

**MINUTES OF THE MEETING
OF THE
LEGISLATIVE COMMISSION=S COMMITTEE TO CONTINUE
THE REVIEW OF THE TAHOE REGIONAL PLANNING AGENCY (TRPA)
(Senate Concurrent Resolution No. 16, File No. 77, *Statutes of Nevada 1999*)
October 25 and 26, 1999
Incline Village, Nevada**

On October 25, 1999, a tour was conducted of projects in Nevada and California relating to restoration of stream zones, redevelopment areas, control of erosion along highways, planning for parking and bikeways, recreational facilities, and forest health. The projects toured included: Crystal Bay/North Shore Project, Incline Erosion Control Project, State Lands= Parcels, Incline Creek/Third Creek Project, Memorial Point, forest health and recreation projects in the Spooner portion of Lake Tahoe Nevada State Park, Stateline Storm Drainage Project, Round Hill Mall, Ski Run Marina Project, and Cold Creek Project in South Shore, Lake Tahoe.

The non-tour portion of the meeting of the Legislative Commission=s Committee To Continue the Review of the Tahoe Regional Planning Agency (TRPA) (S.C.R. 16, File No. 77, *Statutes of Nevada 1999*) was held on Tuesday, October 26, 1999, commencing at 8:47 a.m. The meeting was held in the Board Room at the Incline Village General Improvement District (IVGID), 893 Southwood Boulevard, Incline Village, Nevada. Pages 3 and 4 contain the AMeeting Notice and Agenda.@

COMMITTEE MEMBERS PRESENT:

Assemblyman Greg Brower, Chairman
Senator Mark E. Amodei
Assemblywoman Vivian L. Freeman
Assemblyman Kelly Thomas

COMMITTEE MEMBERS ABSENT:

Senator Bill R. O=Donnell
Senator Raymond C. Shaffer

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Fred Welden, Chief Deputy Research Director
M. Scott McKenna, Deputy Legislative Counsel
Nenita Wasserman, Senior Research Secretary

**MEETING NOTICE AND AGENDA
FOR
TWO-DAY MEETING**

Name of Organization: Legislative Commission=s Committee to Continue the Review of the Tahoe Regional Planning Agency (TRPA) (S.C.R. 16)

The Legislative Commission's Committee to Continue the Review of the Tahoe Regional Planning Agency will hold a two-day meeting on October 25 and 26, 1999.

AGENDA FOR
MONDAY, OCTOBER 25, 1999

Date and Time of Meeting: Monday, October 25, 1999
8:30 a.m. (Tour)

Place of Meeting: Incline Village General Improvement District
Parking Lot
893 Southwood Boulevard
Incline Village, Nevada

AGENDA

I. Tour of the Lake Tahoe Basin (8:30 a.m.)

Participants on the tour will review projects in Nevada and California relating to restoration of stream zones, redevelopment areas, control of erosion along highways, planning for parking and bikeways, recreational facilities, and forest health.

At 8:30 a.m., the Committee will depart from the parking lot of the Incline Village General Improvement District. The public is cordially invited to participate. A limited number of seats are available on the bus that will transport the Committee members and staff, so it will be necessary for additional participants to arrange for their own transportation. For more information, please contact Fred W. Welden, Committee Research Staff, at 775/684-6825.

AGENDA FOR
TUESDAY, OCTOBER 26, 1999

Date and Time of Meeting: Tuesday, October 26, 1999
8:30 a.m.

Place of Meeting: Incline Village General Improvement District
Board Room
893 Southwood Boulevard
Incline Village, Nevada

AGENDA

- I. Introductions and Opening Remarks
Assemblyman Greg Brower, Chairman
- II. Review of the Tahoe Regional Planning Compact and Its Implementation
Fred W. Welden, Chief Deputy Research Director, Legislative Counsel Bureau
- III. Overview of the Lake Tahoe Presidential Forum
Steve Teshara, Rochelle Nason, and Stan Hansen
Co-Chairs of the Lake Tahoe Transportation and Water Quality Coalition and Members of the Local Steering Committee for the Forum

- IV. Explanation of the AEnvironmental Improvement Program (EIP)@
James W. Baetge, Executive Director, TRPA
- V. Nevada=s Actions Resulting from the Forum and AEIP@
Pamela B. Wilcox, Administrator, Division of State Lands
- VI. California=s Implementation of Projects Resulting from the Forum and AEIP@
Dennis Machida, Executive Director, California Tahoe Conservancy
- VII. Lunch
- VIII. Structure, Programs, and Budget of the TRPA
James W. Baetge, Executive Director, TRPA
- IX. Public Testimony
- X. Committee Discussion of Future Meetings
- XI. Adjournment

Note: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Research Division, Legislative Counsel Bureau, in writing, at the Legislative Building, 401 South Carson Street, Carson City, Nevada 89701-4747, or call Nenita Wasserman, at (775) 684-6825, as soon as possible.

