

**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*)
February 18, 2000
Incline Village, Nevada**

The second 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 Friday, February 18, 2000, 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 2 and 3 contain the "Meeting Notice and Agenda."

COMMITTEE MEMBERS PRESENT

Assemblyman Greg Brower, Chairman
Senator Mark E. Amodei
Senator Raymond C. Shaffer
Assemblywoman Vivian L. Freeman

COMMITTEE MEMBERS ABSENT:

Senator Bill R. O'Donnell
Assemblyman Kelly Thomas

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

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

MEETING NOTICE AND AGENDA

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

Date and Time of Meeting: Friday, February 18, 2000

8:30 a.m.

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

- I. Introductions and Opening Remarks
Assemblyman Greg Brower, Chairman
- *II. Approval of Minutes from October 25 and 26, 1999, Meeting
- III. Status Report – Nevada’s Implementation of the Environmental Improvement Program (EIP)
Pamela B. Wilcox, Administrator, Division of State Lands
Jim Lawrence, Tahoe Program Coordinator, Division of State Lands
Don Miner, Chair, Nevada Tahoe Conservation District
Kay Bennett, Previous Chair, Nevada Tahoe Conservation District
- IV. Responsibilities of TRPA Governing Board Member from Perspective of Former Chair of Legislative Committee
Brian E. Sandoval, Member, TRPA Governing Board
- V. Progress Report - Regional Revenue Feasibility Study
Pam Drum, Public Affairs Coordinator, TRPA
- VI. Process and Criteria for Selection of the New TRPA Executive Director
Michele Chouinard, Human Resources Coordinator, TRPA
Brian E. Sandoval, Kay Bennett, and Don Miner, TRPA Governing Board and Selection Committee Representatives, Lake Tahoe Transportation and Water Quality Coalition
- VII. Public Testimony
- VIII. Status Report - Lake Tahoe Federal Advisory Committee
 - A. Overview
Steve Teshara, Chair, Lake Tahoe Federal Advisory Committee
 - B. Federal Implementation of the EIP
Jane Freeman, U.S. Environmental Protection Agency and Acting Chair, Federal Interagency Partnership
 - C. Federal Budget Request
Rochelle Nason, Chair, Budget Subcommittee of the Lake Tahoe Federal Advisory Committee
 - D. Watershed Assessment
Chris Knopp, Natural Resources Staff Officer, U.S. Forest Service
- IX. Overview of Current TRPA Programs and Activities
Jerry Wells, Acting Executive Director, TRPA
- *X. Committee Discussion of Future Meetings
- XI. Adjournment

*Denotes item on which the committee may take action.

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 of the 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; Carson City Courthouse, City Hall, 201 North Carson; 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: Grant Sawyer State Office Building, 555 East Washington Avenue; and Clark County Office, 500 South Grand Central Parkway.

INTRODUCTIONS AND OPENING REMARKS

Chairman Greg Brower welcomed everyone to the meeting and apologized for any inconvenience that may have been caused by the cancellation of the January 24, 2000, meeting due to bad weather.

APPROVAL OF MINUTES FROM OCTOBER 25 - 26, 1999, MEETING

ASSEMBLYWOMAN FREEMAN MOVED TO ADOPT THE MINUTES FROM THE OCTOBER 25 - 26, 1999, MEETING INCLUDING SUGGESTED CHANGES BY ASSEMBLYMAN BROWER. SECONDED BY SENATOR SHAFFER. UNANIMOUSLY APPROVED.

Chairman Brower indicated that he would like to reserve the opportunity to review the minutes for technical corrections and bring any needed modifications before the Committee again at the next meeting.

STATUS REPORT – NEVADA’S IMPLEMENTATION OF THE ENVIRONMENTAL IMPROVEMENT PROGRAM (EIP)

Pamela B. Wilcox

Pamela B. Wilcox, Administrator of the Division of State Lands and coordinator of Nevada’s Environmental Improvement Program (EIP) Implementation Team, explained that Nevada’s EIP effort is staffed by an interagency team whose core includes representatives from the Division of Wildlife, the Division of State Parks, the Division of Forestry, and the Division of State Lands.

