

*Continued Review
of the
Tahoe Regional Planning Agency*



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Bureau*

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**CONTINUED REVIEW
OF THE
TAHOE REGIONAL PLANNING AGENCY**

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SEPTEMBER 1994

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SUMMARY OF RECOMMENDATIONS

The Legislative Commission's Committee To Continue the Review of the Tahoe Regional Planning Agency (TRPA) submits the following recommendations to the 1995 Session of the Nevada Legislature:

I. TRPA STRUCTURE AND FUNCTION

The following recommendations address the structure and function of the TRPA.

Amendment of the Bistate Compact

1. Urge, by resolution, the United States Congress to ratify amendments to the Bistate Compact which have been adopted by the States of Nevada and California and which provide the Nevada Senate and Assembly direct representation on the TRPA Governing Body. (BDR R-304)

Partnership Approach

2. A two-step procedure for implementing a "partnership approach" to specific types of activities in the Lake Tahoe Basin is proposed.
 - a. Transmit letters from the interim legislative committee to the TRPA, the Budget Director, the State Board of Examiners, and the Legislature's Interim Finance Committee (IFC) describing the value of the "partnership approach" and explaining that money appropriated by the Nevada Legislature to the TRPA is being withheld because California is not providing all of its 2/3 matching share.

Urge these entities to take the necessary actions to secure transfer of the withheld funds to the Special Projects Category within the Agency's budget to support implementation of the "partnership approach" generally as follows:

 - i. The sum of \$75,750 for initiation and operation of the "partnership approach" as outlined in section B, and
 - ii. The sum of \$40,000 to support a staff position responsible for working within the "partnership approach" to focus on air and water quality programs, including implementation of the capital

improvements plan and restoration of stream environment zones;
and

Ask IFC to direct the TRPA to report to that body semiannually concerning progress in implementation of the "partnership approach" and expenditure of the funds having been released.

b. Enact legislation containing the following substantive elements:

Whereas, the compilation and implementation of plans for environmental protection and development within the related environmental constraints have often been accompanied by controversy and conflict among the parties interested in the Lake Tahoe Basin; and

Whereas, a "partnership approach" would alleviate many of the controversies and conflicts by bringing the interested participants together to jointly prepare the plans and implementation programs; and

Whereas, potentially useful models for such a "partnership approach" include the:

Tahoe Transportation Coalition,
Truckee-North Tahoe Transportation Management Assoc.,
South Shore Transportation Management Association,
Tahoe-Truckee Regional Economic Coalition,
Forest Health Consensus Group,
Lake Tahoe Coalition for Proposition 180 (California proposal to issue bonds partially to support projects for environmental protection in the Lake Tahoe Basin), and
South Lake Tahoe redevelopment planning process; and

Whereas, elements of such a "partnership approach" would include:

- i. A voluntary, but official, structure through which the TRPA and interested participants work toward consensus in the compilation and implementation of plans,
- ii. TRPA's incorporation of participation in the "partnership approach" in its work program and budget for staffing, operations, contributions as participant based on contracts/agreements, and contractual support for necessary facilitators or mediators, and

- iii. Additional specific components such as: (a) designation, by the TRPA Governing Body, of activities which should utilize the "partnership approach;" (b) guidelines concerning the type and number of TRPA policy and technical staff which should be assigned to a partnership, as well as the staff authorities and responsibilities; and (c) guidelines for determining when a facilitator or mediator should be incorporated in the process; and

Whereas, the Tahoe Regional Planning Compact specifies that the states' contributions for support of the Agency are apportioned 2/3 from California and 1/3 from Nevada; and

Whereas, for Fiscal Year (FY) 1993-1994, the State of California has not provided all of its 2/3 share of the states' contribution to the TRPA budget and Nevada has, therefore, withheld a portion of its appropriated contribution in the amount of \$45,500, and it is anticipated that California will be unable to provide full funding in FY 1994-1995 and Nevada will withhold at least \$70,250; and

Whereas, it is anticipated that the reduced contributions from the State of California may be retained within that State's budgetary process through FY 1995-1996 and FY 1996-1997, thus decreasing the funds which would have been available to implement the "partnership approach;" and

Whereas, in previous years, the State of California has effectively contributed more than its official share of the bistate funding by channeling additional support through the Water Resources Control Board, the California Department of Transportation, and the California Tahoe Conservancy; and

Whereas, the "partnership approach" is of such value to the Basin as a whole, and the Nevada portion of the Basin especially, that initial implementation of the program should be funded as a special project by the State of Nevada;

Therefore, the Legislature hereby appropriates \$30,000 to the TRPA to be used as follows:

- i. One-third for operation of the "partnership approach" as previously outlined, and

- ii. Two-thirds to support a staff position responsible for working within the "partnership approach" to focus on air and water quality programs, including implementation of the capital improvements plan and restoration of stream environment zones; and

Therefore, the Legislature hereby appropriates \$90,000 to the IFC Contingency Fund to be used as specified in i. and ii. and directs IFC to release the money to the TRPA in semiannual installments based upon review of the Agency's semiannual reports and IFC's determination that the "partnership approach" is being implemented satisfactorily; and

Therefore, the Legislature hereby directs the TRPA to report to the IFC semiannually (before December 1 and June 1) concerning progress in implementation of the "partnership approach" and expenditure of the funds appropriated through this measure. (BDR S-305)

Regional Economic Coalition

3. Adopt a resolution which: (a) acknowledges the valuable efforts of the Regional Economic Coalition; (b) urges the TRPA to continue to participate actively in the Coalition; and (c) urges the Agency to assist in the effort to promote a healthy economy, improve quality of life, and integrate the goals of economic health and environmental enhancement in the Region. Incorporate elements from the Coalition's "Vision Statement" and "Mission Statement" in the preamble of the resolution. (BDR R-306)

Implementation of Projects

4. Urge, by resolution, the TRPA to continue and further expand its efforts to emphasize the implementation of existing plans and "on-the-ground" projects which will enhance the environmental quality in the Basin. (BDR R-307)

Finite Resources and Environmental Thresholds

5. Urge, by resolution, the TRPA:
 - a. To function as a facilitator to coordinate an analysis of the resources within the Lake Tahoe Basin which are potentially finite in character and the methods by which these resources are to be allocated; and
 - b. To continue to review the status of the environmental threshold carrying capacities for the Basin, the degree to which they are being attained and maintained at the present time, and the mechanisms by which it is anticipated that they will be attained and maintained in the future. (BDR R-308)
6. Urge, by resolution, the TRPA to place priorities on the environmental threshold carrying capacities as part of the next scheduled review of these thresholds in 1995-1996 (for instances in which this action is deemed to be practical and with the understanding that all of the thresholds are to be achieved). (BDR R-309)

"Streamlining" of Agency Operations and Procedures

7. Urge, by resolution, the TRPA:
 - a. To continue to streamline its operations and procedures through such mechanisms as utilization of "Memorandums of Understanding" with units of local government and other entities in the Lake Tahoe Region;
 - b. To continue its efforts to become more "user-friendly" and work more diligently in partnership with other entities to be proactive in providing increased public education with respect to the Agency's programs, activities, goals, and objectives; and
 - c. To encourage a cooperative, interactive atmosphere in an effort to foster flexibility in considering new projects for the area.
(BDR R-310)
8. Transmit a letter from the interim legislative committee to the TRPA urging the Agency to coordinate activities closely with local governments in the Lake Tahoe Basin in order to increase conformity among the code and

ordinance requirements and to provide for unique redevelopment opportunities within each community in the Basin.

Variance Procedure

9. Urge, by resolution, the TRPA to establish procedures for granting variances from the Agency's ordinances for certain types of projects under specified conditions. (BDR R-311)

Flexibility in Land Coverage Transfer Program

10. Transmit a letter from the interim legislative committee to the TRPA urging the Agency to further study the issue of land coverage limitations and mechanisms for increasing flexibility in the transfer of land coverage "rights."

II. STATE AND FEDERAL AGENCY ACTIONS AND PROGRAMS

Following are recommendations addressing the actions and programs of state and federal agencies which are active in the Lake Tahoe Basin.

Multiple Agencies

11. Adopt a resolution:
 - a. Expressing the Legislature's support for the mission of the Forest Health Consensus Group functioning within the Lake Tahoe Basin; and
 - b. Urging the U.S. Congress and appropriate federal and state agencies to provide financial assistance in the accomplishment of the objectives of the Consensus Group relative to management of the forest ecosystem and reduction of fire hazard. (BDR R-312)
12. Direct, by resolution, the relevant state agencies to cooperate with the TRPA and local governments in the Lake Tahoe Basin and to provide information within their fields of responsibility to assist in planning efforts within the Basin (i.e. Nevada's Department of Transportation, Division of Environmental Protection, Division of Forestry, Division of State Lands, and Division of Wildlife). (BDR R-313)

Department of Transportation

13. Amend *Nevada Revised Statutes* (NRS) 244.33514 and NRS 268.446 to provide that revenue generated through the optional room tax may be used for establishing, operating, and maintaining a public transit system. (BDR 20-314)
14. Express, by resolution, support for the Nevada Department of Transportation's partnership and participation in the following projects within the Lake Tahoe area:
 - a. Implementation of the TransCal Field Operation Test;
 - b. The annual planning process associated with the Tahoe Basin Traffic Management Plan; and
 - c. Completion of the Tahoe Intercity Rail Study. (BDR R-315)
15. Transmit letters from the interim legislative committee to the Senate Committee on Finance and the Assembly Committee on Ways and Means urging the members of these standing committees to ensure that Nevada's Department of Transportation allocates additional funds for erosion control projects along U.S. Highway 50 from Spooner Summit to Stateline.
16. Express, by resolution, continued support for designation of the TRPA as a Metropolitan Planning Organization under provisions of the Federal Intermodal Surface Transportation Efficiency Act of 1991. (BDR R-316)

Division of State Lands

17. Place on the statewide ballot a proposal to issue \$20 million in general obligation bonds to support grants to local governments and the Nevada Department of Transportation for erosion control projects and restoration of stream environment zones in the Lake Tahoe Basin (the State Land Registrar in the Division of State Lands being responsible for administration of the grant program). Provide that, if the ballot question is approved, the State Land Registrar is directed to report to the Interim Finance Committee semiannually concerning implementation of the program and expenditure of the funds. (BDR S-317)
18. Direct the Administrator of the Division of State Lands to make available for sale development rights (and any other rights for which the TRPA does not

require retirement) which are appurtenant to property purchased with "excess coverage mitigation fees" transferred to the Division by the TRPA. (BDR S-318)

Division of Environmental Protection

19. Enact legislation providing that, if a cooperative agreement to construct and operate an areawide storm sewer system in the casino core-loop road portion of Stateline, Nevada, is not completed by October 1, 1995, the board of county commissioners of Douglas County is directed to establish an assessment district subject to the provisions of Chapter 271 of NRS to accomplish this purpose. (BDR S-319)

U.S. Postal Service

20. Urge, by resolution, the U.S. Congress and the U.S. Postal Service to initiate and maintain door-to-door mail delivery or other similar programs designed simultaneously to enhance the efficiency of mail delivery and to assist in the effort to reduce traffic congestion and air pollution in the Lake Tahoe Basin. (BDR R-320)

Nevada Tahoe Regional Planning Agency (NTRPA)

21. Transmit letters from the interim legislative committee to the Senate Committee on Finance and the Assembly Committee on Ways and Means explaining that the Lake Tahoe Gaming Alliance has expressed concerns about program modifications since the Division of State Lands was assigned the responsibility of providing staff support for the Nevada Tahoe Regional Planning Agency. Indicate that the Alliance and representatives of the Division have agreed to work together in an effort to address these matters. However, the Alliance would appreciate the opportunity to bring its concerns before the standing committees if these discussions are not successful in alleviating the issues.