Notice of this meeting was posted in the following Carson City, Nevada, locations: Blasdel Building, 209 East Musser Street; Capitol Press Corps, Basement, Capitol Building; City Hall, 201 North Carson Street; Legislative Building, 401 South Carson Street; and Nevada State Library, 100 Stewart Street. Notice of this meeting was faxed for posting to the following Las Vegas, Nevada, locations: Clark County Office, 500 South Grand Central Parkway, and Grant Sawyer State Office Building, 555 East Washington Avenue.

INTRODUCTIONS AND OPENING REMARKS

The meeting was called to order at 8:47 a.m. by Assemblyman Greg Brower. On behalf of the Committee, Chairman Brower extended thanks to Incline Village General Improvement District (IVGID) for the use of its facilities and for providing refreshments. Chairman Brower noted that:

C Assembly Bill 285 (Chapter 514, *Statutes of Nevada 1999*) was a significant piece of legislation passed during the 1999 Legislative Session. This bill specifically establishes a program to protect the Lake Tahoe Basin.

C An interagency team of Nevada State agencies has been established to coordinate the implementation of the Environmental Improvement Program (EIP) which emanated from the 1997 Presidential visit to the Lake Tahoe Basin.

C The legislative committee=s goal is to provide oversight for the implementation of the EIP and the TRPA in general.

C Four hearings will be held by the committee over the next interim.

C The committee tour of various improvement projects around the Lake Tahoe Basin was educational and impressive.

REVIEW OF THE TAHOE REGIONAL PLANNING COMPACT AND ITS IMPLEMENTATION

Fred W. Welden

Fred W. Welden, Chief Deputy Research Director, Legislative Counsel Bureau, reviewed the major elements of the legislative history of the Tahoe Regional Planning Compact and covered the following points:

C The Tahoe Regional Planning Compact (*Nevada Revised Statutes 277.200*) was proposed by the States of Nevada and California in 1968 and ratified by the United States Congress in 1969. It provided a bistate

mechanism for planning and regulation of development in the Lake Tahoe Basin.

C Both states enacted legislation containing various proposals for amendment of the Compact during the 1970s. In each instance, the states did not reach agreement on the modifications. Nevada=s recommendations were contained in Senate Bill 254 (1975), Senate Bill 266 (1977), and Senate Bill 503 (1979).

C After lengthy negotiations and a special legislative session in Nevada, the Compact was substantially amended in 1980.

C During the 1980s, proposals for Compact Amendment included additional modifications. One bill was approved in each of Nevada=s 1981, 1983, and 1985 Legislative Sessions. In 1987, Nevada enacted Assembly Bill 5 (Chapter 22, *Statutes of Nevada*) which combined the previous measures and conformed them with relevant California legislation.

C The major proposed change is in the structure of the Nevada delegation serving on the Governing Body. The proposed structure would include three representatives of local governments, two members appointed by the Governor, one member appointed by the Majority Leader of the State Senate, and one member appointed by the Speaker of the Assembly.

C Two bills to ratify this amendment were introduced in the U.S. Congress in 1987. Action was not taken on either measure. To date, Congress has not acted upon these proposed amendments.

C Article IX of the Bistate Compact establishes the Tahoe Transportation District and authorizes amendments of these provisions by joint actions of the two states without Congressional ratification. In 1997, the states agreed to modify the structure and authorities of the District to provide for expanded public-private cooperative activities.

C While Nevada=s Legislative Committee to Continue the Review of the Tahoe Regional Planning Agency supported the legislation amending the provisions for the Tahoe Transportation District in 1997, additional modification of the Compact has not been proposed in recent years.

A copy of Mr. Welden=s detailed testimony regarding the legislative history of the Tahoe Regional Planning Compact is Exhibit A.

Mr. Welden reviewed several major elements of the Tahoe Regional Planning Compact, and his handout is included as Exhibit B. He stated that:

C The Governing Body consists of 14 members (seven from each state).

