



**NEVADA LEGISLATURE**  
**LEGISLATIVE COMMITTEE FOR THE REVIEW AND**  
**OVERSIGHT OF THE TAHOE REGIONAL PLANNING**  
**AGENCY AND THE MARLETTE LAKE WATER SYSTEM**  
*(Nevada Revised Statutes [NRS] 218.53871)*

**SUMMARY MINUTES AND ACTION REPORT**

The third meeting of the Nevada Legislature's Committee for the Review and Oversight of the Tahoe Regional Planning Agency (TRPA) and the Marlette Lake Water System (NRS 218.53871) was held at 9:30 a.m. on Thursday, April 13, 2006, at the Incline Village General Improvement District – Chateau, 955 Fairway Boulevard, Incline Village, 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 Web site at [www.leg.state.nv.us/73rd/Interim](http://www.leg.state.nv.us/73rd/Interim). In addition, copies of the audio record may be purchased through the Publications Office of the Legislative Counsel Bureau (LCB) (e-mail: [publications@lcb.state.nv.us](mailto:publications@lcb.state.nv.us); telephone: 775/684-6835).

**COMMITTEE MEMBERS PRESENT AT INCLINE VILLAGE:**

Senator Mark E. Amodei, Chair  
Assemblywoman Peggy Pierce, Vice Chair  
Senator Maggie A. Carlton  
Senator Dean A. Rhoads  
Assemblyman Tom Grady

**COMMITTEE MEMBER EXCUSED:**

Assemblyman Morse Arberry Jr.

**SPECIAL GUEST IN ATTENDANCE:**

Senator Dave Cox, State of California, First Senate District

**LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:**

Diane C. Thornton, Senior Research Analyst, Research Division, LCB  
M. Scott McKenna, Principal Deputy Legislative Counsel, Legal Division, LCB  
Nenita Wasserman, Senior Research Secretary, Research Division, LCB

## **OPENING REMARKS AND INTRODUCTIONS**

- The Chair, Senator Amodei, welcomed Committee members, presenters, and the public to the third meeting of the Legislature's Committee for the Review and Oversight of the TRPA and the Marlette Lake Water System.

## **APPROVAL OF MINUTES OF THE MARCH 8, 2006, MEETING**

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

ASSEMBLYWOMAN PIERCE MOVED TO APPROVE THE MINUTES OF THE LEGISLATURE'S COMMITTEE FOR THE REVIEW AND OVERSIGHT OF THE TRPA AND THE MARLETTE LAKE WATER SYSTEM MEETING HELD ON WEDNESDAY, MARCH 8, 2006. THE MOTION WAS SECONDED BY ASSEMBLYMAN GRADY AND CARRIED UNANIMOUSLY.

## **PRESENTATION FROM MARY BETH MCCLEARY, OWNER OF MCLEARY RANCH**

- Mary Beth McCleary, owner of McCleary Ranch, Washoe Valley, reviewed property damage to her ranch allegedly caused by water overflow from a pipe located at the Hobart Marlette Lake Water System. Ms. McCleary invited Committee members to visit her ranch for a tour of the damage. A copy of her presentation is available as [Exhibit B](#).
- Chair Amodei noted that the Committee can review management practices of the Buildings and Grounds Division, Nevada's Department of Administration, but does not have jurisdiction on her claim.

## **PRESENTATION ON THE MARLETTE-HOBART WATER SUPPLY SYSTEM**

- Patrick McIness, Chief Engineer, Buildings and Grounds Division, Nevada's Department of Administration, Carson City, gave an overview on the Marlette-Hobart Water Supply System and stated that this system serves Virginia City and Carson City. He listed the system's benefactors as the Carson Water Subconservancy District, grants, and revenue bonding. Further, its physical resources include: (1) the Lakeview Water Master's house and shop; (2) the Ash Canyon Water Treatment plant; (3) a 3,000,000 gallon storage tank at Ash Canyon; (4) Rose Springs collection boxes; and (5) the Stewart Water System. A copy of Mr. McIness' presentation is available as [Exhibit C](#).
- Ed James, General Manager, Carson Water Subconservancy District, Carson City, testified regarding the current status of projects for the Marlette-Hobart Lake Water Supply System, including: (1) an evaluation of the system's water pipeline; (2) a list of

18-inch pipeline repairs; (3) a description of installation, funding, and scheduled improvements for a permanent pump and gas line; and (4) construction of a second pipeline to Carson City. A detailed list of projects referred to by Mr. James is available as [Exhibit C](#).

