of preferred alternatives and procedures for implementation.

Based on the probability that implementation of the preferred alternatives will require legislative and/or local governmental action, the Committee approved the following recommendation:

*Transmit a letter to the members of Nevada's Congressional Delegation and the Nevada Legislature's "money committees": (1) explaining that the local governments in the Lake Tahoe Basin have accepted the responsibility for long-term maintenance of local EIP projects, but have no dedicated funding source to support this function and are severely constrained in their ability to independently obtain new revenue; and (2) urging these public officials to work with the local entities in efforts to identify the necessary funding sources and assist in implementing recommended actions resulting from these efforts.*

The Committee would urge your assistance in working with the local officials in the Basin to address these issues. As Chairman, I would also offer to help in any ways that I can.

Sincerely,

Senator Lawrence E. Jacobsen, Chairman  
Nevada Legislature's Committee to Continue the Review  
of Programs and Activities in the Lake Tahoe Basin

LEJ/dlr:L04

cc: Pam Drum, Public Affairs Coordinator, TRPA



**APPENDIX E**

**LETTER TO TAHOE REGIONAL PLANNING AGENCY GOVERNING BOARD  
REGARDING THE AGENCY'S PROGRAMS AND ACTIVITIES**

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



DISTRICT OFFICE:  
P.O. Box 367  
Minden, Nevada 89423  
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PRESIDENT PRO TEMPORE

COMMITTEES:  
*Chairman*  
Marlette Lake Water System Advisory  
Committee  
Nevada Veterans' Services Commission

*Vice Chairman*  
Natural Resources

*Member*  
Finance  
Transportation

## State of Nevada Senate

Seventy-first Session

October 18, 2002

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Fax No.: (775) 684-6522

Chairman and Members  
Governing Board  
Tahoe Regional Planning Agency  
P.O. Box 1038  
Zephyr Cove, Nevada 89448-1038

Dear Mister Chairman and Members:

As you are aware from previous correspondence, the Nevada Legislature's Committee to Continue the Review of Programs and Activities in the Lake Tahoe Basin has been reestablished during every interim between legislative sessions except one since 1985.

As part of its responsibilities during the 2001-2002 interim, the Committee received a considerable amount of testimony concerning the operation and activities of the Tahoe Regional Planning Agency. The Agency presented information related to its structure, major programs, and budget. Representatives of interested parties in the Basin, likewise, highlighted their concerns and questions relative to the Agency's operations, staffing allocations, and regulatory process.

Based on this testimony, the Committee adopted the following two recommendations relating to administration and activities of the TRPA:

*Transmit a letter to the TRPA Governing Board requesting that the Agency provide a report to the "Legislative Oversight" Committee at its initial meeting of the 2003-2005 biennium concerning implementation of the Committee's recommendations relating to priorities and administration of the Agency's responsibilities and programs.*

*Transmit a letter to the TRPA Governing Board requesting that the Board consider retaining an outside firm to conduct an independent program audit of the TRPA designed primarily to prepare analyses and make recommendations*

Chairman and Members  
Page 2  
October 18, 2002

*concerning obstacles hindering the Agency from achieving the goals provided in the Tahoe Regional Planning Compact; staffing allocations in relation to Agency goals and programs; activities associated with implementation, compliance, and/or enforcement responsibilities; and efficiency of the Agency's regulatory process.*

As Chairman of the Committee, I would request your assistance in addressing these two recommendations. I would also take this opportunity to thank your TRPA staff for the assistance they provided during the 2001-2002 interim. In addition, I would express my appreciation to the Governing Board members who participated in the Committee's hearings, and offer to answer any questions you may have and discuss the recommendations contained in this letter in greater depth at your request.

Sincerely,

Senator Lawrence E. Jacobsen, Chairman  
Nevada Legislature's Committee to Continue the Review  
of Programs and Activities in the Lake Tahoe Basin

LEJ/dlr:L05  
cc: Juan Palma, Executive Director, TRPA



**APPENDIX F**

**LETTER TO THE U.S. DEPARTMENT OF  
HOUSING AND URBAN DEVELOPMENT CONCERNING  
HOUSING PROGRAMS IN THE LAKE TAHOE BASIN**

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

PRESIDENT PRO TEMPORE

COMMITTEES:

*Chairman*

Marlette Lake Water System Advisory  
Committee

Nevada Veterans' Services Commission

*Vice Chairman*

Natural Resources

*Member*

Finance  
Transportation



**State of Nevada**  
**Senate**

**Seventy-first Session**

October 18, 2002

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Office: (775) 684-6568 or 684-1401  
Fax No.: (775) 684-6522

Steven Sachs, Director  
Office of Community Planning and Development  
U.S. Department of Housing and Urban Development  
Philip Burton Federal Building  
450 Golden Gate Avenue  
San Francisco, CA 94102-3448

Dear Mr. Sachs:

During every interim between legislative sessions except one since 1985, the Nevada Legislature has reestablished its Committee to Continue the Review of Programs and Activities in the Lake Tahoe Basin.