Responding to Chairman Brower’s question, Mrs. Wilcox made the following comments:

The Division of State Lands will be submitting a bill draft request during the 2001 Legislative Session. There are proposed projects sponsored either by homeowner groups or private property owners for which the counties are questioning whether they have the authority to provide “pass through” grants.

The State of Nevada is a partner in the responsibility to protect Lake Tahoe, and if an EIP project is on private land, it was her opinion that there should still be a way to work out a public/private relationship to facilitate its implementation.

Jim Lawrence

Jim Lawrence, Tahoe Program Coordinator from the Division of State Lands, reviewed a document titled “State of Nevada Environmental Improvement Program Implementation Status Report (Exhibit A). He explained that he coordinates the EIP activities and other Tahoe programs such as the license plate program and the coverage mitigation program. He stated that the Nevada EIP team:

- Has a goal to address forest health issues and identify critical wildlife habitat, recreational needs, and needed timber stand improvements.

- Coordinates with other state agencies that have an interest at Lake Tahoe.
- Is a member of the various working groups at Lake Tahoe concerned about biologic integrity, forest health, and water quality.
- Is working on projects that are identified in Assembly Bill 285 (Chapter 514, *Statutes of Nevada 1999*), which include the Sand Harbor Visitor/Administrative Center, North Canyon Hiking Trail, Sand Harbor Erosion Control, Upland Wildlife Habitat Enhancement, North Canyon Old Growth Habitat Restoration, Forest Restoration – Phase I, Sand Harbor – Memorial Point Trail, Hidden Beach Rehabilitation, and Sugar Pine Old Growth Habitat Restoration.
- Will identify historic and cultural resources by the summer of 2000.

Continuing his presentation, Mr. Lawrence reviewed the environmental improvement projects scheduled by Nevada's Department of Transportation (NDOT) which include:

1. Roadway and water quality improvements scheduled for two miles of State Route 28.
2. Additional roadway and water quality improvements scheduled to begin construction in March 2000.
3. Off road parking lots being designed along State Route 28 to help alleviate traffic congestion along the roadway while providing needed water quality treatment for beach parking impacts.
4. Roadway and water quality improvements scheduled for 2.5 miles along U.S. Highway 50 between Borne Meadows and Tahoe Drive.

Addressing Assemblywoman Freeman's question regarding the status of projects, Mrs. Wilcox stated that the reforestation projects on the property that the State of Nevada owns have been completed and are subject to an ongoing maintenance program.

Don Miner and Kay Bennett

Don Miner, Chair of the Nevada Tahoe Conservation District (NTCD), and Kay Bennett, Previous Chair of NTCD, gave an overview of the NTCD and its activities. Handouts were provided to the committee that include a description of the Nevada Tahoe Conservation District; a flow chart titled "1996 Tahoe Bond Act;" a map of "Best Management Practices" (BMP) Implementation in the Al Tahoe Neighborhood, City of South Lake Tahoe, California; and a document titled "Tahoe Bond Act Implementation, 1996 Report." All of which are Exhibit B of these minutes.

Mr. Miner covered the following points regarding the NTCD and stated that:

- It is a volunteer group with seven members and one staff person.
- The main governmental partner is the Natural Resource Conservation Service (NRCS) of the United States Department of Agriculture.
- The NTCD assists with implementation of its EIP Program at Lake Tahoe. Included in the projects that the NTCD helps to implement is the 1996 Question 12 Bond Act (the Tahoe Bond Act) which authorized the issuance of \$20 million in general obligation bonds.