- Janet Reck, District II Permit Coordinator, Nevada's Department of Transportation (NDOT), Reno, testified regarding a leaking Storey County water distribution line located adjacent to United States Highway 395 and noted that distribution lines located near roadways that carry gas or hazardous materials are required to be encased. She said this issue is controversial because of the expense of encasing such lines. Pictures of the area of concern are available as [Exhibit D](#).
- Paul Petersen, Permit Inspector, NDOT, Reno, commented he was at the location when the leak occurred at the Storey County water distribution line adjacent to U.S. 395, and explained that the location of the leak in the pipeline was confined to the shoulder area and not required to be encased when it was installed.

There was a discussion regarding the State of Nevada taking responsibility for encasing utility pipelines located at the old water master house near Virginia City.

There also was a discussion regarding the State of Nevada's role in addressing Ms. McCleary's property damage. Mr. McInnis explained that since the Marlette-Hobart Water Supply System is an enterprise fund, all operating and upgrade funds are generated through the sale of raw water to Carson City and Virginia City under contracted rate schedules. Further, he noted the following potential solutions to Ms. McCleary's property damage, which would also address an associate loss of revenue for the system:

1. The Marlette-Hobart Water Supply System has the capability to sell revenue bonds to pay for improvements. As part of the first major project to install a permanent pump at Marlette Lake, remote controls and meters will be installed at the diversion to enable the flow to the tanks to be adjusted to minimize or eliminate spilling at the tank without requiring an operator to travel to the diversion.
2. Installation of a second pipe to Carson City is in the planning stages and will provide an alternate place to put excess flows and generate revenue from them.
3. A mitigation project will be developed to find an engineering solution to stabilizing the existing overflow gully.

## **PUBLIC COMMENT RELATIVE TO OVERSIGHT OF THE MARLETTE LAKE WATER SYSTEM**

- There was no public comment.

## **DISCUSSION OF THE HISTORICAL CONDITION AND CHANGES IN THE TAHOE BASIN THAT HAVE RESULTED IN THE CURRENT HEALTH OF THE FOREST**

- Elwood L. Miller, former Executive Coordinator, Nevada Fire Safe Council, South Lake Tahoe, discussed the historical condition and changes in the Tahoe Basin that have resulted in the current health of the forest. He compared the health of Tahoe's natural forest in the 1880s to today's current forest. He speculated that the current condition of the forest is at an extreme risk for fire hazard in the Tahoe Basin. His detailed presentation is available as [Exhibit E](#).

## **FOREST HEALTH AND FIRE HAZARDS IN THE TAHOE BASIN**

- Roland Shaw, Environmental Improvement Forester III, Nevada Tahoe Resource Team, State Department of Conservation and Natural Resources (SDCNR), Carson City, presented information on forest health and fire hazards in the Tahoe Basin. He reviewed the major projects that have been completed, including: (1) the War Valley area; (2) the Quail Project south of Emerald Bay; (3) the Slaughterhouse Project; (4) the reconstruction of a historic trail; and (5) the Kingsbury Grade. [Exhibit F](#).

## **OVERVIEW OF THE FUEL REDUCTION AND FOREST RESTORATION PLAN FOR THE LAKE TAHOE BASIN**

- Carl Hasty, Deputy Director, TRPA, Stateline, Nevada, recognized TRPA Board Members Shelley Aldean and Coe Swobe in attendance. Mr. Hasty gave an overview of the fuel reduction and forest restoration plan for the Lake Tahoe Basin. He remarked that TRPA has received a grant for this ten-year project, which, he speculated, would "generate a lot of revenue."

