



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

SUMMARY MINUTES AND ACTION REPORT

The final 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 for the 2003-2004 interim was held on Wednesday, February 9, 2005, at 4 p.m. in Room 2144 of the Legislative Building, 401 South Carson Street, Carson City, 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/72nd/Interim. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's (LCB) Publications Office (e-mail: publications@lcb.state.nv.us; telephone: 775/684-6835).

COMMITTEE MEMBERS PRESENT IN CARSON CITY:

Assemblyman Lynn C. Hettrick, Chair
Senator Margaret A. Carlton, Vice Chair
Senator Mark E. Amodei
Senator Dean A. Rhoads
Assemblyman Morse Arberry Jr.
Assemblywoman Peggy Pierce

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Linda J. Eissmann, Senior Research Analyst, Research Division, LCB
Eileen G. O'Grady, Principal Deputy Legislative Counsel, Legal Division, LCB
Nenita Wasserman, Senior Research Secretary, Research Division, LCB

OPENING REMARKS

Assemblyman Lynn C. Hettrick, Chair, welcomed members, presenters, and the public to the sixth meeting of the Nevada Legislature's Committee for the Review and Oversight of the TRPA and Marlette Lake Water System.

STATUS REPORT ON THE TAHOE REGIONAL PLANNING AGENCY'S IMPLEMENTATION OF FIVE SPECIFIC PERFORMANCE OBJECTIVES PREVIOUSLY IDENTIFIED BY THE OVERSIGHT COMMITTEE, AS FOLLOWS:

1. NECESSARY COORDINATION OF THE FUELS MANAGEMENT ACTION PLAN FOR THE LAKE TAHOE BASIN; COMPLETION OF THOSE PORTIONS OF THE LAKE TAHOE BASIN FIRE PLAN FOR WHICH THE TRPA IS RESPONSIBLE AND HAS CONTROL; AND DEMONSTRATION OF REASONABLE EFFORTS TO ENTER INTO NECESSARY FIRE AGREEMENTS WITH LOCAL FIRE DISTRICTS IN NEVADA SUCH AS A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE TAHOE-DOUGLAS FIRE PROTECTION DISTRICT SIMILAR TO THE CURRENT MOU SIGNED WITH THE NORTH LAKE TAHOE FIRE PROTECTION DISTRICT;
 - John Singlaub, Executive Director, TRPA, gave an overview of the TRPA Progress Report on Committee Recommendations ([Exhibit B](#)). He introduced Stewart Gount and Shelley Aldean, who are members of the TRPA Governing Board. He also introduced Carl Hasty and Jerry Wells, Deputy Directors of the TRPA. Mr. Singlaub reported that there have been success with the fuels management at Lake Tahoe since last summer, and \$6.5 million was identified out of the Environmental Improvement Program (EIP) from the south.
2. LETTER FROM TRPA EXECUTIVE DIRECTOR JOHN SINGLAUB TO THE TRPA GOVERNING BOARD RECOMMENDING THAT THE FOUR PRINCIPLES OF PUBLIC SAFETY IDENTIFIED IN MR. SINGLAUB'S MEMO TO THE BOARD ON FEBRUARY 17, 2004, BE INCORPORATED INTO THE PATHWAY 2007 REGIONAL PLAN;
 - Mr. Singlaub, previously identified, reviewed a letter dated February 17, 2004, addressed to the TRPA Governing Board and Staff on the subject of public safety ([Exhibit C](#)). He noted the Board decided not to change the existing regional plan until Pathway 2007 was incorporated.
3. ADOPTION OF A RULE OR POLICY BY THE TRPA TO ADDRESS THE ISSUE OF EX PARTE COMMUNICATION (AS DESCRIBED ON PAGES 14 AND 15 OF THE 2004 INDEPENDENT PERFORMANCE REVIEW BY STRATEGICA TITLED: *INDEPENDENT PROGRAM/OPERATIONAL REVIEW OF THE TAHOE REGIONAL PLANNING AGENCY*), INCLUDING SOME FORM OF DISCIPLINARY RESULT IF THE RULE OR POLICY IS VIOLATED;