Jason Shackelford

Mr. Miner introduced Jason Shackelford, Conservationist with NTCD, who gave a visual presentation on what the NTCD does as a voluntary organization. A copy of his presentation can be found in Exhibit B. Mr. Shackelford gave an overview of the different programs his office oversees which include:

- The Backyard Conservation Program/TRPA Retrofit Program - Over 30,000 homes are in need of individual site assessments and conservation practice implementation in the Lake Tahoe Basin.
- Forest Health and Fuel Management Program - The NTCD works with Nevada's Division of Forestry and private homeowners to implement Forest Stewardship Plans on private property.

Jay Keane

Jay Keane, Conservationist, Natural Resource Conservation Service (NRCS) of the United States Department of Agriculture, explained what his office does and how it coordinates with NTCD. He stated that as a federal agency, the mission of NRCS is to:

- Provide assistance to private landowners to help solve resource problems.
- Assist with technical matters, informational education, and the initiation of projects.

Mr. Miner, previously identified, added that:

- The NTCD is a small district but is eager to grow and implement projects.
- Funding sources are primarily from grants from Carson City, Douglas County, and Washoe County.

Ms. Bennett requested that the committee give consideration to establishing incentive programs to assist private property owners with implementing "best management practices" on their property. She suggested consideration of a revolving loan fund administered through the counties that would be available to the property owners with the assistance of the conservation districts. She explained that improvements sometimes become a financial burden and that this is an issue that needs to be addressed for homeowners.

PROCESS AND CRITERIA FOR SELECTION OF THE NEW TRPA EXECUTIVE DIRECTOR

Michele Chouinard

Michele Chouinard, Human Resources Coordinator, TRPA, distributed a handout to the committee that is titled "Proposed Selection Process, for selection of the new TRPA Executive Director" and is Exhibit C of these minutes.

Kay Bennett

Kay Bennett, previously identified, discussed the criteria for selecting a new director of the TRPA. She stated that the proposed selection process would include:

- Prescreening applications for qualified persons.
- A community selection committee comprised of members of various partnership agencies.
- An initial screening will be held at the TRPA offices in February 2000. The goal will be to narrow the selection to eight or ten candidates who will then be invited for initial interviews.
- Initial interviews with the applicants will be scheduled for the day prior to the April 2000 Governing Board meeting.
- Final interviews will be held at the April Governing Board meeting. The top candidate will be selected and offered the position contingent upon reference and background checks.

A targeted start date of May 15, 2000, has been set.

PUBLIC TESTIMONY

Wayne Perock

Wayne Perock, Administrator, Division of State Parks, and a member of the Governing Board of the TRPA, agreed with Ms. Wilcox regarding the importance of implementation of the EIP and stated that:

- For years it has been a concern to address resource management issues and to see this come to fulfillment after many years is very satisfying.
- Lake Tahoe is one of the busiest parks in Nevada that has over a million tourists annually.
- Mountain biking has increased dramatically over the passed ten years. Implementing the EIP programs while integrating and coordinating recreation is challenging.

Amir Soltani

Amir Soltani, Chief Design Engineer, Nevada's Department of Transportation, distributed a handout to the committee outlining highway improvement projects for the year 2000. The handout titled "2000 Environmental Improvement Design Projects" is Exhibit D of these minutes.

OVERVIEW OF CURRENT TAHOE REGIONAL PLANNING AGENCY PROGRAMS AND ACTIVITIES

Chairman Brower expressed appreciation to Jerry Wells for his work as Acting Director of the TRPA since Jim Baetge, former Executive Director of the TRPA, departed from the Agency.