There was a discussion regarding cooperative efforts by federal and state entities for the project. Mr. Hasty noted that the Nevada Fire Safe Council has also been very helpful.

- Jim Linardos, Fire Chief, North Lake Tahoe Fire Protection District, Incline Village, Nevada, introduced Nord Szczurek, North Lake Tahoe Fire District, North Lake Tahoe Fire District, Incline Village, Nevada. Mr. Szczurek gave an overview of areas treated for fuel reduction and forest restoration during the past ten years. He said future challenges include biomass removal, funding, and maintenance of the forest. He added that public education is critical to the program's longevity. His presentation is available as [Exhibit G](#).
- Dave Marlow, Fire and Vegetation Management Officer, U.S. Forest Service, Carson City, reviewed forest service vegetation and fuels management activities. He concluded with a discussion of bio mass, including current removal costs and introduction of new removal methodology to respond to that cost. His detailed presentation is available as [Exhibit H](#).

- Pete Anderson, State Forester Fire Warden, Division of Forestry, SDCNR, reviewed “Fuel Treatment Projects” in the Lake Tahoe Basin. He discussed grants applied to 26 different projects and supplied members with that list ([Exhibit I](#)).
- Jennifer Arrowsmith, Nevada Fire Safe Council, South Lake Tahoe, stated that the Nevada Fire Safe Council, Tahoe Basin Regional Branch’s mission is to assemble diverse interests in a unified coalition that will work on solutions to reduce the loss of lives and property from the threat of fire in Nevada and Tahoe communities. She explained that the organization is a membership corporation. Her presentation is available as [Exhibit J](#).

## **OVERVIEW OF THE LAKE TAHOE BASIN EVACUATION PLAN**

- Gary Derks, Operations Officer, Division of Emergency Management, Nevada’s Department of Public Safety, Carson City, discussed the Lake Tahoe Basin emergency evacuation plan. His detailed presentation is available as [Exhibit K](#).

## **TOPICS RELATED TO THE TRPA FOR COMMITTEE CONSIDERATION AND POTENTIAL ACTION AT FUTURE MEETINGS**

- John Singlaub, Executive Director, TRPA, Stateline, requested that the Committee endorse the following items, including: (1) funding Tahoe Science Consortium; (2) implementing best management practices on private property (3) offering continued financial support for Pathway 2007; and (4) continuing support for Nevada’s one-third share of a dedicated position focused on transit operations and systems development. His presentation is partially detailed in [Exhibit L](#).
- Joanne Marchetta, Legal Counsel, TRPA, Stateline, requested that the Committee endorse the following items, including: (1) increasing Nevada’s share of TRPA’s baseline funding for compliance, enforcement, and legal needs; and (2) supporting an amendment to the *Nevada Revised Statutes*, which provides the TRPA with explicit authority to enter into a lease/lease back agreement for the purpose of financing the purchase of the TRPA office building in Stateline. Ms. Marchetta’s information is also available in [Exhibit L](#).
- Pamela B. Wilcox, Administrator, Division of State Lands, SDCNR, requested that the Committee continue funding the Environmental Improvement Program. Ms. Wilcox’s request is available as [Exhibit M](#).

## **DISCUSSION OF FUTURE MEETINGS**

- The Chair listed the Committee’s final three meeting dates as the following:
  1. May 18, 2006, in Sacramento;

2. June 23, 2006, tour/meeting Marlette Lake; and
3. July 21, 2006, in Carson City.

## **PUBLIC COMMENT**

- Jill Sarick, Public Outreach Specialist, Nevada Tahoe Conservation District, Nevada Tahoe Partnership, Stateline, explained that the mission of her agency is to: (1) provide a venue for public input and education regarding the future; (2) inform the public regarding water quality and erosion control project status; (3) present information on the fuels reduction and forest health plan; (4) share information regarding the enforcement of best management practices; and (5) interact with Nevada decision-makers and neighboring states. Ms. Sarick's handout is available as [Exhibit N](#).

