



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] 218E.555)

MINUTES

August 31, 2022

The fourth and final meeting of the Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System for the 2021–2022 Interim was held on Wednesday, August 31, 2022, at 1 p.m. in Room 3138, Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4412, Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada.

The agenda, minutes, meeting materials, and audio or video recording of the meeting are available on the Committee's [meeting page](#). The audio or video recording may also be found at <https://www.leg.state.nv.us/Video/>. Copies of the audio or video record can be obtained through the Publications Office of the Legislative Counsel Bureau (LCB) (publications@lcb.state.nv.us or 775/684-6835).

COMMITTEE MEMBERS PRESENT IN CARSON CITY:

Assemblywoman Sarah Peters, Chair
Senator James A. Settelmeyer

COMMITTEE MEMBERS PRESENT IN LAS VEGAS:

Assemblywoman Lesley E. Cohen

COMMITTEE MEMBERS ATTENDING VIA REMOTELY:

Senator Melanie Scheible, Vice Chair
Senator Marilyn Dondero Loop (Alternate)
Assemblywoman Lisa Krasner

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Alysa M. Keller, Senior Principal Policy Analyst, Research Division
Lisa Creamer, Research Policy Assistant, Research Division
Eileen O'Grady, Chief Deputy Legislative Counsel, Legal Division
Justin Luna, Program Analyst, Fiscal Analysis Division

*Items taken out of sequence during the meeting have been placed in agenda order.
[Indicate a summary of comments.]*

AGENDA ITEM I—CALL TO ORDER

Chair Peters:

I would like to call this meeting to order. Welcome to the final meeting of the Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency (TRPA) and the Marlette Lake Water System for the 2021–2022 Interim. We have a work session on our agenda today. I would like to note that Senator Dondero Loop will be joining us as an alternate Committee member.

[Chair Peters discussed meeting guidelines, including procedures for providing public comment.]

AGENDA ITEM II—PUBLIC COMMENT

Chair Peters:

We will start our first public comment period. Is anyone here in Carson City for public comment today?

Denise Davis, Nevada resident:

I have been a full-time resident of Incline Village for 27 years. My community only recently learned of the work of this interim Committee. We are sorry to have missed participating earlier. I only have time to mention a few things discussed at your July 15 meeting. My home is located across the highway from the Tahoe East Shore Trail parking lots. State Route 28 is one of the boundaries of my property. The daily commuter traffic begins before the sun rises. The Tahoe Truckee Area Regional Transportation (TART) public buses connect only to Incline Village on the north shore and Truckee—not Reno or Carson City. Paid parking will continue to have unintended consequences. My neighborhood is now occupied with vehicles, as people choose not to park in the trail's paid parking lots despite available spaces. Current regulations do not prohibit this. Technology will help with the collection of fees, but fines, which change behavior, can only be issued by a human. The Tahoe East Shore Trail parking lots have payment kiosks, but parking tickets must be written by an attendant who is physically on-site. A parking app can inform a driver where legal parking is available, but it has no ability to prevent illegal parking. Mobility hubs are parking lots despite the lofty, stated objectives. The East Shore Express moves people from parking lots in Incline Village to Sand Harbor State Park because the park's lots are full. This was confirmed by James R. Lawrence, Acting Director, State Department of Conservation and Natural Resources (DCNR), at your July 15 meeting.

There is little environmental improvement busing people a couple of miles after they have driven personal transportation into the Lake Tahoe Basin. Many of us continue to be frustrated with the lack of effort to intercept traffic before it enters the Basin. A variety of excuses have been offered through the years. At your previous meeting, many people spoke of getting people out of personal vehicles during their time in the Basin, but there was no discussion of getting those people onto public transportation before entering the Basin. Washoe County Commissioner Alexis Hill stated 42 percent of Tahoe visitation is day use from adjacent communities in Nevada and California, which equates to 4.2 to 6.3 million people whose behavior could most easily be changed by offering public transit outside the

Basin. How quickly would traffic problems decrease and environmental quality improve if half the day visitors changed their habits by leaving their vehicles outside the Basin?

Chair Peters:

Thank you for your comments today. We look forward to seeing you next interim, as this is a standing interim Committee.

[Chair Peters confirmed no other people were coming forward to provide public comment in Carson City or Las Vegas.]