Jerry Wells

Jerry Wells, Acting Executive Director, TRPA, reviewed the Shore Zone Regulation Amendments, specific budget issues between the states of Nevada and California, and the Streamlining Work Program. He commented that:

- The Shore Zone Regulation Amendment process has been in existence for several years. These regulations cover all activities on Lake Tahoe and its shoreline. The environmental impact statement that the TRPA office is preparing was prompted primarily by fish habitat restrictions that have been in place since 1987 when the Regional Plan was adopted.
- New structures cannot be built or placed in the areas identified as fish habitat or spawning on Lake Tahoe. This has placed a ban on most shore zone facilities over the past 13 years.
- Primary changes that are suggested to the amendment include lifting the fish habitat restrictions relating to piers and buoys.
- A lifting of the fish habitat restrictions on piers could result in 470 new piers, as well as an additional 4,200 buoys.
- The TRPA is looking at a five-year allocation system whereby no more than 95 of those piers could be installed in the first five years if the restriction is lifted. No more than 440 buoy-type moorings would be approved during that same period.

Continuing his presentation, Mr. Wells stated that the TRPA is looking at a new Scenic Review System. He explained that repeated criticism has been given to its scenic evaluation program because it is sometimes subjective.

A point-based system has been developed that would measure the dimensions of the structure and place these factors within a scenic impact analysis.

Continuing, Mr. Wells stated that even though there is a potential for many piers with the new amendment, it encourages piers with minimal width and length needed to get out to navigable waters.

Mr. Wells noted that the draft EIS has been completed, the comment period has closed, and the TRPA is currently working with the consensus group on the ordinance that would implement the new regulations.

Regarding the TRPA budget, Mr. Wells explained that state money contributed to the Agency's budget is requested in a one-third Nevada and two-thirds California proportion. He commented that:

- During the current budget cycle, the State of California has funded its portion of the TRPA budget from the General Fund, while the Nevada portion is funded through the Air Pollution Control Fund. It is his office's opinion, that the bulk of the TRPA budget should be funded out of the General Fund.
- California granted a 13.5 percent salary adjustment for all state employees. Nevada is allocating a 2 percent salary increase which creates a situation where there is no match for California's portion; so there is not a way for TRPA to access the salary adjustment from California (which equates to \$230,000 of Agency salary increases).
- In the past, Nevada has granted cost-of-living adjustments to the TRPA without requiring a California match.
- As a result of the change, employees are leaving to work for California and Nevada state agencies. Comparable salaries for the State of California are \$8,000 to \$10,000 more than the Agency's salaries for the same positions.
- The TRPA is working to get the two states budget staffs together but may need some additional support from the Nevada Legislature.

Since the committee's discussion at its last meeting regarding parking along State Route 28, Mr. Wells indicated that the U.S. Forest Service decision was appealed by the Tahoe Area Naturists and granted. This action resulted in the U.S. Forest Service conducting a new assessment and the TRPA expanding its efforts on the East Shore Access Plan.

Mr. Wells distributed a document titled "Streamlining Work Program" which is Exhibit E of these minutes. The document details recommendations made from the Streamlining Work Program and some of the tasks already completed. He gave a brief overview of the program and stated that:

- California and Nevada provide funding for this program.
- A consultant was hired to look at the entire regional structure to recommend improvements on how to be more efficient and effective in issuing permits.
- There were 59 recommendations resulting from the "Streamlining Work Program."
- An agreement has been instituted for Douglas County to house an Associate Planner at TRPA to review projects located within Douglas County.

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STATUS REPORT -LAKE TAHOE FEDERAL ADVISORY COMMITTEE

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), as well as the gaming representative and chair of the Lake Tahoe Federal Advisory Committee, introduced Rochelle Nason, Executive Director of The League to Save Lake Tahoe and Co-Chair of the LTTWQC, as well as a local representative on the Lake Tahoe Federal Advisory

Committee and chair of the Budget Subcommittee.