C A relatively complicated voting structure is established. A dual majority (at least four votes from each state) is required to act upon environmental threshold carrying capacities, the regional plan, ordinances, rules, regulations and variances. Approval of a project within the Tahoe Basin, requires the affirmative vote of at least five members from the state in which the project is located and at least nine members of the overall governing body. A simple majority is required to undertake routine business.

Mr. Welden explained the TRPA is directed to adopt:

C Environmental threshold carrying capacities necessary to maintain significant scenic, recreational, educational, scientific or natural values of the region or to maintain public health and safety;

C A regional plan which, at a minimum, achieves and maintains the adopted environmental threshold carrying capacities; and

C The ordinances, rules and regulations necessary to effectuate the adopted regional plan.

Other specific provisions Mr. Welden reviewed included:

- C Special procedures are provided for proposals relating to internal or external modification, remodeling, change-in-use, or repair of structures housing casino gaming. Environmental impact statements are required for specific Agency actions. And, the venue for legal actions is defined.
- C Financial contributions from local governments are specified, and it is stipulated that requests for state funds must be apportioned two-thirds from California and one-third from Nevada. The Tahoe Transportation District is established, and its powers are defined.

INTRODUCTION OF MEMBERS

The Committee members introduced themselves and described the district each represents.

OVERVIEW OF THE LAKE TAHOE PRESIDENTIAL FORUM

Steve Teshara and Rochelle Nason

Steve Teshara, Executive Director of the Lake Tahoe Gaming Alliance, and Co-Chair of the Lake Tahoe Transportation and Water Quality Coalition (LTTWQC,) introduced Rochelle Nason, Executive Director of the League To Save Lake Tahoe and Co-Chair of the Coalition, and noted that Stan Hansen, who is also Co-Chair of the LTTWQC and a Member of the Local Steering Committee for the Forum was unable to attend this meeting.

Mr. Teshara explained the events that led to the 1997 Lake Tahoe Presidential Forum and some of the results from it. He testified that:

- C U.S. Senator Harry Reid meeting with the President personally was a key to the Presidential Forum becoming a reality.
- C The President agreed to come to Lake Tahoe and went beyond the initial request for his visit when he directed his key cabinet officials, who represent the agencies and departments that have jurisdiction at Lake Tahoe, to attend also.

Mr. Teshara stated the issues addressed by the Lake Tahoe Presidential Forum included: (1) a workshop that was hosted by Carol Browner, Administrator of the U.S. Environmental Protection Agency; (2) a forest ecosystem restoration, recreation, and tourism workshop that was co-hosted by U.S. Secretary of Agriculture Dan Glickman and U.S. Secretary of the Interior Bruce Babbitt and; (3) a transportation issue workshop hosted by U.S. Secretary of Transportation Rodney Slater. The results of this forum were significant and he explained that:

- C The President signed Executive Order 13057, A Federal Actions in the Lake Tahoe Region,@ on July 26, 1997, directing the Federal departments and agencies having principal management or jurisdictional authorities in the Lake Tahoe Region to establish a Federal Interagency Partnership on the Lake Tahoe Ecosystem. The goal of the Partnership is to ensure that Federal agency actions are coordinated and operate to protect the extraordinary natural, recreational, and ecological resources in the Lake Tahoe Region and the economies that depend on them;
- C The Lake Tahoe Federal Interagency Partnership brought the federal agencies working at Lake Tahoe together to coordinate their activities to help support the EIP program which was adopted by TRPA. The federal agencies included in the partnership are the U.S. Forest Service, Natural Resources Conservation Service (NRCS), U.S. Environmental Protection Agency, U.S. Department of Transportation, and several of the agencies in the U.S. Department of the Interior.
- C The Lake Tahoe Federal Advisory Committee was established at Lake Tahoe to give formal advice and input to the Lake Tahoe Federal Interagency Partnership and to ensure local input.

- C The Washoe Tribe was given an opportunity to have formal recognition that Lake Tahoe was the home of their ancestors.

Continuing his presentation, Mr. Teshara explained two major projects in which the Lake Tahoe Federal Advisory Committee is involved:

- C Review of AThe Lake Tahoe Basin Watershed Assessment.@
- C Budget recommendations to the federal agencies who operate at the Lake Tahoe Basin. A copy of the budget recommendations submitted to U.S. Secretary of Agriculture Dan Glickman is Exhibit C.

Mr. Teshara explained that one of the major issues which surfaced during the transportation workshop was the lack of progress on developing strategies to address transportation issues in the Lake Tahoe Basin. Discussions from the workshop resulted in a broad agreement by federal, state, regional, and local officials to work towards attaining Federal Metropolitan Planning Organization (MPO) status. With strong support from California and Nevada=s congressional delegations, language was added in the reauthorization of the *Transportation Equity Act for the Twenty-First Century* (TEA21) (Public Law 105-1708) resulting in Lake Tahoe=s success in attaining MPO designation.