Is there anyone on the public comment line who would like to speak?

Broadcast and Production Services (BPS):

[BPS staff explained how callers can take their place in the queue.]

Chair Peters, the line is open and working; however, there are no callers wishing to offer public comment at this time.

Chair Peters:

I will close our first public comment period.

AGENDA ITEM III—APPROVAL OF THE MINUTES FOR THE MEETING ON JUNE 24, 2022

Chair Peters:

We will move on to the next agenda item, which is the approval of minutes for the meeting on June 24, 2022.

SENATOR SETTELMAYER MOVED TO APPROVE THE MINUTES FOR THE MEETING ON JUNE 24, 2022.

ASSEMBLYWOMAN KRASNER SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

AGENDA ITEM IV—APPROVAL OF THE MINUTES FOR THE MEETING ON JULY 15, 2022

Chair Peters:

The next agenda item is the approval of the minutes for the meeting on July 15, 2022.

SENATOR SETTELMAYER MOVED TO APPROVE THE MINUTES FOR THE MEETING ON JULY 15, 2022.

ASSEMBLYWOMAN COHEN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

AGENDA ITEM V—WORK SESSION—DISCUSSION AND POSSIBLE ACTION ON RECOMMENDATIONS RELATING TO:

A. TRANSPORTATION

B. ENVIRONMENTAL IMPROVEMENTS

Chair Peters:

The next agenda item is our work session. You can find our work session document (WSD) ([Agenda Item V](#)) on the Committee's [meeting page](#), and there are hard copies in the meeting rooms. Staff has compiled the requests, and we have had the opportunity to look through these items. We have several letters this year in support of funding for a variety of projects. We also have a request to draft a resolution and a request to draft a bill.

I am going to take these out of order and combine all the recommendations to draft letters unless there is any objection.

Senator Settelmeyer:

Can I get a little more detail? I agree with the concept of a consent, but I would like to pull Recommendation A-3, if possible, to ask for a little more clarity.

Chair Peters:

Recommendation A-3 needs a little revision based on a conversation I had earlier today with the requesters. We will do all the other letters unless there are questions from other Committee members.

Assemblywoman Cohen:

I have a question about [Recommendation A-5](#) related to transportation in Tahoe. Carl Hasty, District Manager of the Tahoe Transportation District (TTD), or others with the TTD may be in Carson City.

Chair Peters:

Yes, we have people here in Carson City. Are there any other letters we would like to pull? [There were none.]

SENATOR SETTELMEYER MOVED TO APPROVE RECOMMENDATIONS [A-1](#), [A-4](#), [A-6](#), AND [B-8](#).

ASSEMBLYWOMAN COHEN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Chair Peters:

I am going to take questions on the remaining two letters, and then we can move those two together. We will start with Recommendation A-3. You had a question, Senator Settelmeyer.

Senator Settelmeyer:

I have concerns with both Recommendations A-3 and A-5 if you want to have someone come forward.

Chair Peters:

I am going to ask Ms. Keller to read the revision requested for Recommendation A-3. That might provide some clarification before we jump into questions.

Ms. Keller:

Recommendation A-3 has been revised since the printing of the WSD. The modified version is for the Committee to:

Request the drafting of a letter to Governor Steve Sisolak expressing the Committee's support for funding for each fiscal year of the 2023–2025 Biennium for Nevada's portion of the funding strategy set forth in the Lake Tahoe Transportation Action Plan.

Chair Peters:

This revision removes the explicit support of a State General Fund appropriation from the letter and revises it to support funding from a variety of areas—whichever is appropriate for this biennium.

Senator Settelmeyer:

I appreciate that. I would like more detail about the "7-7-7" concept, as \$7 million is a good amount of money. Will it be primarily used for projects? I want to see projects; I do not want to see any studies. Unfortunately, in the past, the government has spent \$150,000 to study a \$100,000 solution. Can anyone speak to that? Also, has there been discussion on where the local/private funds will come from? Will it be a situation where an individual comes forward and says, "I have this environmental problem or concern about a road issue," and private developers will pony up money to create, per se, the match money?

Chair Peters:

We have staff from the state and the TRPA who I invite to respond to the question. We also have Commissioner Hill who may be able to answer the question regarding the local funding that Washoe County is ready to commit to. Please proceed if you would like.