- Mr. Singlaub previously identified, said the Strategica Report identified the issue of ex-parté communication and made a recommendation to adopt a rule of procedure prohibiting any kind of ex-parté communication. The Report also suggest that, any communication outside a public meeting between a board member and an interested person is appropriate only at a meeting. He explained that the exparté rule will be reviewed by the TRPA Governing Board in March 2005, and noted there is a concern of the TRPA Governing Board members' influence on staff regarding projects would be included in the ex-parté rule.
4. INVOLVEMENT OF CERTAIN LOCAL GOVERNMENT AND PRIVATE SECTOR REPRESENTATIVES (AS PARTNERS IN IMPLEMENTING THE ENVIRONMENTAL IMPROVEMENT PROGRAM) AS ACTIVE AND COLLABORATIVE PARTICIPANTS IN THE PATHWAY 2007 REGIONAL PLAN; AND
- Mr. Singlaub, previously identified, explained that Pathway 2007 Regional Plan has 44 stakeholders which represent a collaborative approach to identifying problems and making decisions on Lake Tahoe issues. He said the Plan includes the formation of an advisory committee and technical working groups. Mr. Singlaub noted that local governments have indicated different levels of interest and participation in the project.
5. ESTABLISHMENT OF CERTAIN QUALIFICATIONS FOR THE REGIONAL TRANSIT STAFF POSITION REQUESTED BY THE TRPA IN ITS SPECIAL BUDGET REQUESTS.
- Mr. Singlaub, previously identified, commented that the Strategica Report, which revealed the lack of an established transportation system at the Lake, recommended the creation of a new position called "transit coordinator." He noted this position, which would be split between north and South Lake Tahoe, was different from the committee's initial recommendation.

PUBLIC COMMENT

- Steve Teshara, Executive Director, North Lake Tahoe Resort Association, commented he appreciated Mr. Singlaub's remarks at the meeting.
- Jan Brisco, Executive Director, Tahoe Lakefront Owner's Association, Lake Tahoe, expressed concern for accountability regarding the shorezone.
- Chair Hettrick requested information on the Shorezone Mitigation Fund including funding and expenditure reports.

COMMITTEE DISCUSSION OF “RECOMMENDATION NO. 5” MADE DURING ITS WORK SESSION MEETING ON AUGUST 16, 2004, THAT THE NEVADA LEGISLATURE’S “MONEY COMMITTEES” (SENATE COMMITTEE ON FINANCE AND ASSEMBLY COMMITTEE ON WAYS AND MEANS) PLACE RESTRICTIONS ON THE NEVADA PORTION OF THE TRPA’S BUDGET TO ENSURE SUCCESSFUL COMPLETION OF THE FIVE PERFORMANCE OBJECTIVES DESCRIBED UNDER ITEM II, OF THE AGENDA.

- Mr. Singlaub, previously identified, remarked that the TRPA has demonstrated they will make an effort to address all the concerns made by the Committee.
- Senator Carlton recommended to dismiss the recommendation to restrict funding on the TRPA. The Committee agreed with her recommendation.

PUBLIC COMMENT

- There was no public comment under this item.

DISCUSSION OF THE POTENTIAL FOR AND DESIRABILITY OF FUTURE MEETINGS OF THE OVERSIGHT COMMITTEE DURING THE 2005 LEGISLATIVE SESSION

- Chair Hettrick stated that the Oversight Committee is a standing committee established by statute, and the next meeting would be at the call of the chair.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 4:39 p.m.

Respectfully submitted,

Nenita Wasserman
Senior Research Secretary

Linda J. Eissmann
Senior Research Analyst

APPROVED BY:

Assemblyman Lynn C. Hettrick, Chair

Date: _____

LIST OF EXHIBITS

[Exhibit A](#) is the “Meeting Notice and Agenda,” furnished by Linda J. Eissman, Senior Research Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit B](#) is a document titled “Tahoe Regional Planning Agency Progress Report on Committee Recommendations,” provided by John Singlaub, Executive Director, Tahoe Regional Planning Agency (TRPA).

[Exhibit C](#) is a letter, dated February 17, 2004, addressed to the TRPA Governing Board and Staff regarding public safety, submitted by John Singlaub, Executive Director, TRPA.

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