Rochelle Nason, Executive Director, League To Save Lake Tahoe, explained that her organization is the primary environmental organization which focuses on the Lake Tahoe Basin, and it has a membership of approximately 5,000 households. She is also a Co-chair on behalf of the League of the LTTWQC, and her presentation covered the following points:

- C The Lake Tahoe Federal Advisory Committee Act (FACA) membership is from various sectors of the community who are working to inform and work with the federal agencies through the Federal Interagency Partnership and the Tahoe Regional Executive forums that were created through the Executive Order subsequent to the Presidential forum.
- C The FACA is working toward achieving the full amount of funding for the federal share of the EIP which would be approximately \$30 million annually.

Ms. Nason explained that the LTTWQC:

- C Actively works on the Congressional process that makes recommendations relative to the funding of federal programs.
- C Attempts to create a structure and a broader understanding in Congress of Lake Tahoe=s needs which assures that the \$30 million will be funded every year.
- C Works as a private coalition of community interests ranging from the business, environmental, and property rights.

Continuing her presentation, Ms. Nason stated that United States Senators Dianne Feinstein and Harry Reid have introduced the *Lake Tahoe Restoration Act* which is an authorization bill for the entire federal commitment to the EIP. She explained that the bill:

- C Provides for \$20 million annually for five different areas of federal priority projects in the Lake Tahoe Basin which include erosion control on federal lands, land acquisition, fire prevention, forest health projects, and various transportation projects.
- C Grants \$10 million annually to local governments for erosion control, stream restoration, and related measures.
- C Would designate Lake Tahoe as a ANational Scenic Forest and Recreation Area.@ This designation would

simultaneously bring more attention from tourists to the region as a high priority place to visit and identify the area as deserving special federal concern from an environmental perspective.

- C Is an authorization bill and the appropriations efforts will continue year after year. (An authorization does not guarantee the appropriation of the funding authorized in the bill.)

EXPLANATION OF THE ENVIRONMENTAL IMPROVEMENT PROGRAM

James W. Baetge and Carl Hasty

James W. Baetge, Executive Director of the TRPA, reported on the status of the EIP and covered the following points:

- C The EIP is a summary of what needs to be accomplished in the Lake Tahoe Basin.
- C This oversight committee's perspective has been very helpful in focusing on goals that need to be accomplished, and determining which projects are most needed.
- C Attaining agreement on what needs to be achieved takes a great deal of time and it is a challenge to ensure that the projects are then implemented.
- C The EIP is a \$906 million investment over a 10-year period of time which began in 1997.

Carl Hasty

Carl Hasty, Principal Planner and Environmental Improvement Program Coordinator, TRPA, explained the main objectives of the EIP are:

- C To provide the mechanism through which everyone will have a focal point to get the job done to implement the projects necessary to address the environmental issues in the Lake Tahoe Basin.
- C To coordinate multiple agency work programs for threshold-related objectives. There are approximately 30 different organizations in the Lake Tahoe Basin who have responsibility for implementing projects.
- C To facilitate the public/private partnerships.
- C To leverage human and capital improvement resources.
- C To foster long-term investment commitments.

Mr. Hasty stated that the TRPA will continue to:

- C Make changes necessary within the organization as well as to review budgets.
- C Monitor the scientific data provided regarding the clarity of Lake Tahoe.

Responding to Senator Amodei's question as to how the committee could help save Lake Tahoe before it loses all its clarity, Mr. Baetge stated that it has taken a fair amount of time to listen and understand what needs to be accomplished, and by the last meeting with this committee in May 2000, he would have some items for the committee that would help the TRPA and other relevant entities achieve this goal.

Addressing Mrs. Freeman's question, whether the TRPA would be requesting funding before the Nevada Legislature, the following topics were covered by Mr. Hasty:

- C Funding for the EIP will be shared as follows: (1) one-third in federal funds; (2) a total of one-third from the States of Nevada and California and local government entities within the Basin; and (3) one-third from the private sector. The private share of funding is occurring through private investment, but the local share may

lead to requests for legislation in California and Nevada.

- C The EIP identifies not only projects that need to be completed, but also additional research needs.

Mr. Baetge reported that:

- C A request before the TRPA Governing Board would formalize a science advisory group that would represent five different research institutes to guide much of the EIP.
- C Air quality standards as well as water quality standards will be reviewed.