James R. Lawrence, Acting Director, DCNR:

Regarding Recommendation A-3, which is the drafting of the letter supporting the 7- 7- 7 funding strategy, I will note that the studies have been done. The funding strategy is to support the [Lake Tahoe Transportation Action Plan](#). You may recall from previous presentations that the two states—the two natural resource departments—have been convening the Bi-State Consultation on Transportation (Bi-State Working Group) over the past two to three years. It includes local governments, federal governments, private industry, and environmental groups—the whole board. What was identified in the Action Plan gets to the heart of some of the transportation and congestion issues. It is complicated, but there are a variety of solutions and projects that need to be implemented, including what the speaker during public comment was talking about; now that we have

built a system in the Lake Tahoe Basin, we can start busing people into the Basin. We have a system in place to move them around. You need a complex system to do that.

One of the challenges with funding the Action Plan is there is an annual funding gap of about \$20 to \$21 million. The Bi-State Working Group spent a lot of time researching different possible funding streams. The goal of many was to find one fungible stream that would work for everyone; however, the Basin is too complicated to do that. The group had consensus on the same strategy that we used to fund the Environmental Improvement Program (EIP) where the shares are allocated amongst the federal government, state governments, and local governments. It does not matter where you get the money as long as people are committing to it and putting the projects on the board. That was probably one of the reasons for the revision to this recommendation. The State of Nevada needs projects, particularly in the first few years. We can build infrastructure projects through bond dollars. The State of Nevada can meet its funding share over the next few years using bond interest—bond dollars—to get the infrastructure and projects in place.

There is also an operational component. You still need people to operate the system, and you need to maintain the buses. For the most part, Nevada can get there through the EIP bonds and the Conserve Nevada bonds. That is how the state is looking at it. Julie Regan with the TRPA can probably shed more light on the local governments. They are all moving forward with their different commitments and have been doing a lot of work in the transportation sector. They want to get credit for the work they are doing. They are doing it through different means. For instance, Placer County might have a different revenue stream than Douglas County. The Bi-State Working Group did not feel it was appropriate to tell local jurisdictions how to raise their money. It is just important that they raise the necessary funds. It was a bit of a long answer, but hopefully it got to your question.

Chair Peters:

[Recommendation A-2](#) is a resolution to support the Action Plan, and we would have gone over what was described by Mr. Lawrence. Does that answer your questions, Senator Settelmeyer?

Senator Settelmeyer:

It answered some of the questions. I am looking for more specifics, such as “We are going to spend about 80 percent of the money on projects versus 20 percent on transportation type situations,” such as improving the roads. A colleague told me about a situation in Tahoe where they were going to a meeting and wanted to use public transportation; however, they could not find where the bus was running and could not catch it on time. That creates problems with ensuring people do not park on the side of the road. Having other roads open up may be more beneficial to my constituents who live in Tahoe. I am looking for some discussion on that mixture of how the funds will be used. You can spend 90 percent of it to staff buses that no one is on, or you can spend the majority of it on actual roads that might improve some of the problems. There has been an increase in the number of cars in Tahoe, and a lot of it is due to the Coronavirus Disease of 2019 (COVID-19). That is the reality. People realize they do not want to be in the city, and I cannot blame them. We have seen the number of cars exceeding levels; we never thought we would have those levels again. That is the complaint I am getting from my constituents. That is why I am trying to figure this out.

Chair Peters:

That is a fair point. I sat on this Committee last interim, and we talked about Senate Concurrent Resolution 8 (2021), which redirected efforts to find a comprehensive process that was not exclusionary. One of the conversations we had was about a basin fee, which seemed like it might fix things down the road. However, getting people in and around the Basin was really the crux of the issue for equity and inclusion to ensure that our constituents can afford to go to, and play in, one of our region's most beautiful areas.

I want to express my gratitude for the Working Group coming back together and coming up with this actionable plan, including the funding options that give everyone an opportunity to have skin in the game on their own terms. It is one of our rallying calls in Nevada; we need flexibility to do things in ways that work for us instead of through a potential legislative mandate or a way that does not work for the communities.

Do you want to respond further to Senator Settlemeyer?