Mr. Teshara then explained that the four elements compiled for this presentation relate to the Lake Tahoe Federal Advisory Committee and the work of the Federal Interagency Federal Partnership implementing the federal component of the EIP. He also distributed a letter to committee members regarding the significant contributions that Jim Baetge has made to Lake Tahoe as Executive Director of the TRPA (included as Exhibit F). Mr. Teshara's overview covered the following points:

- The 1997 Presidential Forum resulted in several “deliverables” being placed in an Executive Order. One of these “deliverables” was creation of the Lake Tahoe Interagency Federal Partnership that is a partnership of all the federal agencies who have jurisdiction within the Tahoe Basin. These include the U.S. Forest Service, the Army Corps of Engineers, the Department of Transportation, the Environmental Protection Agency, Natural Resources Conservation Service, and others.
- In a similar fashion, the Lake Tahoe Federal Advisory Committee was established as a result of the Presidential Forum. Citizen input is important and thus federal law describes the manner in which citizens can interact with federal agencies in a formal way – through a Federal Advisory Committee Act (FACA). A Lake Tahoe Federal Advisory Committee was established under the U.S. Department of Agriculture to give advice to the Federal Interagency Partnership. Members of the Lake Tahoe Federal Advisory Committee are appointed by U.S. Secretary of Agriculture Dan Glickman. The reason that the Department of Agriculture was chosen to house the FACA is that the U.S. Forest Service, which is the largest federal agency in the Lake Tahoe Basin, is within that department.

Describing the purpose and scope of the Lake Tahoe Federal Advisory Committee, Mr. Teshara made the following points:

- There are 19 members of the committee who represent an extremely diverse set of private and public entities and interests.
- Duties of the committee include periodic reports recommending specific actions to be taken by the federal agencies to assist the TRPA in implementing its programs, responding to requests from the Federal Partnership, providing advice, as requested, on the preparation of annual reports to the President on the implementation of the Executive Order, and providing recommendations on ways to facilitate the integration and coordination of federal programs and funds to help achieve the EIP.
- The meetings of the full committee are publicly noticed and posted in the *Federal Register*.
- The committee's activities in 2000 include an effort to obtain community input on the *Watershed Assessment*, and providing input through the Budget Subcommittee to the federal agencies relating to their budgets at Lake Tahoe.
- The committee has reached a consensus on every key issue that has come before it.

FEDERAL BUDGET REQUEST

Rochelle Nason

Rochelle Nason, previously identified, distributed materials that relate to the budget process (Exhibit G of these minutes). The committee's goal is to persuade the Federal Government to fund its share of the EIP projects, making sure the federal portion is being spent wisely and efficiently. She said the committee is lobbying for the Federal Government to raise its funding level from \$9.5 million to \$30 million annually. Her comments covered the following points:

- The FACA meets with representatives of each federal agency that is involved, hears programs and plans, and

makes recommendations as to what should be included in the federal budget.

- The coalition is attempting to assist with the budgeting process by asking representatives to be in touch with the agencies at the earliest phases. The two entities are able to work towards the same goals in a complementary way.

In response to Chairman Brower's question, Mr. Teshara gave a status report on U.S. Senate Bill 1925 and a companion bill H.R. 3388. Ms. Nason noted that the bill has been very well received on a bipartisan basis at the initial Congressional hearing and added that the extraordinary support from both California and Nevada should be helpful.

Steve Chilton

Steve Chilton, Chief of the Environmental Compliance Division, TRPA, gave an overview of the Marine Motorized Watercraft Enforcement Program that was implemented during the summer of 1999. His presentation covered the following points:

- In order to reduce the impact of motorized vessels on water quality, the TRPA adopted new regulations that were effective June 1, 1999, restricting the use of certain marine engines on lakes in the Tahoe Region.
- As of June 1, 1999, carbureted two-stroke engines of more than 10 horsepower in which the fuel passes through the crankcase, except auxiliary sailboat engines, are no longer permitted on Tahoe Region lakes.
- Approximately \$40,000 obtained through settlement of enforcement cases has allowed the Douglas Marine Patrol, Nevada State Parks, and the Washoe Marine Patrol to upgrade or purchase new equipment to comply with the new regulations.
- A local jet ski manufacturer donated six new jet skis to Douglas County, Nevada's Division of State Parks, U.S. Forest Service, and Washoe County for their enforcement programs.
- An extensive public informational program began in the spring of 1998 to inform the public of the new regulations. A copy of a handout titled, "A Consumer's Guide to Boating Lake Tahoe" is Exhibit H of these minutes.
- Over 500 warnings to boat owners were issued last spring.
- Signs were posted to indicate that after June 1, 1999, two-cycle carbureted engines are prohibited on Lake Tahoe.
- Studies completed by University of Nevada, Reno, and University of California, Davis show that as the two-cycle engines were removed from the Lake, gasoline pollutants were reduced.
- This situation was handled in a positive manner and generally well received by the public when they were told why the regulation was instituted.