## **ADJOURNMENT**

There being no further business to come before the Committee, the meeting was adjourned at 2:31 p.m.

Respectfully submitted,

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Nenita Wasserman  
Senior Research Secretary

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Diane C. Thornton  
Senior Research Analyst

APPROVED BY:

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Senator Mark E. Amodei, Chair

Date: 07/21/06

## LIST OF EXHIBITS

[Exhibit A](#) is the “Meeting Notice and Agenda” provided by Diane C. Thornton, Senior Research Analyst, Research Division, Legislative Counsel Bureau (LCB), Carson City, Nevada.

[Exhibit B](#) is a Microsoft PowerPoint presentation titled “McCleary Ranch, Fall 2005,” given by Mary Beth McCleary, Ranch Owner, McCleary Ranch, Washoe Valley, Nevada.

[Exhibit C](#) is a Microsoft PowerPoint presentation dated April 13, 2006, and titled “Marlette Water System Overview for Legislative Committee for Review and Oversight of TRPA and Marlette Water System,” given by Patrick McInness, P.E., Chief Engineer Building and Grounds, Nevada’s Department of Administration, and Ed James, General Manager, Carson City Water Subconservancy District, Carson City.

[Exhibit D](#) is a document dated April 13, 2006, presented by Janet Reck, District II Permit Coordinator, Nevada’s Department of Transportation, Reno, Nevada.

[Exhibit E](#) is a Microsoft PowerPoint presentation, titled “Lake Tahoe Basin Forests, Then and Now or “What Happened?” given by Elwood L. Miller, former Executive Coordinator, Nevada Fire Safe Council, South Lake Tahoe, California.

[Exhibit F](#) is a Microsoft PowerPoint presentation titled “Lake Tahoe Forest Health, Fuels and Fire,” given by Roland Shaw, Environmental Improvement Forester III, Nevada Tahoe Resource Team, State Department of Conservation and Natural Resources (SDCNR), Carson City.

[Exhibit G](#) is a Microsoft PowerPoint presentation titled “North Lake Tahoe,” submitted by Jim Linardos, Fire Chief, North Lake Tahoe Fire Protection District, and presented by Nord Szczurek, North Lake Tahoe Fire District, Incline Village, Nevada.

[Exhibit H](#) is a document titled “Lake Tahoe Basin Management Unit,” provided by Dave Marlow, Fire and Vegetation Management Officer, U.S. Forest Service, South Lake Tahoe.

[Exhibit I](#) is a chart titled “Nevada Division of History, Fuel Treatment Projects in the Lake Tahoe Basin,” provided by Pete Anderson, State Forester Firewarden, Division of Forestry, SDCNR, Carson City.

[Exhibit J](#) is a Microsoft PowerPoint presentation titled “The Nevada Fire Safety Council,” given by Jennifer Arrowsmith, Nevada Fire Safe Council, South Lake Tahoe.

[Exhibit K](#) is a Microsoft PowerPoint presentation dated April 13, 2006, and titled “Nevada Division of Emergency Management,” furnished by Gary Derks, Operations Officer, Division of Emergency Management, Nevada’s Department of Public Safety, Carson City.

[Exhibit L](#) is a Microsoft PowerPoint presentation dated “April 13, 2006, and titled “Tahoe Regional Planning Agency Briefing Papers, Nevada’s Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency,” provided by John Singlaub, Executive Director, Tahoe Regional Planning Agency, Stateline, Nevada.

[Exhibit M](#) is a memorandum dated April 12, 2006, to the Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System, regarding request for continued funding support of the environmental improvement program, from Pamela B. Wilcox, Administrator, Division of State Lands, SDCNR, Carson City.

[Exhibit N](#) is a flyer titled “Nevada Tahoe Partnership, Save the Date,” presented by Jill Sarick, Public Outreach Specialist, Nevada Tahoe Conservation District, Nevada Tahoe Partnership, Stateline.

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](http://www.leg.state.nv.us/lcb/research/library/feedbackmail.cfm) or telephone: 775/684-6827.