NEVADA=S ACTIONS RESULTING FROM THE FORUM AND AEIP@

Pamela B. Wilcox

Pamela B. Wilcox, Administrator, Division of State Lands, explained that the Division of State Lands, Nevada=s Department of Transportation (NDOT), and the Division of State Parks have the largest role in implementation of the state=s EIP Program. She gave a slide presentation of Nevada=s actions resulting from the 1997 Presidential Forum and the EIP. The committee viewed slides of the areas toured around the Lake Tahoe Basin on October 25, 1999, and several land parcels that have been purchased. She commented that the EIP implementation is a task that falls to many partners who all must work together.

Ms. Wilcox addressed the following points on how Nevada is meeting its financial commitment to the Lake Tahoe Basin:

- C Question 12 was approved by the voters in 1996, and it provides \$20 million available for erosion control and stream restoration projects to local governments and to the Nevada=s Department of Transportation.
- C Miscellaneous additional funds in the amount of approximately \$5.6 million were made available before Fiscal Year 1999 primarily in the areas of state highway funds and state park funds. The remaining \$3.2 million in funding was approved through Assembly Bill 285, (Chapter 514, *Statutes of Nevada 1999*).
- C This biennium there is more than \$20 million available to local governments, the NDOT, and the Division of State Parks.

Wayne Perock

Wayne Perock, Administrator of the Division of State Parks, testified that Nevada is the second largest land owner of Lake Tahoe and most of the property is in Nevada state parks. Lake Tahoe Nevada State Park is approximately 14,000 acres and roughly half of that is in the Lake Tahoe Basin. Mr. Perock gave a slide presentation of the popular park areas around Lake Tahoe which include Sand Harbor, Cave Rock, and Spooner Lake. His presentation covered the following points:

- C Sand Harbor is the most popular park area and receives approximately 1 million visitors annually.
- C Popular activities around Lake Tahoe include: cross country skiing, fishing, hiking, horseback riding, mountain biking, scuba diving, and sightseeing.
- C One of the goals of the Division is to improve scenic quality at Sand Harbor and Spooner Lake by changing the design in front of the maintenance building and the access road areas.
- C Maintenance of boat docks, parking areas, and road barriers will require continuing financial support.

CALIFORNIA'S IMPLEMENTATION OF PROJECTS RESULTING FROM THE FORUM AND AEIP@

Dennis Machida

Dennis Machida, Executive Director of the California Tahoe Conservancy, indicated that the TRPA has provided extraordinary leadership in the Lake Tahoe Basin and a great deal of help and support for the State of California. Mr. Machida made the following points during his presentation and commented that the State of California has:

- C Made reaffirmation to the Bi-State Compact and also a commitment to implement the EIP.
- C Committed approximately \$41 million to begin to address the EIP obligations.

Mr. Machida explained the functions of the California Tahoe Conservancy and stated it is:

- C An agency that operates on the California side of the Tahoe Basin and has been officially in existence approximately 14 years.
- C The primary objective of the office is to focus on public access, recreation, water quality, and wildlife habitat.
- C Governed by a seven-person board made up of state representatives (the secretary of the Department of Resources, the Director of Finance, one representative from each legislative house, and three local government representatives). The U.S. Forest Service sits as an ex-officio non-voting member.

Continuing his presentation, Mr. Machida reported that the California Tahoe Conservancy is trying to achieve programs that:

- C Design the needed projects.
- C Focus on purchases of environmentally sensitive lands for water quality protection.
- C Focus on erosion control grants which are a key part in partnerships with local governments.

Mr. Machida stated that 90 percent of the site improvement projects have been financed through the private sector. Diversifying economic activities among the private and public sectors is important.

The State of California is also involved with the Transfer of Development Rights Program and the Mitigation Bank Program which Mr. Machida explained:

- C Through these two programs, the State of California has assisted 3,000 private projects in meeting environmental mitigation requirements.
- C Approximately \$3.3 million in revenues to reinvest in acquisition or restoration projects has been generated.

Continuing his presentation, Mr. Machida noted another area that has become increasingly important is the Watershed and Restoration Program and stated that:

- C The State of California needs to research ways to better preserve the functions of the watershed.
- C There are significant opportunities to restore habitat in certain areas of the Lake Tahoe Basin.

The last two programs Mr. Machida reviewed included:

- C The Public Access and Recreation Program which helps his agency identify with the population who are sensitive to the environment.