As part of its responsibilities during the 2001-2002 interim, the Committee received a considerable amount of testimony concerning housing issues in the Basin. The subject of housing in the Lake Tahoe Basin, and especially affordable housing, has been a controversial topic in recent years. Testimony indicated that while there is a shortage of affordable housing, a relatively high percentage of vacation rentals and second homes experience high vacancy rates.

The Tahoe Regional Planning Agency has been coordinating community groups and relevant agencies in efforts to identify barriers and strategies to address the housing issues. Barriers identified by the working group include:

- Informational gaps on housing and land inventories and conversions;
- Inadequate institutional capacity including the absence of a basinwide housing agency, regional plans and strategies, and staffing resources;
- Funding gaps;

Steven Sachs, Director  
Page 2  
October 18, 2002

- Lack of available land and shrinking urban boundaries;
- High land and development costs; and
- Zoning and development regulations.

Wayne Waite, Director, Reno Field Office of the United States Department of Housing and Urban Development (HUD), suggested the following five elements as being valuable in attempting to address the housing situation in the Lake Tahoe Basin:

1. Incorporate basinwide, bistate, and multicounty approaches;
2. Expand institutional capacity and identify nonprofit organizations to develop housing;
3. Design strategies to reduce the costs of development in the Basin;
4. Increase access to capital through joint programs with Nevada and California or working with national intermediaries to participate in low-cost financing; and
5. Identify possible incentives for housing development.

Testimony further indicated that the Rural Communities Assistance Corporation has been engaged as a technical assistance consultant to work with a nonprofit organization in the area, Kateri Tekakwitha Homes Community Land Trust, to become a Community Housing Development Organization (CHDO). Because of its tax-exempt status, such a CHDO would be eligible to receive direct allocation from HUD for its operations. The organization would focus upon studying the housing situation; developing effective strategies; working with counties, developers, and the gaming alliance; and attempting to access financial resources like tax credits.

As a result of these discussions, the Committee adopted the following recommendation:

*Transmit a letter to the U. S. Department of Housing and Urban Development: (1) expressing support for the creation of a bistate Community Housing Development Office to facilitate and implement efforts to provide affordable housing within the Lake Tahoe Basin; (2) requesting the Department's active participation in the Federal Interagency Partnership on the Lake Tahoe Ecosystem and the Lake Tahoe Federal Advisory Committee; and (3) expressing support for the Department's efforts to include the relevant Nevada and California housing agencies as joint participants in the housing programs in the Basin.*

Steven Sachs, Director  
Page 3  
October 18, 2002

I commend you and the other participants for the progress that has been made in each of the areas outlined in this recommendation, and the Committee hereby lends its support to fulfillment of these goals. I would be pleased to answer any questions or provide additional background information that would be helpful in this regard.

Sincerely,

Senator Lawrence E. Jacobsen, Chairman  
Nevada Legislature's Committee to Continue the Review  
of Programs and Activities in the Lake Tahoe Basin

LEJ/dlr:L06

cc: Ken Lobene, Director, Las Vegas Field Office, HUD  
Bill Bolton, Director, Sacramento Field Office, HUD  
Charles L. Horsey, Administrator, Housing Division, Nevada Department of Business and Industry  
Julie Bornstein, Director, California Department of Housing and Community Development

**APPENDIX G**

**SUGGESTED LEGISLATION  
(BILL DRAFT REQUESTS)**

BDR S-174	Authorizes issuance of general obligation bonds to carry out Environmental Improvement Program .....	42
BDR R-175	Directs Legislative Commission to appoint committee to continue review of Tahoe Regional Planning Compact .....	43

BDR S-174

Authorizes issuance of general obligation bonds to carry out  
Environmental Improvement Program

Note: BDR S-174 will be available at the beginning of the 2003 Legislative Session.

SUMMARY—Directs Legislative Commission to appoint committee to continue review of Tahoe Regional Planning Compact. (BDR R-175)

\_\_\_\_\_ 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, Assembly Concurrent Resolution No. 5 of the 71st 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 \_\_\_\_\_ OF THE STATE OF NEVADA, THE \_\_\_\_\_ 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 members of the Legislature of the State of California to achieve the goals set forth in the Tahoe Regional Planning Compact; and be it further

RESOLVED, That the \_\_\_\_\_ of the \_\_\_\_\_ prepare and transmit a copy of this resolution to 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.