



NEVADA LEGISLATURE LEGISLATIVE COMMITTEE FOR THE REVIEW AND OVERSIGHT OF THE TAHOE REGIONAL PLANNING AGENCY AND MARLETTE LAKE WATER SYSTEM

(Nevada Revised Statutes 218.53871)

SUMMARY MINUTES AND ACTION REPORT

The first meeting of the Nevada Legislature's Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and Marlette Lake Water System was held on Monday, November 5, 2007, at 1 p.m. in Room 2135 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas Nevada. A copy of this set of "Summary Minutes and Action Report," including the "Meeting Notice and Agenda" ([Exhibit A](#)) and other substantive exhibits, is available on the Nevada Legislature's website at www.leg.state.nv.us/74th/Interim. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (e-mail: publications@lcb.state.nv.us; telephone: 775/684-6835).

COMMITTEE MEMBERS PRESENT IN CARSON CITY:

Senator Dean A. Rhoads, Vice Chair
Senator Mark E. Amodei
Assemblyman Tom Grady

COMMITTEE MEMBERS PRESENT IN LAS VEGAS:

Assemblywoman Peggy Pierce, Chair
Senator Maggie Carlton
Assemblyman Morse Arberry Jr.

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Jennifer Ruedy, Senior Research Analyst, Research Division
Eileen G. O'Grady, Chief Deputy Legislative Counsel, Legal Division
Stephen J. Avillo, Deputy Legislative Counsel, Legal Division
Sally Trotter, Senior Research Secretary, Research Division

ELECTION OF CHAIRMAN AND VICE CHAIRMAN

- The Committee **APPROVED THE FOLLOWING ACTIONS:**

ASSEMBLYMAN ARBERRY NOMINATED ASSEMBLYWOMAN PIERCE TO SERVE AS THE COMMITTEE'S CHAIR. THE MOTION WAS SECONDED BY SENATOR RHOADS AND PASSED. SENATOR AMODEI WAS ABSENT FOR THE VOTE.

ASSEMBLYMAN GRADY NOMINATED SENATOR RHOADS TO SERVE AS THE COMMITTEE'S VICE CHAIR. THE MOTION WAS SECONDED BY ASSEMBLYMAN ARBERRY AND PASSED. SENATOR AMODEI WAS ABSENT FOR THE VOTE.

OPENING REMARKS AND INTRODUCTIONS

Chair Pierce provided introductory comments and stated the work of the Committee would be to protect and restore Lake Tahoe, enhance the community, and care for the natural environment. Vice Chair Rhoads invited staff introductions.

APPROVAL OF THE "SUMMARY MINUTES AND ACTION REPORT" OF THE MEETING HELD ON JULY 21, 2006

- The Committee **APPROVED THE FOLLOWING ACTION:**

VICE CHAIR RHOADS MOVED TO APPROVE THE "SUMMARY MINUTES AND ACTION REPORT" OF THE JULY 21, 2006, MEETING OF THE LEGISLATIVE COMMITTEE FOR THE REVIEW AND OVERSIGHT OF THE TAHOE REGIONAL PLANNING AGENCY AND THE MARLETTE LAKE WATER SYSTEM HELD IN CARSON CITY, NEVADA. THE MOTION WAS SECONDED BY CHAIR PIERCE AND PASSED UNANIMOUSLY.

SUMMARY OF 2005-2006 INTERIM COMMITTEE RECOMMENDATIONS AND 2007 STATE LEGISLATION AFFECTING THE TAHOE BASIN

- Jennifer Ruedy, Senior Research Analyst, Research Division, Legislative Counsel Bureau, provided an overview of the Committee's duties and reported on relevant legislation from the 2007 Legislative Session. (Please see [Exhibit B-1](#) and Exhibit B-2.)

ANGORA FIRE BRIEFING

- Terri Marceron, Forest Supervisor, United States Forest Service (USFS), Lake Tahoe Basin Management Unit, United States Department of Agriculture, reviewed a

Microsoft PowerPoint presentation on the Angora Fire. Ms. Marceron explained the timeline of events of the Angora Fire. She described the treatments that were used to contain the fire and the locations where the treatments were applied. According to Ms. Marceron, the USFS will continue monitoring the water and soil quality, as well as the ecosystem in the Lake Tahoe Basin. (Please see [Exhibit C-1](#), [Exhibit C-2](#), and [Exhibit C-3](#).)

- Senator Rhoads applauded the efforts of the volunteer firefighters.
- Senator Amodei requested information at a future meeting regarding the process and steps initiated from the time an area is identified for fuels management to the time resources are received to treat an area.
- Senator Carlton asked for clarification on the acreage treated under the Burned Area Emergency Response phase of rehabilitation.