III. FUTURE ACTIVITIES OF INTERIM LEGISLATIVE COMMITTEE

22. Continue, by resolution, the existence (during the interim after the 1995 Legislative Session) of the interim legislative committee and broaden its scope of activities to include monitoring of the activities of Federal and state agencies having responsibilities within the Lake Tahoe Basin. (BDR R-321)

**REPORT TO THE 68TH SESSION OF THE
NEVADA LEGISLATURE
BY THE LEGISLATIVE COMMISSION'S COMMITTEE
TO CONTINUE THE REVIEW OF THE
TAHOE REGIONAL PLANNING AGENCY (TRPA)**

I. INTRODUCTION

The 1993 Nevada Legislature adopted Senate Joint Resolution No. 7 (File No. 164, *Statutes of Nevada 1993*, pages 3107 and 3108) which directed the Legislative Commission to appoint a committee to continue the review of the Tahoe Regional Planning Compact and to oversee the activities of the Tahoe Regional Planning Agency. Previous oversight committees had been established after the 1985, 1987 and 1991 Legislative Sessions. A copy of S.J.R. 7 is contained in Appendix A.

The Legislative Commission appointed the following committee to conduct the necessary investigations:

Assemblyman Lynn C. Hettrick, Chairman
Senator Lawrence E. Jacobsen
Senator William R. O'Donnell
Senator Dina Titus
Assemblywoman Vivian L. Freeman
Assemblywoman Gene Wines Segerblom

Legislative Counsel Bureau staff services for the committee were provided by Fred W. Welden of the Research Division (principal staff), Jan K. Needham and J. Randy Stephenson of the Legal Division (legal counsel), and Linda Chandler Law of the Research Division (study secretary).

The committee held four hearings in the Lake Tahoe Basin. Testimony was received from citizens of the Basin, representatives of the TRPA, interest groups active in the Basin, and staff from other state and federal agencies. Background information related to issues of special concern, TRPA programs, and priorities for future action was specifically solicited. As a part of performing its oversight functions, the Committee adopted a total of 22 recommendations.

The present report provides basic information concerning the legislative history of the Tahoe Regional Planning Agency and the Bistate Compact, major elements of the Compact, structure and funding of the TRPA, and public land

purchase programs in the Basin, as well as explaining each committee recommendation. It should be noted, also, that the current report is a supplement to the reports of previous oversight committees which are referenced as follows:

- Legislative Counsel Bureau (LCB) Bulletin No. 87-16, "Review of the Activities of the Tahoe Regional Planning Agency," August 1986;
- LCB Bulletin No. 89-12, "Review of the Activities of the Tahoe Regional Planning Agency 1987-1988," November 1988; and
- LCB Bulletin No. 93-11, "Report of the Legislative Committee to Investigate the Functioning of the Tahoe Regional Planning Compact," September 1992.

II. LEGISLATIVE HISTORY OF THE TAHOE REGIONAL PLANNING COMPACT

A bistate compact (like the Tahoe Regional Planning Compact) must be enacted by both relevant states and ratified by the United States Congress. Likewise, amendments to an existing compact must be enacted in substantively identical language by both states and ratified by Congress.

Although a detailed description of the legislative history of the Tahoe Regional Planning Compact would be complicated by the many proposals which did not achieve agreement between the two states, an outline of the major legislative actions is much less complex.

Creation of the Bistate Compact

The Tahoe Regional Planning Compact (*Nevada Revised Statutes* 277.200) was approved 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.

Initial Efforts and Subsequent Amendment of the Compact

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).

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

Current Proposals for Compact Amendment

Additional modifications, however, have been proposed since the major actions of 1980. One bill was approved in each of Nevada's 1981, 1983 and 1985 Legislative Sessions. In 1987, Nevada enacted Assembly Bill 5 which combined the previous measures and conformed them with applicable California legislation.

The major proposed change is in the structure of the Nevada delegation serving on the Governing Body. The existing Nevada membership consists of three representatives of local governments, one member appointed by the Governor, the Secretary of State, the Director of the State Department of Conservation and Natural Resources, and a seventh member appointed by the other six members of the delegation. 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. Ratification of the proposed amendment would conform the structure of the Nevada delegation to that of the California delegation.

Two bills to ratify this amendment were introduced in the U.S. Congress in 1987. Action was not taken on either measure. Nevada subsequently adopted resolutions in 1989 (S.J.R. 5), 1991 (A.J.R. 25) and 1993 (A.J.R. 5) urging Congress to enact legislation to ratify the proposed amendment. As yet, no such Congressional action has been taken.

III. MAJOR ELEMENTS OF THE TAHOE REGIONAL PLANNING COMPACT

As with the legislative history of the Bistate Compact, the actual text is lengthy. The major elements, however, may be highlighted as follows.

General Policy

The "Findings and Declarations of Policy" highlight the Lake Tahoe Basin's unique environmental and ecological values while simultaneously speaking about the need to provide opportunities for orderly growth and development consistent with the Basin's environmental threshold carrying capacities.

Governing Body and Voting Structure

A Governing Body consisting of 14 members (seven from each state) is created. A relatively complex 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 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 act on routine business.

Major Planning-Related Requirements

The TRPA is directed to adopt:

1. Environmental threshold carrying capacities (environmental standards) necessary to maintain significant scenic, recreational, educational, scientific or natural values of the Region or to maintain public health and safety;
2. A regional plan which, at a minimum, achieves and maintains the adopted environmental threshold carrying capacities; and
3. The ordinances, rules, and regulations necessary to effectuate the adopted regional plan.

Other Specific Provisions

Special rules and 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 before the Agency may approve projects in the Basin. And, the venue for legal actions is defined.

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.

IV. COMPILATION OF NEVADA LEGISLATION ASSOCIATED WITH THE LAKE TAHOE BASIN AND THE TRPA

A substantial number of bills and resolutions concerning the Lake Tahoe Basin and the TRPA have been considered by the Nevada Legislature since the establishment of the Agency. Pages 1 through 6 of LCB Bulletin No. 87-16, "Review of the Activities of the Tahoe Regional Planning Agency," identify each of the relevant measures between 1968 and 1985. A copy of these pages is included as Appendix B in the current report.

Measures enacted or approved in subsequent years (other than the general appropriation and authorized expenditure acts) are as follows:

Measures in 1987

- *Senate Bill 566* authorizes the State Board of Examiners to levy an ad valorem tax to finance bonds issued for acquisition of environmentally sensitive property and construction of erosion control projects in the Lake Tahoe Basin. (The voters of the State approved a \$31 million bond proposal for these purposes at the general election in November of 1986.)
- *Assembly Bill 5* proposes a change in the composition of the Nevada delegation serving on the Governing Body of the TRPA.
- *Assembly Bill 186* provides an additional \$296,000 to the Agency for specific projects.
- *Assembly Bill 578* reprograms the use of a portion of the funding which was appropriated to the TRPA in 1985.
- *Senate Concurrent Resolution No. 16* extends through the next biennium the legislative subcommittee to review the activities of the TRPA.
- *Assembly Joint Resolution No. 17* urges the United States Forest Service to provide that its assessments of the "fair market value" of property in the Lake Tahoe Basin under the Santini-Burton Act include the potential for development of land under the proposed programs of the TRPA.
- *Assembly Joint Resolution No. 18* urges Congress to continue to appropriate money to finance the purchase of environmentally sensitive land in the Lake Tahoe Basin under the authority of the Santini-Burton Act.

Measures in 1989

- *Assembly Bill 198* revises the requirements for the transfer, sale, exchange or lease of land or an interest in land acquired by the State Land Registrar in the Tahoe Basin.
- *Assembly Bill 325* makes an appropriation to the TRPA for payment of various expenses.
- *Senate Joint Resolution No. 5* urges the Congress of the United States to expedite ratification of the amendments to the Tahoe Regional Planning Compact.
- *Assembly Joint Resolution No. 14* urges the Federal Government and the United States Forest Service to cooperate with agencies of the State of Nevada to consummate the exchange of environmentally sensitive public lands located within the Lake Tahoe Basin.

Measures in 1991

- *Senate Bill 390* applies the requirement that fire retardant roofing materials be used in areas designated as "fire hazardous to buildings" within the boundaries or jurisdiction of an agency established by an interstate compact and approved by Congress.
- *Assembly Bill 482* creates an advisory committee to study methods for the removal of snow and ice from roads in the Lake Tahoe Basin.
- *Assembly Joint Resolution No. 17* creates a committee of Nevada Legislators to investigate the functioning of the Tahoe Regional Planning Compact.
- *Assembly Joint Resolution No. 25* urges the Congress of the United States to expedite ratification of the amendments to the Tahoe Regional Planning Compact.
- *Assembly Concurrent Resolution No. 67* demands that the TRPA restrict its activities concerning casino projects.

Measures in 1993

- *Senate Bill 139* establishes a program to mitigate the environmentally detrimental effects of certain uses of land in the Lake Tahoe Basin (Tahoe "Land Bank").
- *Senate Bill 280* creates an account for Lake Tahoe Nevada State Park and authorizes the administrator of the Division of State Parks to expend the money in the account for the repair, operation and maintenance of the sewer and water systems in the park.
- *Senate Joint Resolution No. 6* urges the TRPA to take certain actions to reduce traffic congestion in the Lake Tahoe Basin.
- *Senate Joint Resolution No. 7* directs the Legislative Commission to appoint a committee to continue the review of the Tahoe Regional Planning Compact.
- *Senate Joint Resolution No. 8* expresses support for the designation of the TRPA as a Metropolitan Planning Organization in accordance with the Intermodal Surface Transportation Efficiency Act of 1991.
- *Senate Concurrent Resolution No. 7* directs the Department of Transportation to perform certain functions relating to alternative methods of transportation for the Lake Tahoe Basin.
- *Assembly Joint Resolution No. 2* urges the TRPA to carry out its current plans rather than increasing its ordinances and restrictions.
- *Assembly Joint Resolution No. 3* urges the TRPA to increase its protection of scenery, consider the future demand for outdoor recreation, continue to authorize the appropriate expansion of residential development, and avoid damage to the economy in the Lake Tahoe Basin.
- *Assembly Joint Resolution No. 5* urges the Congress of the United States to expedite ratification of the amendments to the Tahoe Regional Planning Compact.
- *Assembly Concurrent Resolution No. 3* urges the TRPA to continue to increase its efforts to simplify its code of ordinances and its procedures for planning, reviewing and approving development projects.