Carl Hasty

Carl Hasty, Coordinator for the EIP within TRPA, explained the process that is being developed for updating that program. His presentation covered the following points:

- A revised EIP list will be completed by the summer of 2000. The list will contain revisions to current project descriptions.
- Additional electronic tools such as more detailed databases will be created and linked with a geographic information system. The spatial component allows the computer to map and track much of the data.
- A financial plan for the EIP, including an update of costs, has been completed.

- A science advisory committee to the TRPA has been formed. It consists of representatives from University of California at Davis, Desert Research Institute and University of Nevada, Reno, Pacific Southwest Research Station in the U.S. Forest Service, and U.S. Geological Survey.

John Marshall

John Marshall, Agency Counsel for TRPA, gave an overview of legal issues before the Agency. Mr. Marshall provided background information on legal actions concerning the Individual Parcel Evaluation System (and explained that these issues are related primarily to property on the California side of the Lake) as follows:

- Because of efforts by the Division of State Lands, the Individual Parcel Evaluation System (IPES) program has not had a severe affect on Nevada properties.
- The IPS program has a system of scoring individual parcels related to their sensitivity to development. A line was established at 725 points and if a lot scored above 725 points, that parcel would be eligible to receive an allocation to build. If the lot is located below 725 points, that parcel would have to wait for the line to drop before it would become eligible to receive an allocation to build.
- Over the years, the line was dropped on the Nevada side of the Lake because of the success in retiring sensitive lands.
- The problem on the California side is that the pace of acquiring sensitive lands has been reduced significantly. At the current pace, it would take approximately seven years before the IPES line would drop. Thus, lot owners have filed complaints on the California side.
- The TRPA, Attorneys General Offices for California and Nevada, and other interested parties, developed an alternative mitigation scenario that will be submitted to the TRPA Governing Board in March 2000. The proposal would allow people to develop lots below the line, if enough mitigation credits are earned. In essence, if a person helps to retire a certain number of sensitive lots into public ownership, mitigation credits can be earned.

Continuing his presentation, Mr. Marshall stated that in January 2000, two major pieces of litigation were filed against the TRPA and noted that:

- The suits relating to the IPES program are in the federal courts of Sacramento, California, and Reno, Nevada.
- The suits allege that the parcels which are below the IPES line have been prevented from being developed and have had their property taken without just compensation under the Fifth Amendment of the *United States Constitution*.
- On the Nevada side, there are seven parcels that are covered under this litigation and on the California side there are approximately 160 parcels.

FEDERAL IMPLEMENTATION OF THE EIP

Jane Freeman

Jane Freeman, U. S. Environmental Protection Agency and Acting Chair of the Federal Interagency Partnership, explained that her position was actually housed at the TRPA offices. She distributed to the committee a report titled, "Federal Actions At Lake Tahoe," and a copy of her overhead presentation (Exhibit I of the minutes).