- C The State Conservancy Agency provides for expansion of efforts in environmental protection and open space as the population is growing rapidly. In anticipation of that growth, the state will be requesting \$4.1 billion in bonds on the March and November 2000 ballots.

Mr. Machida added that it is a challenging task to emphasize collaboration and coordination with the broad range of groups needed to find common solutions. He stated there have been extraordinary commitments made by the private sector and local governments, and he covered the following points:

- C The greatest opportunity for addressing the issues at Lake Tahoe are associated with the ability to work together in the public and private sectors to obtain the appropriate funding and kinds of programs.
- C The State of Nevada has taken the lead on both the funding commitment level and coordinating activities within state agencies. The State of California is taking steps to follow Nevada=s lead, and it is his opinion this is one of the most promising times for the Lake Tahoe Basin.
- C An important aspect is ensuring that there is communication between the administrative and legislative representatives of programs at Lake Tahoe.
- C An investment at Lake Tahoe is worthwhile because it provides the ability to coordinate cross-jurisdictional land use issues and to actually restore the Basin. The mechanisms and approaches are in place that will maximize the benefits for these types of investment.

Addressing Mrs. Freeman=s question about how the two states work together, Mr. Machida stated the States of California and Nevada work on strategic issues which include the watershed assessment and the EIP in general. He explained that many program issues are shared and most programs are currently coordinated at the federal, state, and local levels.

Ms. Wilcox added that it is difficult to express in words the amount of time the Division of State Lands spends with the State of California offices and the amount of value that is received from one another. Her testimony covered the following points:

- C Other agencies that are involved in restoring the Lake Tahoe Basin include the U.S. Forest Service, local governments, and the TRPA. The coordination between agencies is continuous and they learn from one another, project by project.
- C Each of the agencies has to see the big picture but focus on the fact that the Lake Tahoe Basin must be saved acre by acre, square foot by square foot, so there is always an intense project focus and at the same time an understanding of the needs of the Basin as a whole.

NEVADA=S ACTIONS RESULTING FROM THE FORUM AND AEIP@ - Continued

Amir Soltani

Amir Soltani, Chief Hydraulic Engineer, Nevada=s Department of Transportation (NDOT), explained he is in charge of all erosion control, water quality, and flood control projects undertaken by NDOT within the Lake Tahoe Basin. The following handouts were provided to the committee and are included as Exhibit D:

1. A flier dated September 1999, titled, *1999 NDOT Lake Tahoe Report Card*.
2. A newsletter dated July 1999, Issue 2, titled, *Tahoe Counterparts*, which is a publication for NDOT, Lake Tahoe Erosion control and Stormwater Management Master Plan Partners.
3. A publication titled, *The Federal Highway Administration Presents the 1999 Environmental Excellence Awards*.

4. A quarterly news publication, dated Summer 1999, titled *NDOT News*.
5. A document published by the American Association of State Highway and Transportation Officials, titled *AASHTO's 1999 Environmental Best Practices Award Winners*.

Mr. Amir noted that in 1999, the NDOT received national and local recognition by winning three national awards for its projects and activities in the Lake Tahoe Basin which included:

- C The Federal Highway Administration 1999 Environmental Excellence Award for Water Quality for a water quality and erosion control demonstration project along two miles of State Route 28. This award is shared with TRPA.
- C An American Association of State Highway and Transportation Official 1999 Environmental Best Practice Award for recognition of its unique partnership with 17 different federal, state and local agencies in the Tahoe Basin.
- C The Tahoe Regional Planning Agency 1999 Building and Erosion Control Award in the Beautification Category for NDOT's North Stateline Beautification and Water Quality Improvement Project.

Mr. Amir explained there is an ongoing environmental master plan for all roadways in the Lake Tahoe Basin. The NDOT has been successful in securing \$10 million of Public Lands Highways Discretionary funds. Final erosion control and water quality improvement plans are being developed for:

- C State Route 28 and two miles of U.S. Highway 50 from Spooner Summit to the Glenbrook Creek.
- C Two and one-half miles of U.S. Highway 50 from Gold Meadows to Tahoe Drive and 30 percent design plans for the remainder of U.S. Highway 50. This overall designwork accounts for \$40 million over the next few years.

Continuing his presentation, Mr. Amir noted that NDOT has launched an aggressive public Outreach program that includes:

- C Regular public meetings, public presentations, distribution of brochures and fact sheets, and a quarterly publication called *Counterparts* that is mass mailed to over 1,000 people in the Tahoe Basin.
- C Coordinating all activities with over 30 federal, state, and local agencies and organizations.
- C A web site being developed through which people can easily access information regarding NDOT activities.