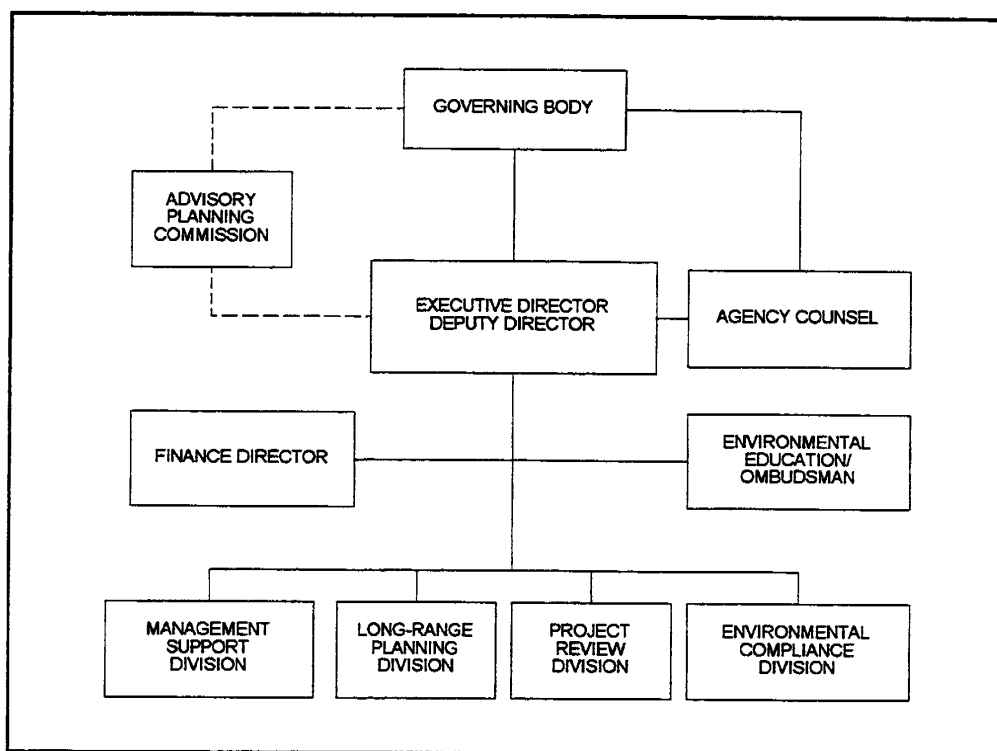
V. TRPA STRUCTURE AND FUNDING

The structure and funding of the TRPA have been of interest to legislators and the public from the time of the Agency's initial activities. The structure is relatively simple and similar to most planning agencies. The funding, however, is complicated because of the multiple sources of revenue.

Agency Structure

The TRPA's structure is based upon major functional responsibilities, as illustrated in the following organizational chart.

TRPA ORGANIZATIONAL CHART



The Governing Body has established five standing committees: capital finance, finance, legal, retirement, and rules. In addition, the Governing Body and staff receive advice from the statutorily created Advisory Planning Commission which consists of a 20-member professional peer group. The planning commission is strictly advisory in character and has no authority to approve/deny projects or change operating rules.

Functions and responsibilities of the Agency's four primary divisions and the Agency Counsel may be summarized as follows:

- The Management Support Division is comprised of the administrative staff which supports the Agency, and its various divisions, in general.
- The Long-Range Planning Division, charged with the interdisciplinary effort in community planning as well as the regional planning process, has expertise in the fields of water quality, hydrology, information management, land classification and use, transportation, and air quality.
- The Project Review Division is made up of two teams--the residential review team, which reviews residential applications, and the commercial/public service team, which reviews all other proposals. Both teams are responsible for: (1) conformance with requirements for environmental assessments and environmental impact statements; (2) fielding public inquiries about application and permit processes; (3) operating public information workshops on these issues; (4) conducting site inspections; and (5) reviewing and approving most applications and plans (only about 10 percent are required to be acted upon by the Governing Body).
- The Environmental Compliance Division reviews and monitors: (1) permits (at any time there are between 3,000 and 4,000 active permit files); (2) exempt and qualified-exempt operations (not requiring permits); and (3) activities occurring outside the permitting process which violate the regional plan or which have not made application to the TRPA. This division is also responsible for monitoring all timber and forest health operations, and coordinating toxic and hazardous spill management with other governmental entities.
- The Agency Counsel is primarily a preventive arm of the organization which attempts to avert difficulties by: (1) interpreting ordinances; (2) reviewing contracts; (3) advising the Governing Body and staff; and (4) handling litigation. Larger constitutional cases, however, are generally assigned to outside contract counsel.

Agency Operating Budgets

As part of its annual reports, the TRPA summarizes its operating budgets. Statistics for the past two fiscal years are as follows:

THE TRPA OPERATING BUDGETS

FISCAL YEAR 1992-1993			
Revenues		Expenditures	
State of California	\$1,063,000	Salaries and Benefits	\$1,890,500
State of Nevada	526,225	Operating Expenses	512,400
Local Government	150,000	Equipment Purchases	11,800
Filing Fees	545,383	Contract Labor	1,079,600
Documents	20,000		
Grants	174,625		
Other	67,242		
Special Projects	710,327		
EIR/EIS Documents	267,000		
Total Revenue	\$3,523,802	Total Expenditures	\$3,494,300

FISCAL YEAR 1993-1994			
Revenues		Expenditures	
State of California	\$ 972,000	Salaries and Benefits	\$1,976,141
State of Nevada	484,725	Operating Expenses	496,162
Local Government	150,000	Equipment Purchases	8,060
Filing Fees/Forfeitures	480,460	Contract Labor	822,472
Grants	1,000,878		
Other	214,945		
Total Revenue	\$3,303,008	Total Expenditures	\$3,302,835

State Contributions To Support the TRPA

The Bistate Compact directs the TRPA to request state funding in the proportion of two-thirds from California and one-third from Nevada. This practice has been followed, and the actual appropriations have usually approximated this proportion. Through the years, however, there are several instances in which the formula was not observed for one reason or another. Generally speaking, Nevada contributed a little more than its calculated share in the early and late 1970s, California contributed somewhat more than its share during the early and mid 1980s, and the proportion has been virtually exact since Fiscal Year (FY) 1987-1988.

The tables, following on pages 11 through 16, depict the two states' contributions since the Agency was created. The third chart highlights contracts between California and the TRPA whereby the Agency administers special programs (some of which are regional and some of which apply only in California).

It also should be noted that these figures constitute only state contributions to support the TRPA's programs. As outlined in the previous subsection of this report, the Agency receives additional revenue from local governments in the Basin, special grants, fees, and investment income. Apparent discrepancies in the figures for state contributions in these tables versus the "Agency Operating Budgets" are based upon different methods of reporting the funds for environmental monitoring and the TEGIS database.

OVERVIEW OF STATE CONTRIBUTIONS TO TRPA FY 1970-1971 THROUGH FY 1984-1985

FISCAL YEAR (FY)	NEVADA FUNDING	CALIFORNIA FUNDING	TOTAL STATE FUNDING
1970-1971	\$ 48,200	\$100,000	\$148,200
1971-1972	50,000	65,000	115,000
1972-1973	50,000	50,000	100,000
1973-1974	25,000	50,000	75,000
1974-1975	25,834	50,000	75,834
1975-1976	15,000	30,000	45,000

FISCAL YEAR (FY)	NEVADA FUNDING	CALIFORNIA FUNDING	TOTAL STATE FUNDING
1976-1977	50,000	100,000	150,000
1977-1978	37,500	75,000	112,500
1978-1979	100,000	37,500	137,500
1979-1980	50,000	0	50,000
1980-1981	50,000	100,000	150,000
1981-1982	150,000	437,110*	587,110*
1982-1983	191,095*	457,223*	648,318*
1983-1984	231,667	684,560*	916,227*
1984-1985	168,555	722,369*	890,924*
*Includes revenue derived from contracts with state agencies.			
Source: Tahoe Regional Planning Agency, July 1986.			

**STATE CONTRIBUTIONS TO TRPA BY CATEGORY
FY 1985-1986 THROUGH FY 1993-1994**

FISCAL YEAR (FY)	NEVADA FUNDING	CALIFORNIA FUNDING	TOTAL STATE FUNDING
FY 1985-1986			
General Support	\$ 179,150	\$ 358,300	\$ 537,450
Governing Board Travel	0	15,000	15,000
Legal Support	108,300	216,600	324,900
Public Awareness Program	9,150	18,300	27,450
Scenic Management Study	11,650	23,300	34,950
Individual Parcel Evaluation*	256,667	0	256,667
Planner Positions	12,400	24,800	37,200
Total	\$ 577,317	\$ 656,300	\$1,233,617
FY 1986-1987			
General Support	\$ 203,500	\$ 542,000	\$ 745,500
Governing Board Travel	0	10,000	10,000

State Contributions to TRPA continued

FISCAL YEAR (FY)	NEVADA FUNDING	CALIFORNIA FUNDING	TOTAL STATE FUNDING
Legal Support	108,000	217,000	325,000
Public Awareness Program	9,000	9,000	18,000
Individual Parcel Evaluation*	0	260,000	260,000
Total	\$ 320,500	\$1,038,000	\$1,358,500
FY 1987-1988			
General Support	\$ 251,000	\$ 492,000	\$ 743,000
Governing Board Travel	0	10,000	10,000
Legal Support	100,000	200,000	300,000
Individual Parcel Evaluation*	0	254,000	254,000
Environmental Monitoring	50,000	100,000	150,000
Community Plans	40,000	80,000	120,000
Shorezone Study	20,000	40,000	60,000
Database	16,000	32,000	48,000
Airport - EIS/Plan	20,000	40,000	60,000
Special Appropriation to South Tahoe Airport	60,000	0	60,000
Total	\$ 557,000	\$1,248,000	\$1,805,000
FY 1988-1989			
General Support	\$ 288,500	\$ 567,000	\$ 855,500
Governing Board Travel	0	10,000	10,000
Legal Support	100,000	200,000	300,000
Environmental Monitoring	140,000	280,000	420,000
IPES Monitoring	25,000	50,000	75,000
Community Plans	40,000	80,000	120,000
Total	\$ 593,500	\$1,187,000	\$1,780,500
FY 1989-1990			
General Support	\$ 313,000	\$ 627,000	\$ 940,000
Governing Board Travel	0	10,000	10,000

State Contributions to TRPA continued

FISCAL YEAR (FY)	NEVADA FUNDING	CALIFORNIA FUNDING	TOTAL STATE FUNDING
Legal Support	100,000	200,000	300,000
Environmental Monitoring	140,000	280,000	420,000
IPES Monitoring	25,000	50,000	75,000
Community Plans	40,000	80,000	120,000
Streamzone Mapping	30,000	60,000	90,000
TEGIS Database	13,000	26,000	39,000
Threshold Evaluation	16,667	33,000	49,667
Total	\$ 677,667	\$1,366,000	\$2,043,667
FY 1990-1991			
General Support	\$ 342,500	\$ 686,000	\$1,028,500
Legal Support	100,000	200,000	300,000
Integrated Monitoring	248,339	496,685	745,024
Total	\$ 690,839	\$1,382,685	\$2,073,524
FY 1991-1992			
General Support	\$ 405,461	\$ 853,000	\$1,258,461
Legal Support	100,000	200,000	300,000
Integrated Monitoring	189,275	378,552	567,827
TEGIS Database	133,867	267,733	401,600
Total	\$ 828,603	\$1,699,285	\$2,527,888
FY 1992-1993			
General Support	\$ 426,225	\$ 853,000	\$1,279,225
Governing Board Travel	0	10,000	10,000
Legal Support	100,000	200,000	300,000
Integrated Monitoring	189,276	379,000	568,276
TEGIS Database	25,000	50,000	75,000
Total	\$ 740,501	\$1,492,000	\$2,232,501
FY 1993-1994			
General Support	\$ 426,225**	\$ 762,000	\$1,188,225**
Governing Board Travel	4,000	10,000	14,000

State Contributions to TRPA continued

FISCAL YEAR (FY)	NEVADA FUNDING	CALIFORNIA FUNDING	TOTAL STATE FUNDING
Legal Support	100,000	200,000	300,000
Environmental Monitoring	189,276	379,000	568,276
TEGIS Database	25,000	50,000	75,000
Total	\$744,501	\$1,401,000	\$2,145,501
*If the contributions for Individual Parcel Evaluation are spread evenly over the 3-year period, these state contributions conform to the formula of two-thirds California and one-third Nevada.			
**The sum of \$45,500 has been withheld due to a reduction in the California budget. Thus, the amount transferred to TRPA in this category totals \$380,725.			
Source: Tahoe Regional Planning Agency, April 1994.			