REPORT FROM CALIFORNIA-NEVADA TAHOE BASIN FIRE COMMISSION

- Allen Biaggi, Director, State Department of Conservation and Natural Resources, introduced Coe Swobe and Shelly Aldean, members of the Tahoe Regional Planning Agency (TRPA) Governing Board. He discussed the California-Nevada Tahoe Basin Fire Commission (Commission) and explained that the concept of the Commission was agreed upon by both Nevada Governor Jim Gibbons and California Governor Arnold Schwarzenegger. Mr. Biaggi's testimony included:
 1. A statement of the Commission's mission;
 2. An explanation of the membership of the Commission;
 3. Summarization of the Commission's duties;
 4. Discussion of the nine recommendations proposed by the Commission; and
 5. An overview of the projects initiated to address problems of environmental and economic impacts, water quality, and the importance of collaborative working relationships among agencies. (See [Exhibit D](#).)

Responding to a question posed by Senator Carlton regarding the cumulative effects from the Angora Fire on the clarity of Lake Tahoe, Mr. Biaggi reported that monitoring is ongoing and the major impacts will occur and become more evident after the spring run-off when water samples are taken.

STATUS REPORT OF THE ENVIRONMENTAL IMPROVEMENT PROGRAM AND "PATHWAY 2007" (TRPA REGIONAL PLAN UPDATE)

- John Singlaub, Executive Director, TRPA, outlined the TRPA Regional Plan Update, "Pathway 2007" through his Microsoft PowerPoint presentation ([Exhibit E-1](#)). Mr. Singlaub reported that planning efforts were underway to align the environmental goals of all the agencies involved. Mr. Singlaub provided an overview of the key

highlights of the Pathway 2007 plan. He noted that the ten-year anniversary of the Environmental Improvement Program (EIP) was celebrated during August 2007. He discussed the progress of the program highlighting completed projects, research and fuels reductions, and ecosystem reclamation. Mr. Singlaub pointed out a graph that charted EIP capital project investments. Further, he noted that funding needs would be addressed, and he discussed six focus areas for the next phase of the EIP. Mr. Singlaub said an updated report should be completed in March 2008. (Please see [Exhibit E-2](#) and [Exhibit E-3](#).)

Discussion ensued regarding fuel reduction areas, tree cutting policies, funding issues, socioeconomic matters, and thresholds for forest health within the Pathway 2007 plan.

- Senator Amodei inquired about conflicts between the recommendations from the fire chiefs through the Commission and existing TRPA regulations. He requested the Committee look at discrepancies between those recommendations and TRPA regulations.
- Senator Carlton requested that Mr. Swobe, identified previously, address the Committee regarding his opinion on the thresholds and authorities of TRPA.
- Mr. Swobe responded that TRPA had attempted to obtain funding numerous times for a study on the effects of a catastrophic fire. He opined that funds from the Southern Nevada Public Land Management Act of 1998 may be used to study the effects of the Angora Fire. Further, Mr. Swobe stated that TRPA had a monopoly on regulations and permits concerning removal of forest fuels, and he was of the opinion that TRPA should take the initiative for action on regulation enactment.

PUBLIC COMMENT

(As directed by Chair Pierce, this agenda item was taken out of order.)

- Steve Teshara, President and CEO, North Lake Tahoe Resort Association, testified regarding progress made by the Association on community enhancement projects, and he offered to assist in coordinating a tour for the Committee.

UPDATE OF IMPROVEMENTS TO THE MARLETTE LAKE WATER SYSTEM

- Patrick McInnis, Chief Engineer, Buildings and Grounds Division, Nevada's Department of Administration, discussed the role of the Division in the improvements to the Marlette Lake Water System. He provided a Microsoft PowerPoint presentation ([Exhibit F](#)) and explained the water system and construction of a permanent pump station completed at Marlette Lake. Mr. McInnis noted that solar power was utilized with generators as backup power at the control sites. He reported the Marlette Lake Water System project involves two phases due to environmental and economic impacts. Mr. McInnis commented that the Carson Water Subconservancy District had

received a \$1 million grant from the U.S. Environmental Protection Agency for water enhancements in the Carson City area. He noted that Carson City also made contributions along with the use of State revenue bonds that were sold for the project. The entire project, he said, involved many partnerships. According to Mr. McInnis, Phase B construction will begin during the summer of 2008.