The committee adjourned for lunch and reconvened at 1:30 p.m.

STRUCTURE, PROGRAMS, AND BUDGET OF THE TRPA

James W. Baetge and Jerry Wells

James W. Baetge, identified earlier, introduced Jerry Wells, Deputy Director of TRPA, who gave a PowerPoint presentation on the TRPA organizational structure, the primary programs in which the agency is involved, and the budget of the TRPA. A copy of the presentation is Exhibit E.

Mr. Wells reviewed the agency mission statement and explained that it gives the staff guidance on how to approach planning in the Lake Tahoe Basin and states that The Tahoe Regional Planning Agency leads the cooperative effort to preserve, restore, and enhance the unique natural and human environment of the Lake Tahoe Region.

Addressing the following points in his presentation, Mr. Wells reported the TRPA Governing Board is:

- C Made up of 15 members, seven representatives from California and seven from Nevada and one nonvoting

member appointed by the U.S. President.

C Charged with the responsibility for setting agency policy.

C Responsible to act on Regional Plan amendments and certain project applications and related environmental documents.

Continuing, Mr. Wells commented that the TRPA has an Advisory Planning Commission which is made up of 19 members (nine from California, nine from Nevada and one federal member). The Commission is charged with advising the Governing Board and the TRPA staff on all regional plan amendments and Environmental Impact Statements.

Mr. Wells explained that the TRPA staff responsibilities include administering the agency operations, the budget, and the work program, as well as implementing agency regulations, programs, and policies as set by the TRPA Governing Board. He reported that staff has increased to 65 members primarily because of increased funding from the two states to move the EIP project forward and all of the MPO duties. Details of staff responsibilities for the EIP, environmental compliance, finance, human resources, legal, long-range planning, management support, public affairs, project review, and transportation are listed in detail in Exhibit E.

Mr. Wells reviewed TRPA programs and noted that the standards from the federal Clean Water Act, federal Clean Air Act, California Clean Air Act, Tahoe Transportation Development Act, federal Safe Drinking Water Act, and the MPO must be incorporated in the Agency=s regional plan. From that, the TRPA provides implementation through three primary programs: the EIP, the Environmental Monitoring Program, and the Regulatory Program.

Referring to the Regulatory Program, Mr. Wells explained it is:

C Aimed at controlling the environmental impacts of new development; and

C Establishes design and construction standards and development limitations (location, pace, and overall development caps).

Continuing his presentation, Mr. Wells commented that the EIP is aimed more at repairing the environmental damage of the past. He explained that the EIP is a coordinated effort with all the agencies in the Region to identify, fund, and implement all the necessary improvements to bring the Lake Tahoe Basin with the environmental threshold established for the Basin.

In his description of the Environmental Monitoring Program, Mr. Wells commented that it provides the TRPA with feedback on progress toward achieving environmental objectives in the Basin. He indicated that between the TRPA, U.S. Geological Survey, and other cooperating agencies, an excess of \$1 million per year is spent on monitoring.

The TRPA budget was the last item Mr. Wells discussed and he explained that:

C The revenue sources for the budget come from several areas which include: federal grants, state and local contributions, and fees for certain services that are provided by the TRPA.

C The state budget formula is one-third coming from Nevada and the matching two-thirds from the State of California.

PUBLIC TESTIMONY

North Swanson

North Swanson, Zephyr Cove, representing over 1,000 recreationists who use the East Shore beach area of Lake Tahoe, indicated that he testified before this committee in 1998 that his group is supportive of the efforts to expand the parking lots which would ultimately eliminate parking along the highway. His presentation covered the following points:

C He has worked since the mid-1980s on the parking problem and during the past four years has been quite involved in the planning. He stated that everyone in the agencies assured his group that parking would not be banned along the highway until adequate access had been provided for off-highway parking.

C Recently, the U.S. Forest Service had an environmental assessment which proposed to build two new parking lots and expand the two existing ones. The final decision disapproved the proposal for two new parking lots. It only approved expanding two existing lots by approximately 50 spaces.

C His group is appealing the U.S. Forest Service decision and is prepared to take legal action.

Craig Hartman

Craig Hartman, Carson City resident, stated it was his opinion that there are different sets of rules for the same road around Lake Tahoe and noted that:

C Parking is allowed around Lake Tahoe, but there will be a ban on the stretch of Highway 28 Mr. Swanson referred to in his testimony.