**CALIFORNIA CONTRACTS WITH TRPA TO
ADMINISTER SPECIAL PROJECTS
FY 1985-1986 THROUGH 1993-1994**

FISCAL YEAR (FY)	CTPRA DEACTIVATION	STATE WATER BOARD	TRANS. DEVELOP. ACT	CALTRANS REGIONAL PLANNING	TOTAL CONTRACT REVENUE
1985-1986	\$120,000	\$103,463	\$ 26,969	\$175,083	\$ 425,518
1986-1987	75,000	80,000	42,235	168,080	365,315
1987-1988	75,000	80,000	38,334	144,879	338,213
1988-1989	75,000	80,000	41,637	82,269	278,906
1989-1990	75,000	72,000	48,219	72,300	267,519
1990-1991	75,000	0	47,000	72,300	194,300
1991-1992	75,000	0	52,537	52,300	179,837
1992-1993	0	0	39,400	52,200	91,600
1993-1994	0	0	38,700	52,100	90,800
TOTALS:	\$570,000	\$415,463	\$375,031	\$871,511	\$2,232,008
Source: Tahoe Regional Planning Agency, April 1994.					

VI. PUBLIC PROGRAMS FOR THE PURCHASE OF PROPERTY AND FINANCING OF EROSION CONTROL PROJECTS

Since the early 1980s, the Federal Government and the States of Nevada and California have administered programs for the purchase of environmentally sensitive property and financing of erosion control projects in the Lake Tahoe Basin.

The Federal Santini-Burton Program

In 1980, the U.S. Congress passed the Santini-Burton Act which was named for the Nevada and California Representatives who functioned as the measure's primary sponsors.

The Act specifies two objectives:

- To provide for the orderly disposal of Federal lands in Clark County, Nevada; and
- To provide for acquisition of environmentally sensitive lands in the Lake Tahoe Basin.

In order to achieve these objectives, the Act calls for revenue from the sale of Federal property in urban Clark County to repay the U.S. Treasury for money allocated from the Land and Water Conservation Fund to the U.S. Forest Service for the acquisition of environmentally sensitive property and construction of erosion control projects in the Lake Tahoe Basin. Thus, money derived from the sale of land in Clark County is not used directly for purchase of property in the Tahoe Basin. A separate, annual appropriation is necessary to authorize release of money from the Land and Water Conservation Fund to support these purchases.

The Act also authorizes a sum equal to 15 percent of the acquisition dollars to be expended for erosion control grants to local governments in the Basin. In addition, it provides that 10 percent of the revenue from Clark County land sales be transferred to the local governments in which the land is located, and 5 percent be sent to the State of Nevada.

In addition to the Federal appropriations, the California Tahoe Conservancy has donated \$8 million to the Santini-Burton program. The following table

summarizes total expenditures for land acquisition and erosion control projects in the Basin.

**EXPENDITURE OF SANTINI-BURTON FUNDS
BY THE U.S FOREST SERVICE
(December 9, 1993)**

Expenditures for Land Acquisition \$89,977,425	Acres Purchased 11,054	Number of Parcels 3,408
Expenditures for Erosion Control Grants \$14,971,367	Number of Projects 65	
Total Expenditures \$104,948,792		
Source: Lake Tahoe Basin Management Unit, U.S. Forest Service		

A total of 360 parcels of land have been sold in urban Clark County under the Santini-Burton program. As related to the required transfer of funds to local governments, the Clark County Department of Parks and Recreation had received slightly less than \$4.3 million through the time of the 1992 distribution, and the Department of Parks and Leisure Activities in the City of Las Vegas had received \$1.9 million. Likewise, the State of Nevada has received \$3.1 million through the program. The following chart compiles the revenue from land sales in Clark County as of the end of 1991.

**REVENUE FROM SALE OF FEDERAL PROPERTY IN CLARK COUNTY
(Subject to Provisions of Santini-Burton Act)**

CALENDAR YEAR	SALE PRICE	ACRES
1981	\$ 117,600.00	5.00
1982	422,750.00	35.00
1983	8,539,350.00	486.28
1984	4,983,075.02	234.87

Revenue from Sale of Federal Property in Clark County - Continued

CALENDAR YEAR	SALE PRICE	ACRES
1985	8,808,955.00	628.76
1986	3,696,025.00	210.00
1987	- 0 -	- 0 -
1988	25,125.90	17.50
1989	11,713,560.42	510.85
1990	17,219,939.09	445.60
1991	578,501.00	17.50
TOTALS	\$56,104,881.43	2,591.36
Source: U.S. Bureau of Land Management.		

Relative to the anticipated future situation, the U.S. Forest Service received a \$2 million appropriation from the Land and Water Conservation Fund for FY 1994. Projections indicate a need for approximately \$14.8 million to complete pending purchases of about 140 parcels in the next few years. Including longer term activities, the Forest Service anticipates a total requirement of about \$25 million to complete the projected land purchases.

Nevada Program

In 1986, the Nevada voters approved a \$31 million bond issue to finance the acquisition of sensitive lands and fund erosion control projects in the Nevada portion of the Basin. As of January 24, 1994, the Division of State Lands had acquired 487 parcels of unimproved, sensitive property from willing private sellers. A total of 143 of these parcels were in Douglas County, while 344 were located in Washoe County. Land acquisition expenditures totalled \$25.3 million with an average price of \$51,955 per parcel.

Fifteen erosion control projects have been funded (seven in Douglas County and eight in Washoe County). The program's erosion control funds were made available to governmental units as matching grants (75 percent state, 25 percent local money). Grants were awarded on the basis of a priority list of potential projects developed by the Nevada Tahoe Conservation District in conformance

with the TRPA's Water Quality Management Plan. Among the 25 applications received, the top 15 projects were funded as follows:

**FUNDING FOR EROSION CONTROL PROJECTS
NEVADA'S TAHOE BOND PROGRAM**

GOVERNMENTAL UNIT	FUNDING AMOUNT
Douglas County	\$5.4 million
Washoe County	2.2 million
Incline Village General Improvement District	<u>.8 million</u>
Total	\$8.4 million
Source: Nevada Division of State Lands	

Virtually all of the funding for this program has been expended.

California Program

The California Tahoe Conservancy administers that state's programs for the purchase of environmentally sensitive property and funding of erosion control projects.

As of June 1993, the Conservancy had spent \$87 million to acquire environmentally sensitive property in the California portion of the Basin. The sum of \$28 million had been allocated to erosion control and site improvement projects, thus bringing the program's total expenditures to \$115 million. Approximately 60 percent of the funds for this program is derived from bonds, while 40 percent comes from other statewide dedicated sources such as environmental license plates and revenue from off-shore oil. Additional aspects of the Conservancy's activities (including implementation of public access and recreation programs, wildlife habitat enhancement, forestry management, and overall administration of the agency) bring the total authorized expenditures to \$146 million at the present time.

VII. DISCUSSION OF RECOMMENDATIONS

As previously highlighted, a total of 22 recommendations were adopted by the Committee. This section of the report provides a discussion of the background information associated with each recommendation.

Recommendations Proposed Through Consensus Process

To enhance the effectiveness of the Committee's initial meetings, the Chairman and principal staff consulted with representatives of several groups which have exhibited a special interest in the Lake Tahoe Basin. Suggested areas of emphasis for the Committee's investigations were derived from these initial discussions. The Committee subsequently approved the areas of emphasis and directed staff to work with the interested parties to compile recommendations relating to each area. Thus, seven of the Committee's 22 recommendations were proposed through a consensus of the following organizations:

- Lake Tahoe Gaming Alliance
- League To Save Lake Tahoe
- Tahoe Regional Planning Agency
- Tahoe-Sierra Preservation Council

Recommendations so derived are noted in the following discussions.

Amendment of the Bistate Compact

The Tahoe Regional Planning Compact was approved in 1969 and significantly amended in 1980. Additional modifications, however, have been proposed since the major actions of 1980. One bill was approved in each of Nevada's 1981, 1983 and 1985 Legislative Sessions. In 1987, Nevada enacted Assembly Bill 5 which combined the previous measures and conformed them with similar California legislation that had been passed during the same period.

The major proposed change is in the structure of the Nevada delegation serving on the Governing Body. The existing Nevada membership consists of three representatives of local governments, one member appointed by the Governor, the Secretary of State, the Director of the State Department of Conservation and Natural Resources, and a seventh member appointed by the other six members of the delegation. 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 Senate, and one member appointed by the Speaker of the Assembly.

Two bills to ratify this amendment were introduced in the U.S. Congress in 1987. Action was not taken on either measure. Nevada subsequently adopted resolutions in 1989 (S.J.R. 5), 1991 (A.J.R. 25), and 1993 (A.J.R. 5) urging Congress to ratify the proposed amendment.

In January of 1994, the Committee transmitted letters to Nevada's Congressional Delegation and the U. S. Senators from California requesting that these officials take an active role in securing ratification of the proposed amendments (See Appendix C). To date, no Federal action has been taken.

Thus, the Committee approved the following recommendation:

- *Urge, by resolution, the United States Congress to ratify amendments to the Bistate Compact which have been adopted by the States of Nevada and California and which provide the Nevada Senate and Assembly direct representation on the TRPA Governing Body. (BDR R-304)*

Partnership Approach

The compilation and implementation of plans for (a) environmental protection, and (b) development within the Region's environmental constraints, have traditionally been accompanied by controversy and conflict among the parties interested in the Lake Tahoe Basin. In recent times, however, these groups have begun working more closely together to address issues of common interest.

During the Committee's hearing process, such a "partnership approach" was proposed by a consensus of the Lake Tahoe Gaming Alliance, the League to Save Lake Tahoe, the TRPA, and the Tahoe-Sierra Preservation Council. Useful models for implementation of the approach include the Tahoe Transportation Coalition, the Tahoe-Truckee Regional Economic Coalition, and the Tahoe Forest Health Consensus Group. Specific elements of the proposed "partnership approach" include:

1. A voluntary, but official, structure through which the TRPA and interested participants work toward consensus in the compilation and implementation of plans;
2. TRPA's incorporation of participation in the "partnership approach" in its work program and budget for staff, Agency operations, contributions as a participant based on contracts/agreements, and contractual support for necessary facilitators/mediators; and
3. Additional components such as: (a) designation, by the TRPA Governing Body, of activities which should utilize the "partnership approach;" (b) guidelines concerning the type and number of TRPA policy and

technical staff which should be assigned to a partnership; and (c) guidelines for determining when a facilitator/mediator should be incorporated in the process.

Funding to support establishment of the partnership approach surfaced as a major concern. The Bistate Compact specifies that the states' basic contributions for support of the TRPA are to be apportioned 2/3 from California and 1/3 from Nevada. Because of a dramatically slumping economy, the State of California was unable to provide its full share of support for FY 1993-1994. Thus, Nevada withheld a portion of its contribution in the amount of \$45,500 and this money reverted to the State General Fund as of July 1, 1994. It is anticipated that California will continue to be unable to provide full funding in FY 1994-1995, and Nevada will withhold an additional \$70,250.