Ms. Freeman explained that her position was created as a result of the 1997 Presidential Forum. She gave a brief background on the Federal Interagency Partnership and covered the following points:

- U.S. President Bill Clinton and Vice President Al Gore visited Lake Tahoe in July 1997 to recognize the significance of Lake Tahoe and its surroundings as a national resource, and to commend local stakeholders for the innovative partnership of government, business, and environmental interest working together to protect the Tahoe Basin. During that time, the community identified key environmental and economic issues that impact Lake Tahoe. The President committed the Federal Government to form a partnership to work with the state and local communities to address the issues and outlined 39 specific actions to be taken.
- The Federal Interagency Partnership includes the U.S. Forest Service and Natural Resources Conservation Service within the U.S. Department of Agriculture, the U.S. Army Corps of Engineers, the U.S. Department of the Interior's Bureau of Land Management and Geological Survey, the Fish and Wildlife Service, the Bureau of Reclamation, the U.S. Department of Transportation's Federal Highway Administration and Federal Transit Administration, and the U.S. Environmental Protection Agency.
- The President signed Executive Order 13057 while he was at Lake Tahoe and explained that the Order:
 1. Gives the Federal Interagency Partnership direction and sets forth 14 areas of federal assistance including coordination, building partnerships, public involvement, and support for actions for the attainment of TRPA's environmental thresholds and improvement of water quality, forest health, transportation, air quality, habitat, recreation and tourism.
 2. Establishes a Lake Tahoe Federal Advisory Committee.
 3. Instructs the Federal Interagency Partnership to review and Comment on the EIP.

Continuing her presentation, Ms. Freeman gave an overview of a report titled, "Review of the Environmental Improvement Program (EIP) for the Lake Tahoe Region, August 1999" which is Exhibit I of these minutes. She noted that the Federal Interagency Partnership:

- Reviewed the EIP and prepared a definitive statement of support for the EIP and an urgent need for investment by the Administration.
- Identified key capital project, science and program areas that were appropriate for federal funding including forest health, land acquisition, watershed restoration, runoff control, transit and monitoring.
- Is committed to EIP implementation with caveat that an EIP update process be instituted.
- Have compiled several specific recommendations for improving the EIP.

Ms. Freeman reviewed Federal EIP funding strategies and covered the following items:

- The Lake Tahoe Restoration Act is the vehicle that would authorize full funding of the federal EIP commitment in the amount of approximately \$300 million.
- The Federal Interagency Partnership will continue to work with the LTFAC to develop budget priorities for Fiscal Years 2001 and 2002.

Ms. Freeman gave an overhead presentation in which she reviewed slides of different types of projects in which her office has been involved (pictured on page 4 of the document titled "Federal Implementation of the EIP" which is included in Exhibit I).

WATERSHED ASSESSMENT

Chris Knopp

Chris Knopp, Natural Resources Staff Officer for the U.S. Forest Service, reviewed the "Lake Tahoe Watershed Assessment" which was released February 2000. He explained the following points regarding the "Lake Tahoe

Watershed Assessment”:

- The document is a result of the 1997 Presidential Forum.
- The scope covers the entire Lake Tahoe Basin, and its purpose is to gather all of the existing science related to the three major issue areas addressed in the Presidential Forum (forest health, transportation, and water quality).
- There are six main chapters which include: (1) an overview of the history of the Lake Tahoe Basin; (2) the ethnographic and environmental history of the Basin; (3) air quality; (4) water quality, and lake clarity; (5) old growth, fire, biological and diversity issues; and (6) socioeconomics.

Continuing his presentation, Mr. Knopp noted some of the key findings from the document as including:

- The climate of the Basin has changed significantly over the last 100 years. If the objective is to recreate the ecosystem that existed at Lake Tahoe before Euro-Americans entered in the 1850s, it cannot be done because the climate is fundamentally different. The weather is much wetter now.
- The decline in clarity of Lake Tahoe is being caused primarily by a growth of algae that floats freely in the Lake and algae that grow on the rocks.
- Preserving biological diversity at Lake Tahoe is to preserve those unique attributes of the Lake. The document describes the animal and plant species and lists the species at risk in the Lake Tahoe Basin.
- It was difficult to find useful material for the socioeconomic section. He commented that a better understanding is necessary to see how the economy relates to the environment. It is his opinion that one of the fundamental foundations that brought attention to the Lake Tahoe Basin is that there is a relationship between the quality of the environment and the economic well-being at Lake Tahoe.
- The source of phosphorus pollution of the Lake Tahoe needs to be located, the most effective treatment identified, and the treatment applied before “time runs out.”