C Two inadequate parking lots were built around Emerald Bay and public parking is still permitted along the highway.

C Public parking is still allowed on Highway 50 at the vista turnouts.

C The U.S. Forest Service decision is restricting access to the beaches.

Don Miner

Don Miner, stated that he is a Douglas County Commissioner, Vice Chairman of the TRPA Governing Board, Chairman of the Nevada TRPA and Vice Chair of the Nevada Tahoe Conservation District. He has been on the TRPA Governing Board five years and commented that:

C The county is responsible for implementation and approval of preapplications for many projects. The mechanism in *Nevada Revised Statutes* does not allow for funding by the county to private parcels. Specific legislation, however, has been passed with the establishment of the Stateline Stormwater Agency as a group to receive funds legitimately from governmental agencies.

C The committee may want to look at streamlining the process to implement projects so there is not so much Afrontend@ work and cost.

C It is important to foster enthusiasm within the private sector to help actually implement these projects.

C The provision of training for those who serve on the TRPA Governing Board would be helpful.

Don Kornreich

Don Kornreich, a resident of Incline Village and a member of the Nevada Tahoe Conservation District Board of Supervisors and the Truckee-North Tahoe Transportation Management Association Board of Directors, submitted a memorandum to the Committee dated October 26, 1999, regarding potential sources of funding for environmental programs in the Lake Tahoe Basin. This memorandum is included as Exhibit F.

COMMITTEE DISCUSSION OF FUTURE MEETINGS

Mr. Welden explained that recommendations concerning items to be taken before the 2001 Session of the Nevada

Legislature will be solicited at the committee=s next meeting, and the final meeting will be designed for the committee to act upon the proposed recommendations.

Chairman Brower noted that staff would coordinate with committee members to identify a date for the next committee meeting.

ADJOURNMENT

There being no further business, the meeting was adjourned at 4:25 p.m.

Exhibit G is the Attendance Record@ for this meeting.

Respectfully submitted,

Nenita Wasserman
Senior Research Secretary

Fred W. Welden
Chief Deputy Research Director

APPROVED BY:

Assemblyman Greg Brower, Chairman

Date: _____

LIST OF EXHIBITS

Exhibit A is a document dated October 1999, from Fred Welden, Chief Deputy Research Director, Legislative Counsel Bureau, Carson City, Nevada, titled, ALegislative History of the Tahoe Regional Planning Compact.@

Exhibit B is a document dated October 1999, from Fred Welden, Chief Deputy Research Director, Legislative Counsel Bureau, Carson City, Nevada, titled, AMajor Elements of the Tahoe Regional Planning Compact.@

Exhibit C is a letter dated October 14, 1999, from Steve Teshara, Chair, Lake Tahoe Federal Advisory Committee, to The Honorable Dan Glickman, Secretary of Agriculture, United States Department of Agriculture, Washington, D.C., regarding Fiscal Year 2001 and Fiscal Year 2002 budget recommendations for consideration by the United States Forest Service, and the Natural Resources Conservation Service.

Exhibit D contains handouts provided by Amir Soltani, Chief Hydraulic Engineer, Hydraulics Division, Nevada=s Department of Transportation which include the following:

1. A flier dated September 1999, titled, *1999 NDOT Lake Tahoe Report Card*.
2. A newsletter dated July 1999, Issue 2, titled, *Tahoe Counterparts*, which is a publication for NDOT, Lake Tahoe Erosion control and Stormwater Management Master Plan Partners.
3. A publication titled, *The Federal Highway Administration Presents the 1999 Environmental Excellence Awards*.
4. A quarterly news publication, dated Summer 1999, titled *NDOT News*.
5. A document published by the American Association of State Highway and Transportation Officials, titled

AASHTO=1999 Environmental Best Practices Award Winners.

Exhibit E is a copy of a PowerPoint presentation given by Jerry Wells, Deputy Director, Tahoe Regional Planning Agency on the TRPA organizational structure, the primary programs the agency is involved with, and budget of the TRPA.

Exhibit F is a memorandum dated October 26, 1999, from Don Kornreich, a resident of Incline Village, Nevada, and a member of the Nevada Tahoe Conservation District Board of Supervisors, the Truckee-North Tahoe Transportation Management Association Board of Directors, and President of Neighbors for Defensible Space, Inc., regarding future potential funding for the Lake Tahoe environment.

Exhibit G is the Attendance Record for this meeting.

Copies of the materials distributed in the meeting are on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. You may contact the library at (775) 684-6827.