Based on the facts that (1) this Nevada money has already been appropriated, and (2) in recent years, California has effectively contributed more than its official share of the bistate funding by channeling support through the Water Resources Control Board and the California Department of Transportation, the Committee concluded that the withheld Nevada funds should be allocated to the initial implementation of the "partnership approach." The Committee further agreed that Nevada should continue to support the program through the 1995-1997 biennium as a special project. Thus, the following recommendation (in summary format) was approved:

- *Propose a two-step procedure for implementing a "partnership approach" to specific types of activities in the Lake Tahoe Basin.*

1. *Transmit letters from the interim legislative committee to the TRPA, the Budget Director, the State Board of Examiners, and the Legislature's Interim Finance Committee (IFC):*

Urging these entities to take the necessary actions to transfer the withheld Nevada funds to TRPA's Special Projects Budget to support implementation of the "partnership approach" generally as follows:

- a. *The sum of \$75,750 for initiation and operation of the "partnership approach", and*
- b. *The sum of \$40,000 to support a staff position responsible for working within the "partnership approach" to focus on air and water quality programs, including implementation of the capital*

*improvements plan and restoration of stream environment zones;
and*

Asking IFC to direct the TRPA to report to that body semiannually concerning progress in implementation of the "partnership approach" and expenditure of the funds having been released.

2. Enact legislation which:

- a. Appropriates \$30,000 to the TRPA to be used as follows:*
 - i. One-third for operation of the "partnership approach" as previously outlined, and*
 - ii. Two-thirds to support a staff position responsible for working within the "partnership approach" to focus on air and water quality programs, including implementation of the capital improvements plan and restoration of stream environment zones;*
- b. Appropriates \$90,000 to the IFC Contingency Fund to be used as specified in i. and ii. and directs IFC to release the money to the TRPA in semiannual installments based upon review of the Agency's semiannual reports and IFC's determination that the "partnership approach" is being implemented satisfactorily; and*
- c. Directs the TRPA to report to the IFC semiannually (before December 1 and June 1) concerning progress in implementation of the "partnership approach" and expenditure of the funds appropriated through this measure. (BDR S-305)*

The complete text of this recommendation, as approved by the Committee, is printed in the "Summary of Recommendations" on pages iii through vi. Appendix D contains a copy of: the letter transmitted from the Committee to the referenced officials, and a letter from the TRPA to the Directors of Nevada's Department of Conservation and Natural Resources and Budget Division requesting transfer of the funds which have been withheld by the State.

Regional Economic Coalition

It is generally acknowledged that the health of the Lake Tahoe Basin's economic future is interrelated with protection of the Region's unique natural and

environmental resources. In the past, however, many people perceived the area's economic welfare as being at odds with the goal of preserving and enhancing the Basin's environmental qualities.

In 1991, the TRPA released its first *Five-Year Evaluation Report* which contained a summarized status on the state of the local economy. A review of the report by leaders in the business community led to a suggestion that an "economic roundtable" be formed to initiate a public/private dialogue concerning economic issues in the Basin. The roundtable was organized and the participants (1) established a structure to gather and publish economic indicators for the area; (2) organized three comprehensive economic conferences; and (3) agreed that the roundtable structure should be expanded into a regional economic coalition to be directed by a leadership council.

Thus, in 1993 the Tahoe Truckee Regional Economic Coalition (TTREC) was formed. In addition to identifying specific projects to be undertaken, TTREC adopted the following vision and mission statements to guide its future activities:

Vision Statement

The natural environment of the Lake Tahoe Region is our greatest economic asset. We view ourselves as the guardians of a national treasure. Because of the Tahoe region's unique sense of place and environmental values, we seek collaborative partnerships and region-wide cooperation to achieve economic improvement and environmental restoration. Our goal is to ensure the long term harmonious enhancement of our natural and human environment, historical and cultural heritage, and the overall quality of life for residents and visitors.

Mission Statement

The Tahoe Truckee Regional Economic Coalition is an alliance formed to promote a healthy economy, improve quality of life and integrate the goals of economic health and environmental enhancement. The Coalition provides a common platform from which points of view, expertise and philosophies address human, economic, and environmental needs. The Coalition promotes cooperation, action planning, capital investment, improvement, and restoration through the implementation of regional strategies and local projects.

The Committee noted the positive efforts of TTREC as a model for "partnership" approaches and approved the following recommendation which was proposed through a consensus of the Lake Tahoe Gaming Alliance, the League To Save Lake Tahoe, the TRPA, and the Tahoe-Sierra Preservation Council:

- *Adopt a resolution which: (a) acknowledges the valuable efforts of the Regional Economic Coalition; (b) urges the TRPA to continue to participate actively in the Coalition; and (c) urges the Agency to assist in the effort to promote a healthy economy, improve quality of life, and integrate the goals of economic health and environmental enhancement in the Region. Incorporate elements from the Coalition's "Vision Statement" and "Mission Statement" in the preamble of the resolution. (BDR R-306)*

Implementation of Projects

As directed by the Bistate Compact, the TRPA has compiled and adopted several major plans for the protection of the environment in the Lake Tahoe Basin. Examples include the Regional Transportation and Air Quality Plan, the Regional Water Quality Management Plan, the Five-Year Strategic Plan, and Community Plans for Round Hill, Kingsbury, and Stateline, Nevada, as well as Meyers, Tahoe City, and the Stateline-to-Ski Run Boulevard portion of the City of South Lake Tahoe in California.

Testimony before the Committee stressed the need to implement these existing plans, rather than placing emphasis on additional or new planning activities. Proponents give examples like the significant water quality improvements which can be achieved through implementing the highway projects contained in the Regional Plan, and the potential air quality improvements associated with implementation of transit plans. Basically, these people contend that the time has come when more positive environmental results can be achieved through implementation of the existing plans than through compilation of additional plans.

Similarly, testimony pointed out the desirability of the TRPA becoming more proactive in assisting private and public projects which incorporate elements that will have beneficial environmental effects. The need to facilitate designs which achieve their development goals while simultaneously providing for environmental enhancement was emphasized.

Examples of "on-the-ground" projects that have enhanced the environmental quality in the Basin include the South Lake Tahoe redevelopment project, a number of water quality management and erosion control projects throughout the

Basin, projects which incorporate in their designs the replacement of overhead power lines with underground lines, and the redesign and construction of the Kings Beach Conference Center and Park.

Based on the importance of this overall approach to planning and development in the Basin, the Committee adopted the following recommendation:

- *Urge, by resolution, the TRPA to continue and further expand its efforts to emphasize the implementation of existing plans and "on-the-ground" projects which will enhance the environmental quality in the Basin. (BDR R-307)*

Finite Resources and Environmental Thresholds

Major components of natural resource planning include completing an evaluation of the magnitude of the basic resource and compiling projections of the pressures for utilization of that resource. Analysis of the types of resources which may be finite and thus limit development, and study of the thresholds beyond which development will damage the environment, are especially significant in the Lake Tahoe Basin.

The major potentially finite resources in the Tahoe Basin appear to be water quantity and sewer capacity. While neither resource is actually allocated by the TRPA on a regional basis, each has the potential to limit the amount and location of development in the Basin. The TRPA has identified a special need to reserve enough of these resources to support future public needs, such as public services and recreation, so that the capacity is not "used up" by residential and commercial development on a "first-come, first-served" basis.

By interstate agreement with California, a total of 11,000 acre feet of water has been allocated to withdrawals from the Nevada portion of the Tahoe Basin. While all of the allocation has been committed through the water rights permitting process administered by the Nevada State Engineer's Office, the rights are not being fully utilized as yet. At the end of 1992, a total of 9,330 acre feet of water was actually being used. Likewise, utilization of the sewage treatment plant for the City of South Lake Tahoe and the unincorporated area of El Dorado County within the Basin is approaching projected capacity, and the South Tahoe Public Utility District is preparing an environmental impact statement which will reevaluate the plant's capacity as well as assess alternatives for increasing that capacity.

Similarly, in establishing a planning process which addresses capability of the Region to support development without environmental degradation, the Bistate Compact defines "environmental threshold carrying capacity" as:

"an environmental standard necessary to maintain a significant scenic, recreational, educational, scientific or natural value of the region or to maintain public health and safety within the region. Such standards shall include but not be limited to standards for air quality, water quality, soil conservation, vegetation preservation and noise." (Article II, paragraph i)

The requirements that the TRPA adopt these environmental threshold carrying capacities and that the Regional Plan achieve and maintain the capacities is contained in Article V, paragraphs b and c, of the Compact. In the 1980s, the Agency adopted standards for carrying capacities and modified the Regional Plan appropriately. A 5-year review process for the carrying capacities was also instituted. The initial review was completed in 1991, and the next review is scheduled for 1995-1996.

Because of the significance of the subject, the Committee concluded that a legislative declaration would be meaningful and therefore approved the following two recommendations:

- *Urge, by resolution, the TRPA:*
 1. *To function as a facilitator to coordinate an analysis of the resources within the Lake Tahoe Basin which are potentially finite in character and the methods by which these resources are to be allocated; and*
 2. *To continue to review the status of the environmental threshold carrying capacities for the Basin, the degree to which they are being attained and maintained at the present time, and the mechanisms by which it is anticipated that they will be attained and maintained in the future.*(BDR R-308)
- *Urge, by resolution, the TRPA to place priorities on the environmental threshold carrying capacities as part of the next scheduled review of these thresholds in 1995-1996 (for instances in which this action is deemed to be practical and with the understanding that all of the thresholds are to be achieved).* (BDR R-309)

It should be noted that the initial recommendation was proposed by a consensus of the Lake Tahoe Gaming Alliance, the League To Save Lake Tahoe, the TRPA, and the Tahoe-Sierra Preservation Council.

"Streamlining" of Agency Operations and Procedures

In recent years, the public which interacts with the TRPA has become increasingly interested in efforts to create a more positive working atmosphere. Thus, testimony before the Committee has included an abundance of terms like "streamline," "user-friendly," "public education," and "flexibility."

In 1993, the Legislature adopted Assembly Concurrent Resolution No. 3 which urged the Agency to increase its efforts to simplify its code of ordinances and its planning and project review procedures. While the code of ordinances remains complex, the Agency has made strides through entering into "memorandums of understanding" with local governments to delegate review of certain types of proposed projects and to allow the local entities to undertake routine maintenance and repair operations without having to obtain TRPA approval.

A cooperative approach has also been enhanced by the Agency's selection of the following mission statement:

The Tahoe Regional Planning Agency leads the cooperative effort to preserve, restore, and enhance the unique natural and human environment of the Lake Tahoe Basin.

In addition, the Agency has established a full-time position responsible for coordination of public education. The Agency's newsletter entitled "TRPA Perspective" has been upgraded significantly, and public workshops are being conducted relative to the permitting process and the Regional Plan.

Testimony before the Committee supported these actions but reaffirmed the need for the Agency to invest additional efforts in these directions. People speaking before the Committee also highlighted the value of legislative declarations as policy guidelines for the Agency. Thus, the following two recommendations were approved:

- *Urge, by resolution, the TRPA:*
 1. *To continue to streamline its operations and procedures through such mechanisms as utilization of "Memorandums of Understanding" with units of local government and other entities in the Lake Tahoe Region;*
 2. *To continue its efforts to become more "user-friendly" and work more diligently in partnership with other entities to be proactive in providing increased public education with respect to the Agency's programs, activities, goals, and objectives; and*
 3. *To encourage a cooperative, interactive atmosphere in an effort to foster flexibility in considering new projects for the area. (BDR R-310)*
- *Transmit a letter from the interim legislative committee to the TRPA urging the Agency to coordinate activities closely with local governments in the Lake Tahoe Basin in order to increase conformity among the code and ordinance requirements and to provide for unique redevelopment opportunities within each community in the Basin.*

Appendix E provides a copy of the letter transmitted as a result of this recommendation (and a later recommendation concerning flexibility in the transfer of land coverage).

Variance Procedure

Variances are typical tools employed by local planning entities to provide flexibility when strict enforcement of ordinances would result in unnecessary and undue hardship. Although sometimes controversial in their application, variances are most often designed to grant relief when unique physical conditions associated with a piece of property preclude its development in compliance with a specific regulation without creating an undue hardship. Likewise, the proposed alternative approach is only acceptable when it will not violate the overall intent of the regulation.