In response to questions from Committee members, Mr. McInnis indicated that the pipeline from Marlette Lake to Hobart Creek needed stabilization and other maintenance projects were underway. He stated the pipeline stabilization would be completed during the 2009-2010 timeframe, and after that, a second line may be installed from Marlette Lake to Carson City.

PUBLIC COMMENT

- Mike Young, Dickson Realty, Incline Village, Nevada, provided a copy of a letter sent to California Assemblyman Ted Gaines from Mr. Biaggi, previously identified, expressing opposition to California Assembly Bill 1227, "Lake Tahoe Water Trail Act" ([Exhibit G](#)). He suggested the Committee meet with the California Tahoe Conservancy.
- In response, Senator Carlton requested that a meeting with the California Tahoe Conservancy be scheduled.

COMMITTEE DISCUSSION OF FUTURE MEETINGS

- Chair Pierce stated she would contact Committee members regarding future meeting dates.
- Senator Amodei expressed an interest in meeting in March 2008 after the Commission meeting. He also requested the California Tahoe Conservancy be included on a future meeting agenda. Further, Senator Amodei expressed a desire to have a meeting that would include the California legislative colleagues.
- Senator Rhoads suggested that the Committee tour the Angora Fire area.
- Chair Pierce asked members to advise her of any special areas of interest for future tours.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 3:14 p.m.

Respectfully submitted,

Sally Trotter
Senior Research Secretary

Jennifer Ruedy
Senior Research Analyst

APPROVED BY:

Assemblywoman Peggy Pierce, Chair

Date: _____

LIST OF EXHIBITS

[Exhibit A](#) is the “Meeting Notice and Agenda” provided by Jennifer Ruedy, Senior Research Analyst, Research Division, Legislative Counsel Bureau (LCB).

[Exhibit B-1](#) is a document titled “Opening Remarks” presented by Jennifer Ruedy, Senior Research Analyst, Research Division, LCB.

[Exhibit B-2](#) is a document reviewing the recommendations made during the 2005-2006 Interim at the July 21, 2006, meeting of the Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System prepared by Jennifer Ruedy, Senior Research Analyst, Research Division, LCB.

[Exhibit C-1](#) is the written testimony of Terri Marceron, Forest Supervisor, Lake Tahoe Basin Management, Forest Service, United States Department of Agriculture (USDA).

[Exhibit C-2](#) is a Microsoft PowerPoint presentation titled “Angora Fire, June 24, 2007,” presented by Terri Marceron, Forest Supervisor, Lake Tahoe Basin Management, Forest Service, USDA.

[Exhibit C-3](#) is a booklet titled “An Assessment of Fuel Treatment Effects on Fire Behavior, Suppression Effectiveness, and Structure Ignition on the Angora Fire” R5-TP-025, dated August 2007, published by the USDA and provided by Terri Marceron, Forest Supervisor, Lake Tahoe Basin Management, Forest Service, USDA.

[Exhibit D](#) is the written testimony of Allen Biaggi, Director, State Department of Conservation and Natural Resources (SDCNR).

[Exhibit E-1](#) is a Microsoft PowerPoint presentation titled “Pathway/Regional Plan Update and EIP Overview,” presented by John Singlaub, Executive Director, Tahoe Regional Planning Commission (TRPA).

[Exhibit E-2](#) is a brochure titled “Environmental Improvement Program Progress Report, 1997-2007,” provided by Julie Regan, Communications and Legislative Affairs Chief, TRPA.

[Exhibit E-3](#) is a publication titled “Restoration in Progress Environmental Improvement Program, Progress Report, 1997-2007,” provided by Julie Regan, Communications and Legislative Affairs Chief, TRPA. This publication is also available online at: www.conservationclearly.org.

[Exhibit F](#) is a Microsoft PowerPoint presentation titled “Marlette Water System,” provided by Patrick McInnis, P.E., Chief Engineer, Buildings and Grounds Division, Nevada’s Department of Administration.

Exhibit G is letter dated June 19, 2007, from Allen Biaggi, Director, SDCNR, to California Assemblyman Ted Gaines with an attachment titled California AB 1227 - Lake Tahoe Water Trail Act,” provided by Mike Young, Lake Tahoe Real Estate Broker, Dickson Realty, Incline Village Nevada.

This set of “Summary Minutes and Action Report” is supplied as an informational service. Exhibits in electronic format may not be complete. Copies of the complete exhibits, other materials distributed at the meeting, and the audio record are on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. You may contact the Library online at www.leg.state.nv.us/lcb/research/library/feedbackmail.cfm or by telephone: 775/684-6827.