Julie W. Regan, Deputy Director and Acting Interim Executive Director, TRPA:

Mr. Lawrence may want to fill in around the Action Plan. There are capital projects that include everything from bike trails on the SR 28 Corridor; parking satellite lots; road improvements; and water quality improvements to filter runoff from the roads. There is an entire network of projects that link together. That is the beauty of the Action Plan. We have identified high priority regional projects and we have the consensus of the Bi-State Working Group to match up with the capital priorities of local jurisdictions. It took some time for each jurisdiction to look at how their individual road overlay and other projects link up to the big system. We need to move people on land and water—even with things like water taxis, which are inadequate in Tahoe today. The full Action Plan has capital projects, but transit is included.

A bright spot is the public-private partnership of microtransit that has been operating with TART Connect on the north shore and Lake Link [on the south shore], which started this summer. We are seeing some important work underway that shows people will use these other forms of transportation, which need to match up with the big infrastructure projects. The Action Plan is designed to be flexible for each partner sector to achieve those goals. This is similar to how we structured the Total Maximum Daily Load for water quality. Each jurisdiction made a plan to reduce a certain amount of pollution into the lake. Each sector, whether it be the federal government, the two states, or the local jurisdictions and the private sector can say, "Here is how we are going to come up with our share of \$7 million."

The Placer County Board of Supervisors passed a resolution supporting this approach. We are taking that to the City of South Lake Tahoe's City Council next week, and other jurisdictions are saying, "We are going to commit to this because it does not lock in any one particular solution." El Dorado County in California, for example, has a transient occupancy tax (TOT) ballot initiative. They will contribute more to transit if that passes in November. It is designing flexibility for each partner to come up with solutions. In Nevada, bonds may be the solution. We are all in it together, and that was the purpose of the plan. There will be a mix of transit, trails, technology, and community corridors. State Route 28 is the featured corridor for infrastructure projects on the north end of the lake, on the Nevada side, which connects state line to state line.

Chair Peters:

I see Commissioner Hill is present. She may want to share a bit about Washoe County.

Alexis Hill, Washoe County Commissioner, District 1; Chair, TTD; Member, TRPA Governing Board:

I am representing Washoe County, and I want to explain why we bought into this plan. We plan to do a resolution of our support for the 7-7-7 funding strategy, as the rest of the local jurisdictions plan to do. Placer County has already done their resolution of support, and we all are committed to doing that by the end of the year. Washoe County already invested \$400,000 for roadway improvements in Incline Village and Crystal Bay. In addition, we invested \$100,000 for microtransit, which was a public-private partnership, and another \$100,000 was invested this year for EIP projects, public safety projects, and multimodal projects. We can invest in things like what the public commenter, Ms. Davis, suggested—parking plans, crosswalks, and things of that nature. We will be doing a transportation summit in October to discuss all the inputs we have been receiving from the community. We had online and in-person opportunities for people to give their input. That will be the other \$400,000 that we will invest over the next five years into our communities. We like this because it gives us flexibility, and it is roadway investment for Incline Village and Crystal Bay. Thank you for the opportunity to give Washoe County's point of view on this.

Chair Peters:

Are there any other questions? [There were none.]

I would like to take a motion for both Recommendations A-2 and A-3 since we went over the Transportation Action Plan. Recommendation A-2 is a request for drafting a resolution to support the Action Plan, and Recommendation A-3 is a letter of support for the funding of Nevada's portion of that Action Plan.

Senator Settelmeyer:

I wish we could have a percentage to ensure we do one-time projects and not put things in the ongoing expenses that we may not have the money for in the future. That was where I was trying to go with the question, but unfortunately no one wanted to go there. I still think it is a necessary and worthwhile project to get done at the Lake.

SENATOR SETTELMEYER MOVED TO APPROVE [RECOMMENDATION A-2](#) AND RECOMMENDATION A-3, [AS REVISED](#).

ASSEMBLYWOMAN COHEN SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Chair Peters:

Assemblywoman Cohen had a question on [Recommendation A-5](#), which is a letter expressing the Committee's support for a State General Fund appropriation of \$330,000 for each fiscal year of the biennium for an augmentation to TRPA's budget to support critical TTD operations.

Assemblywoman Cohen:

My question is about the buses. Back in July, I was fascinated to hear about the free buses—free transportation. Will that be ongoing, and will part of this money help support that program?