The TRPA's ordinances are acknowledged to be detailed, complex and relatively inflexible. It is also evident that the physical characteristics of property in the Tahoe Basin are quite diverse. Testimony indicated that the granting of variances under specific circumstances could alleviate significant hardships which sometimes result from a strict application of the regulations. Thus, the Committee adopted the following recommendation:

- *Urge, by resolution, the TRPA to establish procedures for granting variances from the Agency's ordinances for certain types of projects under specified conditions. (BDR R-311)*

Flexibility in Land Coverage Transfer Program

The Committee received a considerable amount of testimony concerning the need to initiate a more flexible program for the transfer of land coverage in the Tahoe Basin. The potential values associated with a more flexible system were discussed, as were some possible negative ramifications.

John Upton, TRPA Vice Chairman, advocated a program which appears to address several issues in the Basin. Additional discussion, however, identified areas in which Mr. Upton's approach might bring about conflicts with the TRPA environmental threshold relative to Basinwide land coverage.

The complexity of the topic limited the Committee's ability to address its many facets in adequate detail. The members, however, acknowledged the significance of the issue and the need for experts in the field to carry the analysis to a workable conclusion. The following recommendation was therefore approved:

- *Transmit a letter from the interim legislative committee to the TRPA urging the Agency to further study the issue of land coverage limitations and mechanisms for increasing flexibility in the transfer of land coverage "rights."*

Appendix E includes a copy of the letter sent to the TRPA as a result of this recommendation (and a previous recommendation concerning coordination with local governments).

Forest Health

During the Committee's hearings, a considerable amount of testimony was received concerning forest health and fire hazards in the Tahoe Basin. Six years of drought have contributed to insect-caused tree mortality rates of 25 to 80 percent in the Basin's forests. In addition to scenic degradation, the dead trees constitute a dramatic fire hazard due to increased fuel. The very real potential for a catastrophic fire threatens not only the life and safety of the Basin's residents and visitors but also the watershed ecosystems that protect the Lake's unique water quality.

The most comprehensive information on this topic was presented by the Tahoe Basin Forest Health Consensus Group. This group consists of representatives from virtually all of the entities having professional expertise in the field, as well as TRPA planning staff and interested citizens. The mission statement for the group reads as follows:

The mission of the Tahoe Basin Forest Health Consensus Group is to recommend to the Tahoe Regional Planning Agency changes to the Regional Plan regarding the forest ecosystem. To accomplish this mission, the group will identify and define objectives and strategies that educate and assist the decision-making bodies and the general public on the current and long-term dynamics of the forest ecosystem by looking at the Tahoe Basin ecosystem as a whole.

Three central tasks of this group are:

1. Define the desired future conditions of the ecosystem.;
2. Develop an ecosystem management strategy that provides guidance for attaining the desired future conditions identified by the Consensus Group; and
3. Recommend an on-going system for monitoring and evaluating the condition of the forest ecosystem and the long-term effectiveness of the management strategies and adapting them to new information and changing conditions.

The initial objective has been achieved and is summarized in the group's paper entitled "Desired Future Conditions of the Lake Tahoe Basin Forest Ecosystem." A copy of the three-page document is included as Appendix F.

Relative to the immediate fire hazard, the Committee transmitted a letter to Nevada's Congressional Delegation and officials of the U.S. Forest Service (USFS). As noted in Appendix G, the letter highlights the dangerous situation, points out that the National Forest lands occupy 75 percent of the Lake Tahoe Basin, and advocates adequate funding for the Federal agency to meet its responsibilities in removing the dead and dying trees. Subsequently, the TRPA approved a plan and the USFS let a contract for the removal of a substantial amount of timber from the east shore of Lake Tahoe. Although the value of the wood will not offset the full cost of the helicopter-assisted harvesting, the revenue is enough to significantly increase in the project's feasibility.

Based upon the importance of the issue, the Committee adopted the following recommendation:

- *Adopt a resolution:*
 1. *Expressing the Legislature's support for the mission of the Forest Health Consensus Group functioning within the Lake Tahoe Basin; and*
 2. *Urging the U.S. Congress and appropriate federal and state agencies to provide financial assistance in the accomplishment of the objectives of the Consensus Group relative to management of the forest ecosystem and reduction of fire hazard. (BDR R-312)*

Information Available from State Agencies

As previously discussed, the goal of increasing the cooperative nature of planning efforts in the Lake Tahoe Basin received emphasis in the Committee's deliberations. Because state agencies maintain a considerable amount of basic information relating to the Basin, their active participation in the collaborative approach is especially necessary. For example, Nevada state agencies having information of obvious value include:

Nevada Department of Transportation - highway status information, traffic counts, and other general transportation-related statistics;

Nevada Division of Environmental Protection - statistics derived from air and water quality monitoring programs and information concerning grant funds which may be available;

Nevada Division of Forestry - data relative to permits for tree removal and information concerning advantageous forest practices;

Nevada Division of State Lands - information about state property, statistics concerning buoys/piers/boat ramps, and information relating to public access to recreational property; and

Nevada Division of Wildlife - data about endangered species and fishery statistics for the shorezone and streams in the Basin.

Although the participation of state agencies has been adequate in the past, increasing the cooperative activities in the Basin will require additional efforts.

Thus, in support of the "partnership approach" to future programs which they advocated, a consensus of the Lake Tahoe Gaming Alliance, the League To Save Lake Tahoe, the TRPA, and the Tahoe-Sierra Preservation Council proposed the following recommendation which was subsequently approved by the Committee:

- *Direct, by resolution, the relevant state agencies to cooperate with the TRPA and local governments in the Lake Tahoe Basin and to provide information within their fields of responsibility to assist in planning efforts within the Basin (i.e., Nevada's Department of Transportation, Division of Environmental Protection, Division of Forestry, Division of State Lands, and Division of Wildlife). (BDR R-313)*

Transportation-Related Recommendations

Transportation and transportation-related facilities play major roles in virtually all planning for the control of air and water pollution in the Basin. Motor vehicle emissions contribute a significant portion of the air pollutants, and runoff from streets and highways constitutes a major segment of the Lake's water pollution.

Implementation of plans for mass transit in the Basin is recognized as providing a key element of the transportation network. As currently written, Nevada law authorizes local governments to use the proceeds from the 1-percent optional room tax only for projects used primarily for vehicular traffic. After considering testimony which advocated broadening this authority to encompass transit programs, the Committee approved the following recommendation:

- *Amend Nevada Revised Statutes (NRS) 244.33514 and NRS 268.446 to provide that revenue generated through the optional room tax may be used for establishing, operating, and maintaining a public transit system. (BDR 20-314)*

As part of the increased emphasis on promoting cooperative efforts, the Committee received testimony concerning the critical nature of the role played by the State's Department of Transportation.

Information provided by the Tahoe Transportation Coalition explained the significance of Nevada's participation in the TransCal Field Operation Test which will furnish sophisticated road and travel information along the Interstate 80 and U.S. Highway 50 corridors from California to Nevada, and provide for the testing of market incentives for transit in the Lake Tahoe area. Also discussed was the

importance of the Tahoe Intercity Rail Study which is analyzing the potential for access to the Tahoe-Truckee and western Nevada areas via rail service as an alternative to the private vehicle. In addition, the relevance of Nevada's participation in the activities relating to the annual updating of the Tahoe Basin Traffic Management Plan was emphasized.

Based upon this testimony, the Committee approved the following recommendation:

- *Express, by resolution, support for the Nevada Department of Transportation's partnership and participation in the following projects within the Lake Tahoe area:*
 1. *Implementation of the TransCal Field Operation Test;*
 2. *The annual planning process associated with the Tahoe Basin Traffic Management Plan; and*
 3. *Completion of the Tahoe Intercity Rail Study. (BDR R-315)*

The street and highway network in the Tahoe Basin represents 40 percent of the land coverage. For several years, applicable studies have concluded that runoff from these streets and highways is a major contributing factor to the degradation of water quality. After reviewing the basic data, a consensus of the Tahoe Gaming Alliance, the League To Save Lake Tahoe, the TRPA, and the Tahoe-Sierra Preservation Council concluded that one of the most significant "on-the-ground" actions which could be taken to enhance the water quality situation at Lake Tahoe is the implementation of erosion control projects along U.S. Highway 50 from Spooner Summit to Stateline in Nevada.

Therefore, the Committee approved a recommendation to:

- *Transmit letters from the interim legislative committee to the Senate Committee on Finance and the Assembly Committee on Ways and Means urging the members of these standing committees to ensure that Nevada's Department of Transportation allocates additional funds for erosion control projects along U.S. Highway 50 from Spooner Summit to Stateline.*

See Appendix H for a copy of the relevant letter which will be transmitted to the appropriate standing committees at the beginning of the 1995 Legislative Session.

Also applicable to the transportation situation in the Tahoe Basin, the Federal Government in 1991 passed the Intermodal Surface Transportation Efficiency Act (ISTEA). Designation under the Act as a Metropolitan Planning Organization (MPO) is significant as one element in obtaining Federal transit and surface transportation funds.

To qualify for such a designation, the Act requires that the Governor and at least 75 percent of the local governments in the area support the MPO classification. The TRPA has obtained resolutions of support from the relevant local governments in the Region and has been working with the state transportation agencies, the Tahoe Transportation Coalition and the Tahoe Transportation District to facilitate the designation. Application was made to Nevada's Department of Transportation to initiate the process and the 1993 Legislature supported the application through approval of Senate Joint Resolution No. 8.

Because the MPO designation has not been achieved and testimony disclosed its continued relevance, the Committee determined that a reaffirmation of the legislative position would be valuable and therefore approved the following recommendation:

- *Express, by resolution, continued support for designation of the TRPA as a Metropolitan Planning Organization (MPO) under provisions of the Federal Intermodal Surface Transportation Efficiency Act of 1991. (BDR R-316)*

Bonds To Fund Implementation of Projects

Testimony throughout the study highlighted the need to emphasize the implementation of existing TRPA plans. The adoption of previously discussed recommendations stressing the implementation of existing plans through "on-the-ground" projects and the need for an erosion control program along U.S. Highway 50 also signify a shift from "planning" to actual "implementation" efforts. In most instances, however, implementation of plans requires significant funding.

One of the most pressing implementation needs is related to erosion control and revegetation. These projects are most often associated with restoration of stream environment zones (SEZs) and erosion control along streets and highways. Anticipated funding requirements to implement these two types of programs for the Nevada portion of the Basin are as follows:

FUNDING REQUIREMENTS FOR EROSION CONTROL AND RESTORATION

USE OF FUNDING	AMOUNT NEEDED
Restoration of Stream Environment Zones	\$13.4 million -- short-term \$31.7 million -- long-term
Erosion Control	\$21.7 million -- short-term \$67.4 million -- long-term
Source: TRPA	

In recent years, the programs designed primarily to acquire sensitive property have provided initial funding for a portion of the needs relative to erosion control. As previously outlined, 15 percent of the Federal Santini-Burton program is being allocated to erosion control projects. A similar portion of Nevada's 1986 Tahoe Bond Program was also used to fund erosion control activities.

The California Tahoe Conservancy, likewise, provides money to implement these types of projects on the California side of the Lake. The current Conservancy budget includes \$3 million per year for these programs, and California officials anticipate that the funding will continue for the foreseeable future.