Responding to Chairman Brower’s question, Mr. Knopp stated that soluble phosphorus might be found from different sources that include fertilizers, fine material that is washed off of roads, and soil erosion.

Addressing Assemblywoman Freeman’s question, Mr. Knopp stated that the U.S. Department of Agriculture paid for the assessment.

Mr. Knopp stated the document will be available and can be downloaded from the Internet at www.r5.fs.fed.us/ltbmu.

PUBLIC TESTIMONY (Continued)

Craig Hartman

Craig Hartman, Carson City resident, requested that the committee encourage the TRPA and other agencies to provide adequate parking for East Shore beach users at Lake Tahoe. It is his opinion that expansion of the two existing lots will not provide adequate support for current recreational use of the beaches at the Lake.

COMMITTEE DISCUSSION OF FUTURE MEETINGS

Mr. Welden explained that recommendations concerning items to be taken before the 2001 Session of the Legislature should be presented at the next committee meeting. He added that if anyone needs assistance, please contact him.

ADJOURNMENT

The Chairman thanked everyone for attending and participating in the meeting. There being no further business before the committee, Chairman Brower adjourned the meeting at 2:25 p.m.
Exhibit J is the "Attendance Record" for the committee 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 titled "State of Nevada Environmental Improvement Program Implementation Status Report," provided by Jim Lawrence, Tahoe Program Coordinator, Division of State Lands.

Exhibit B is a folder of information dated January 24, 2000, and provided by Don Miner and Kay Bennett that includes:

- A description of the Nevada Tahoe Conservation District, dated January 24, 2000.
- A flow chart titled "1996 Tahoe Bond Act."
- A map showing parcels to which Best Management Practices (BMP) will be applied at Al Tahoe Neighborhood in the City of South Lake Tahoe, California.
- A document titled "Tahoe Bond Act Implementation, 1996 Report," dated December 27, 1999.

Exhibit C is a handout provided from Michele Chouinard, Human Resources Coordinator, TRPA, titled "Proposed Selection Process" for appointment of the new TRPA Executive Director.

Exhibit D is a handout provided by Amir Soltani, Chief Hydraulic Engineer, Nevada's Department of Transportation, which is titled "NDOT Lake Tahoe Progress Report," dated February 2000.

Exhibit E is a report provided by Jerry Wells, Acting Executive Director, TRPA, titled "Streamlining Work Program" Tahoe Regional Planning Agency."

Exhibit F is a letter dated November 17, 1999, to Larry Sevison, Chairman, Governing Board of the TRPA from Steve Teshara, Rochelle Nason, and Stan Hansen, Co-Chairs of the Lake Tahoe Transportation and Water Quality Coalition, regarding significant contributions made by Jim Baetge as Executive Director of the TRPA.

Exhibit G is a handout provided by Steve Teshara and Rochelle Nason, Co-Chairs of the Lake Tahoe Transportation and Water Quality Coalition, regarding the history, members, purpose, and scope of the Lake Tahoe Federal

Advisory Committee.

Exhibit H is a handout from Steve Chilton, Chief of the Environmental Compliance Division, TRPA, which is titled “A Consumer’s Guide to Boating Lake Tahoe,” dated June 1, 1999.

Exhibit I contains handouts from Jane Freeman, United States Environmental Protection Agency and Acting Chair of the Federal Interagency Partnership, which are titled:

- “Federal Actions At Lake Tahoe, May 1999”
- “Federal Interagency Partnership, Review of the Environmental Improvement Program (EIP) for the Lake Tahoe Region, August 1999.”
- “Federal Implementation of the EIP” which is a copy of the overhead presentation given to the committee.

Exhibit J is the “Attendance Record” for the committee 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.