Carl Hasty, District Manager, TTD:

Indirectly, “yes.” The dollars are more for the administrative side of the agency. We are planning to continue the no-fare policy; that is a TRPA policy. This will help us indirectly. The TTD does not have a dedicated general fund revenue source. We operate largely off of formula funds and discretionary dollars that we get through a competitive process. That leaves us a little lean with the administration. We have grown our own general fund over the years, and this would help us with that. It allows us to take less from the transit operating dollars, and that will help maintain those no-fare policies that you are referencing. Does that answer your question?

Assemblywoman Cohen:

Yes, it does.

Chair Peters:

Are there any other questions on Recommendation A-5?

I would entertain a motion to approve this request for drafting a letter of support.

ASSEMBLYWOMAN COHEN MOVED TO APPROVE [RECOMMENDATION A-5](#).

SENATOR SCHEIBLE SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Chair Peters:

Our last item is Recommendation B-7. I am going to ask Ms. Keller to go over this item since it is a bill draft request (BDR).

Ms. Keller:

The final recommendation for the Committee's consideration is to:

Request the drafting of a bill authorizing the release of the next phase of general obligation bonds in an amount of \$13 million to continue to implement Nevada's portion of the Lake Tahoe EIP for the 2023–2025 Biennium and including authority for the expenditure on EIP projects of any interest accumulated on proceeds from bond issuances for the EIP Program.

Regarding the inclusion of authority for the expenditure of interest accumulated, I would note that interest accumulated on bond proceeds under Senate Bill 438 (2011) currently cannot be used for the Lake Tahoe EIP as previous legislation did not specifically include

language related to interest. According to Nevada's Division of State Lands, DCNR, bond proceeds sold under SB 438 authorization total \$12 million and have generated approximately \$176,000 in interest; however, the Division is unable to access those funds. Charles Donohue, the Administrator of the Division is in the audience.

Chair Peters:

This is a typical bill for this Committee; we pass bond obligation BDRs. This time around, we are adding on this interest accumulation spending piece. Are there any questions on this item before I entertain a motion? Seeing none, I would entertain a motion to approve the drafting of the bill as stated by Ms. Keller.

SENATOR SETTELMAYER MOVED TO APPROVE RECOMMENDATION B-7.

SENATOR SCHEIBLE SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

That takes us through our WSD. Thank you for the questions and the participation from people in the room. I appreciate you all for being here and for the work you did this interim to catch us up. I am looking forward to seeing how these plans work out as well as next summer when I can see more of Lake Tahoe than I did this summer. I am going to go ahead and close this agenda item.

AGENDA ITEM VI—PUBLIC COMMENT

I will move on to our next agenda item, which is our second public comment period.

[Chair Peters called for public comment; however, no testimony was presented.]

Chair Peters:

I will close public comment.

[Chair Peters thanked presenters, Committee staff, and Committee members for their participation.]

I look forward to more work being done to make Tahoe equitably accessible to all people. This Committee is exclusive to an area in northern Nevada, but the impact to our economy is significant. We would not have as good of work in the region without the efforts of the TRPA, our partner agencies, and this Committee.

Is there any other discussion before I adjourn our meeting?

Assemblywoman Cohen:

Thank you, Chair, for your work on this Committee. It is exciting to see how much knowledge you have of the area and the issues, including water quality and infrastructure. You brought it home because of your love of the area. It was informative.

Chair Peters:

I do enjoy the science. Thank you all again.

AGENDA ITEM VII—ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 1:46 p.m.

Respectfully submitted,

Lisa Creamer
Research Policy Assistant

Alysa M. Keller
Senior Principal Policy Analyst

APPROVED BY:

Assemblywoman Sarah Peters, Chair

Date: _____

MEETING MATERIALS

AGENDA ITEM	PRESENTER/ENTITY	DESCRIPTION
Agenda Item V	Alysa M. Keller, Senior Principal Policy Analyst, Research Division, Legislative Counsel Bureau	Work Session Document

The Minutes are supplied as an informational service. All meeting materials are on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. For copies, contact the Library at (775) 684-6827 or <https://www.leg.state.nv.us/Division/Research/Library/About/Contact/feedbackmail.cfm>.