Based on the needs in the Nevada portion of the Basin and the fact that the State's 1986 bond revenues have been expended, the Committee concluded that the following recommendation should be brought before the Legislature:

- *Place on the statewide ballot a proposal to issue \$20 million in general obligation bonds to support grants to local governments and the Nevada Department of Transportation for erosion control projects and restoration of stream environment zones in the Lake Tahoe Basin (the State Land Registrar in the Division of State Lands being responsible for administration of the grant program). Provide that, if the ballot question is approved, the State Land Registrar is directed to report to the Interim Finance Committee semiannually concerning implementation of the program and expenditure of the funds. (BDR S-317)*

It should be noted that testimony from members of the TRPA Governing Body and a consensus of the Tahoe Gaming Alliance, the League To Save

Lake Tahoe, the TRPA, and the Tahoe-Sierra Preservation Council identified this recommendation relative to the bond issue as one of the most significant proposals to be considered by the Committee.

Sale of Development Rights by Division of State Lands

As one means of controlling runoff and water quality degradation, the TRPA regulates the amount of land which can be covered with surfaces (such as buildings or driveways) that do not allow water to percolate into the ground. "Excess coverage" is the amount of actual surface coverage on a parcel which exceeds the amount allowable under TRPA ordinances.

If a project is proposed for property which already contains "excess coverage," the applicant must remove a portion of the existing coverage or pay a fee to be used for removal of coverage in another location within the same watershed. Through a Memorandum of Understanding with the TRPA, Nevada's Division of State Lands is authorized to use these "excess coverage mitigation fees" to purchase property and retire existing or potential coverage. In some instances, the property purchased by the Division may also have an appurtenant development right (authorization to place a residential unit on the parcel).

Because the Memorandum of Understanding only requires that the Division retire coverage rights, testimony indicated that the remaining development rights could be sold and transferred to other parcels. After considerable discussion of the complexities associated with such activities, the Committee approved the following general recommendation:

- *Direct the Administrator of the Division of State Lands to make available for sale development rights (and any other rights for which the TRPA does not require retirement) which are appurtenant to property purchased with "excess coverage mitigation fees" transferred to the Division by the TRPA. (BDR S-318)*

Areawide Storm Sewer System

The Committee received testimony concerning the need for an effective mechanism to handle runoff in the casino core-loop road portion of Stateline, Nevada. Proposals to construct areawide storm water systems have resulted in controversy from the time such a system was included in original 1973 plans to build the Park Tahoe and Harvey's expansion projects up to the inclusion of an areawide approach in the 1994 Douglas County Community Plan.

While no areawide system has been constructed, property owners have recently expressed a willingness to proceed with the planning phase of such a project. Although all of the interested parties appear to agree that an areawide storm drainage system is needed, the mechanism for funding of construction and operation remains undecided.

After reviewing all of the testimony, the Committee concluded that construction of an areawide system is vital and adopted the following recommendation:

- *Enact legislation providing that, if a cooperative agreement to construct and operate an areawide storm sewer system in the casino core-loop road portion of Stateline, Nevada, is not completed by October 1, 1995, the board of county commissioners of Douglas County is directed to establish an assessment district subject to the provisions of Chapter 271 of NRS to accomplish this purpose. (BDR S-319)*

Door-to-Door Mail Delivery

One of the primary objectives of planning in the Tahoe Basin is the reduction of air pollution. Motor vehicle emissions clearly contribute to the degradation of air quality; and therefore, the TRPA has been developing plans designed to reduce the number of miles driven by motor vehicles ("vehicle miles travelled") in the Basin.

Although door-to-door mail delivery has been implemented in some portions of the Basin, many people are still required to drive to a post office to obtain their daily mail. The TRPA's Regional Transportation Plan - Air Quality Plan calls for door-to-door mail delivery basinwide to reduce "vehicle miles travelled." The Agency has also compiled a "postal service action plan" calling for door-to-door mail delivery in conjunction with other similar programs, such as neighborhood cluster boxes. Projections indicate that basinwide implementation would decrease the current "vehicle miles travelled" by an estimated 57,000 miles per peak summer day. Thus, a unanimous consensus of interested parties supported the Committee's adoption of the following recommendation:

- *Urge, by resolution, the U.S. Congress and the U.S. Postal Service to initiate and maintain door-to-door mail delivery or other similar programs designed simultaneously to enhance the efficiency of mail delivery and to assist in the effort to reduce traffic congestion and air pollution in the Lake Tahoe Basin. (BDR R-320)*

The Nevada Tahoe Regional Planning Agency

The Nevada Tahoe Regional Planning Agency (NTRPA) is composed of the Nevada members of the full TRPA Governing Body. From the origin of the Bistate Compact until 1979/1980, the NTRPA was independently responsible for review of environmental impacts associated with casino-related proposals in the Basin. Changes in Nevada law in 1979 and the Bistate Compact in 1980 eliminated the possibility of new or expanded casinos in the Basin. In place of its original authority, the NTRPA is now responsible for review of the restrictions on internal or external modifications of gaming properties as outlined in the 1979-1980 legislative actions.

In recent years, staff for the NTRPA had been provided through an independent contractor. The 1993 Legislature, however, transferred this responsibility to the Division of State Lands. Testimony from the Lake Tahoe Gaming Alliance indicated that some controversy has arisen between the state agency and the gaming establishments concerning requirements for informational filings. Representatives have agreed to work together in an attempt to resolve these matters, but the Gaming Alliance requested the opportunity to bring their concerns before the appropriate standing committees of the 1995 Legislature, if the issues are not alleviated.

Thus, the Committee approved the following recommendation designed to inform the legislative committees of the situation:

- *Transmit letters from the interim legislative committee to the Senate Committee on Finance and the Assembly Committee on Ways and Means explaining that the Lake Tahoe Gaming Alliance has expressed concerns about program modifications since the Division of State Lands was assigned the responsibility of providing staff support for the Nevada Tahoe Regional Planning Agency. Indicate that the Alliance and representatives of the Division have agreed to work together in an effort to address these matters. However, the Alliance would appreciate the opportunity to bring its concerns before the standing committees if these discussions are not successful in alleviating the issues.*

See Appendix H for a copy of the letter which will be transmitted to the appropriate standing committees at the beginning of the 1995 Legislative Session.

Future Activities of Interim Legislative Committee

Testimony commended the activities of the Committee, especially in its efforts to foster cooperative approaches to planning and project implementation in the Basin. Agencies and interest groups, as well as residents, indicated that the Committee provides a valuable service. Participants in the hearings also expressed support for the Committee's provision of a forum in which issues and programs may be discussed with the legislative policymakers.

Based on this testimony, the Committee approved the following recommendation:

- *Continue, by resolution, the existence (during the interim after the 1995 Legislative Session) of the interim legislative committee and broaden its scope of activities to include monitoring of the activities of federal and state agencies having responsibilities within the Lake Tahoe Basin. (BDR R-321)*

Recommended Legislation

A compilation of the legislation recommended by the Committee is contained in Appendix I.

VIII. ACKNOWLEDGEMENTS AND CONCLUDING COMMENTS

The Committee members wish to acknowledge the assistance of all the participants in the oversight process. Special appreciation is extended to Harvey's Resort Hotel Casino, the Incline Village General Improvement District, and Harrah's Hotel & Casino who provided meeting rooms and valuable technical assistance. Also deserving special recognition are the following people and organizations who participated in the consensus-building process resulting in seven of the Committee's most significant recommendations:

Steve Teshara, Executive Director
Lake Tahoe Gaming Alliance

Rochelle Nason, Executive Director
League To Save Lake Tahoe

David Ziegler, Former Executive Director
Jerry Wells, as Acting Executive Director
James W. Baetge, Current Executive Director
Tahoe Regional Planning Agency

Mary Gilanfar, Executive Director
Tahoe-Sierra Preservation Council

Copies of minutes from hearings, background materials, and previous LCB bulletins are available through the LCB Research Library (702/687-6827).

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APPENDIX A

SENATE JOINT RESOLUTION NO. 7 (FILE NO. 164, STATUTES OF NEVADA 1993)

Senate Joint Resolution No. 7—Committee on Natural Resources

FILE NUMBER 164

SENATE JOINT RESOLUTION—Directing the Legislative Commission to appoint a committee to continue the review of the Tahoe Regional Planning Compact.

WHEREAS, The Tahoe Regional Planning Compact provides for the maintenance of the scenic, recreational, educational, scientific, natural and public health values of the entire Lake Tahoe Basin; and

WHEREAS, The Tahoe Regional Planning Compact establishes the Tahoe Regional Planning Agency to adopt and enforce a regional plan and to provide opportunities for orderly growth and development consistent with the values of the Lake Tahoe Basin; and

WHEREAS, The Legislature of the State of Nevada is vitally concerned with achieving regional goals in conserving the natural resources of the entire Lake Tahoe Basin and with the programs and activities of the Tahoe Regional Planning Agency which affect these goals; and

WHEREAS, Subcommittees of the Legislative Commission have successfully conducted reviews of the programs and activities of the Tahoe Regional Planning Agency on previous occasions; and

WHEREAS, Assembly Joint Resolution No. 17 of the 66th Legislative Session directed the Legislative Commission to appoint a committee of seven members of the Nevada Legislature to review and oversee the functioning of the Tahoe Regional Planning Compact; and

WHEREAS, The review and oversight of the programs and activities of the Tahoe Regional Planning Agency continue to be necessary to ensure proper functioning of the agency; and

WHEREAS, It is vital to remain in communication with members of the Legislature of the State of California to continue to achieve the goals set forth in the Tahoe Regional Planning Compact; now, therefore, be it

RESOLVED BY THE SENATE AND THE ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That the Legislative Commission is directed to appoint a committee of six legislators composed of three senators and three assemblymen to continue the review of the Tahoe Regional Planning Compact and to oversee the Tahoe Regional Planning Agency; and be it further

RESOLVED, That the committee is directed to monitor the budget, program, activities, responsiveness and accountability of the Tahoe Regional Planning Agency; and be it further

RESOLVED, That the committee is directed to continue to communicate with interested members of the Legislature of the State of California to achieve the goals set forth in the Tahoe Regional Planning Compact; and be it further

RESOLVED, That the Secretary of the Senate transmit copies of this resolution to each member of the California delegation to the Tahoe Regional Planning Agency, the President Pro Tem of the Senate and the Speaker of the Assembly of the State of California; and be it further

RESOLVED, That this resolution becomes effective upon passage and approval.

APPENDIX B

HISTORY OF NEVADA LEGISLATION ASSOCIATED WITH THE LAKE TAHOE BASIN (1968-1985)

The Tahoe Regional Planning Agency was created by the States of California and Nevada through a bistate compact in 1969. The general responsibility of the Agency was to plan and manage development in the Basin while preserving the environmental quality.

A. History of Legislation through 1980

The history of the Agency has been turbulent. Planning and legislative activities have usually been complicated and controversial. Legislation concerning the Tahoe Basin has been enacted during every regular session of the Nevada Legislature since the Compact was originally adopted. Following is a summary of the legislative activities through 1980.

**SUMMARY OF NEVADA LEGISLATION FROM 1968 THROUGH 1980
CONCERNING THE LAKE TAHOE BASIN**

<u>Year</u>	<u>Bill Number</u>	<u>Bill Summary</u>
1968	S.B. 9 (Enacted)	Enacts the Tahoe Regional Planning Compact.
1969	S.J.R. 4 (Adopted)	Memorializes Congress to ratify the Tahoe Regional Planning Compact.
1971	S.B. 47 (Enacted)	Provides for early judicial hearings of matters concerning the Tahoe Regional Planning Agency.
	S.B. 413 (Enacted)	Makes an appropriation from the general fund to the state department of conservation and natural resources fund for the purpose of preparing a plan as required by the Tahoe Regional Planning Compact.
1975	S.B. 254* (Enacted, but did not become effective.)	Provides substantive and technical changes to the Tahoe Regional Planning Compact.
	Proposals introduced but not enacted in 1975:	
	S.B. 326	A.B. 781
	S.B. 327	A.C.R. 75
	S.J.R. 13	A.C.R. 86
1977	S.B. 266* (Enacted, but did not become effective.)	Provides substantive changes to the Tahoe Regional Planning Compact.
	Proposals introduced but not enacted in 1977:	
	S.B. 108	A.B. 664
	S.B. 265	A.B. 740
	S.B. 267	

**SUMMARY OF NEVADA LEGISLATION FROM 1968 THROUGH 1980
CONCERNING THE LAKE TAHOE BASIN**

(Continued)

<u>Year</u>	<u>Bill Number</u>	<u>Bill Summary</u>
1979	S.B. 323 (Enacted)	Limits licensed gaming in the Tahoe Basin.
	A.B. 503* (Enacted, but did not become effective.)	Changes structure and substantive requirements of the Tahoe Regional Planning Agency.
Proposals introduced but not enacted in 1979:		
		S.B. 190 A.B. 706
		S.B. 250 A.J.R. 39
		S.B. 252
		S.B. 482
		S.B. 489
1980	A.B. 1 (Enacted)	Amends the Tahoe Regional Planning Compact. (This act became effective upon adoption of the same amendments in California and approval by Congress. Thus, it became the effective Bistate Compact.)

*These Nevada proposals to amend the Bistate Compact did not become effective because the required concurrence of the State of California and Congressional ratification were not received.

After several years of negotiation, the Tahoe Regional Planning Compact was amended substantially in 1980. Bistate compacts and their amendments must be adopted by all involved states and ratified by Congress. California's S. B. 82, which contained amendments to the Tahoe Regional Planning Compact, was enacted and signed by the governor on September 2, 1980. Nevada enacted the compact amendments by passing A.B. 1 in special legislative session on September 13, 1980. Congress ratified the proposal, and the President signed the measure on December 19, 1980.

B. History of Legislation from 1981 through 1985

Revision of the Bistate Compact in the 1980 special session, however, did not bring a halt to the Nevada Legislature's activities concerning the Tahoe Basin. During the 1981 and 1983 legislative sessions, 10 measures relative to Tahoe were introduced. Eight of these measures were enacted, one was vetoed by the governor, and one failed to receive legislative approval. Of the 10 measures introduced in 1985, eight were approved.

Following is a summary of Nevada's legislative activities concerning the Tahoe Basin from 1981 through 1985.

**SUMMARY OF NEVADA LEGISLATION FROM 1981 THROUGH 1985
CONCERNING THE LAKE TAHOE BASIN**

<u>Year</u>	<u>Bill Number</u>	<u>Bill Summary</u>
1981	S.B. 347* (Enacted, but did not become effective.)	Corrects errors made in the enactment of amendments to the Tahoe Regional Planning Compact.
	S.B. 478 (Enacted)	Provides for issuance of bonds and allocation of bond proceeds totalling \$2,550,000 to assist in purchase of the Kahle property in the Tahoe Basin.
	S.B. 710 (Enacted)	Corrects minor errors made in the methods of transmittal and procedures for determining effectiveness of S.B. 347, enacted earlier in the 1981 session.
	A.R. 25 (Adopted)	Expresses the Nevada Assembly's interpretation of the Tahoe Regional Planning Compact. The two points for which interpretations are stated include: <ol style="list-style-type: none"> 1. Not requiring an environmental impact statement for construction of a single-family residence. 2. Not requiring that environmental standards be uniform throughout the Basin.
	A.C.R. 1 (Adopted)	Urges Douglas County officials to assess property in light of the moratorium in the Tahoe Basin.
1983	S.B. 441 (Enacted)	Provides for conferring additional powers on the Tahoe Transportation District, established as part of the Tahoe Regional Planning Compact.
	A.B. 534 (Enacted)	Places a \$20 million bond issue for the purchase of land in the Tahoe Basin on the 1984 ballot in Nevada and provides for administration of the money if the proposal is approved.
	A.C.R. 52 (Adopted)	States the legislative intent that the Tahoe Regional Planning Compact not affect the construction of single-family residences in already approved subdivisions.

Proposals introduced but not enacted in 1983:

A.B. 86 (Vetoed by the governor.)

A.B. 377

**SUMMARY OF NEVADA LEGISLATION FROM 1981 THROUGH 1985
CONCERNING THE LAKE TAHOE BASIN
(Continued)**

<u>Year</u>	<u>Bill Number</u>	<u>Bill Summary</u>
1985	S.B. 191 (Enacted)	Provides funding for special projects and directive to Legislative Commission's Subcommittee To Review the Activities of the TRPA to report to the Interim Finance Committee.
	S.B. 650 (Enacted)	Places before the voters a proposal to issue \$31 million in state bonds to provide money to purchase environmentally sensitive property and undertake erosion control projects.
	A.B. 433* (Enacted, but did not become effective.)	Changes the composition of the Nevada delegation serving on the Governing Body of the TRPA.
	A.B. 675 (Enacted, but did not become effective.)	Conforms the membership of the Nevada TRPA to that of the revised TRPA, if and when the Bistate Compact is amended as proposed in A.B. 433.
	S.C.R. 27 (Adopted)	Directs the Legislative Commission to appoint a subcommittee to review the activities of the TRPA.
	S.J.R. 37 (Adopted)	Requests that the U.S. District Court of Appeals grant the necessary time for a TRPA court case to be heard thoroughly.
	A.C.R. 22 (Adopted)	Urges the TRPA to refrain from using interest from mitigation fees to fund administration of the Agency.
	A.J.R. 27 (Adopted)	Places before the voters a proposed constitutional amendment which would allow exemptions from property taxes for those properties upon which development is prohibited (applies statewide, not just in the Lake Tahoe Basin).

Proposals introduced but not enacted in 1985:

A.B. 59

A.B. 191

*These Nevada proposals to amend the Bistate Compact did not become effective because the required concurrence of the State of California and Congressional ratification were not received.

APPENDIX C

LETTER TO THE NEVADA CONGRESSIONAL DELEGATION AND CALIFORNIA'S U.S. SENATORS IN SUPPORT OF RATIFICATION OF AMENDMENTS TO THE BISTATE COMPACT

The following officials were sent a letter from the Committee (the text of which follows) asking that they take an active role in securing ratification of the amendments to the Bistate Compact.

The Honorable Richard H. Bryan
United States Senator
364 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Harry Reid
United States Senator
324 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Barbara Vucanovich
United States Representative
206 Cannon House Office Building
Washington, D.C. 20515

The Honorable James H. Bilbray
United States Representative
319 Cannon House Office Building
Washington, D.C. 20515

The Honorable Barbara Boxer
United States Senator
112 SHOB, Constitution Ave. & Second St. NE
Washington, D.C. 20510

The Honorable Diane Feinstein
United States Senator
331 SHOB, Constitution Ave. & Second St. NE
Washington, D.C. 20510

January 18, 1994

Dear:

As Chairman of the Nevada Legislature's Committee to Review the Tahoe Regional Planning Agency (TRPA), I have been asked by the members to write you concerning Congressional ratification of proposed amendments to the bistate Tahoe Regional Planning Compact.

Background Information

The bistate Compact was originally approved in 1969. After extensive negotiations between the States of California and Nevada, the document was significantly amended in 1980.

Additional modifications, however, have been approved by the two states since the major actions in 1980. In 1987, Nevada enacted legislation combining previous proposals and conforming them to similar legislation which had been enacted in California. In addition to the more technical modifications, the most significant proposed change addresses the structure of the Nevada delegation serving on the TRPA Governing Board. The proposal replaces the cumbersome Nevada structure with one that mirrors the more balanced California composition, most notably authorizing specific representatives of the State Assembly and Senate to be appointed to the Governing Board.

Although bills have been introduced in Congress to ratify the States' proposed modifications to the Compact, the measures have gotten "tied up" in committee scheduling complications.

Requested Action

Nevada has adopted resolutions in 1989 (S.J.R. 5), 1991 (A.J.R. 25), and 1993 (A.J.R. 5) urging Congress to ratify the proposed amendments to the bistate Compact. The State of California has expressed its support through legislative action, and consistent support is being provided by interested people and groups in the Tahoe Basin.

Through this letter, the Legislative Committee would request that you take an active role in securing Congressional ratification of the proposed amendments to the bistate Compact. Tim Hay, Legal Counsel to Senator Richard Bryan (202/224-6244), has agreed to take the lead in this effort. Any assistance that you can provide would be sincerely appreciated.

Again, I would urge your active support for ratification of the proposed amendments and offer any help that I can provide. I may be contacted at 702/265-4473 in Gardnerville, Nevada.

Very truly yours,
Lynn C. Hettrick

LCH/cl
Code:tpa40048.5

APPENDIX D

LETTERS FROM COMMITTEE AND TRPA REQUESTING TRANSFER OF FUNDS WITHHELD BY STATE OF NEVADA

The following officials were sent a letter from the Committee (the text of which follows) relative to funding the "partnership approach" for TRPA.

Robert J. Miller, Governor
Chairman
State Board of Examiners
Capitol Complex
Carson City, NV 89710

Senator William J. Raggio
Chairman
Interim Finance Committee
P. O. Box 281
Reno, NV 89504-0281

John P. Comeaux
Budget Administrator
Dept. of Administration, Budget Division
209 East Musser Street
Carson City, NV 89710

James W. Baetge
Executive Director
Tahoe Regional Planning Agency
P. O. Box 1038
Zephyr Cove, NV 89448-1038

The following officials were sent a letter from the TRPA (the text of which follows) relative to funding the "partnership approach" for TRPA.

Pete Morros, Director
Department of Conservations and Natural Resources
Capitol Complex
Carson City, NV 89710

Perry Comeaux, Director
Budget Division
Capitol Complex
Carson City, NV 89710

July 5, 1994

Dear:

As Chairman of the Nevada Legislature's Committee To Continue the Review of the Tahoe Regional Planning Agency (TRPA), I have been asked to transmit the Committee's recommendation relative to funding for a special project.

Partnership Approach

As you are probably aware, the compilation of plans for environmental protection and development within the region's environmental constraints have traditionally been accompanied by controversy and conflict among the parties interested in the Lake Tahoe Basin. In recent times, however, these groups have begun working more closely together to address issues of common interest.

Such a "partnership approach" has been advocated by the participants in Tahoe activities and endorsed by the Legislative Committee. Useful models for implementation of the approach include the Tahoe Transportation Coalition, the Tahoe-Truckee Regional Economic Coalition, and the Tahoe Forest Health Consensus Group. Specific elements of the proposed "partnership approach" would include:

- A voluntary, but official, structure through which the TRPA and interested participants work toward consensus in the compilation and implementation of plans;
- TRPA's incorporation of participation in the "partnership approach" in its work program and budget for staffing, operations, contributions as a participant based on contracts/agreements, and contractual support for necessary facilitators/mediators; and
- Additional components such as: (a) designation, by the TRPA Governing Body, of activities which should utilize the "partnership approach," (b) guidelines concerning the type and number of TRPA policy and technical staff which should be assigned to a partnership, and (c) guidelines for determining when a facilitator/mediator should be incorporated in the process.

Funding for "Partnership Approach"

The Tahoe Regional Planning Compact specifies that the states' basic contributions for support of the TRPA are to be apportioned 2/3 from California and 1/3 from Nevada. Because of a dramatically slumping economy, the State of California was unable to provide its full share of support for fiscal year (FY) 1993-1994. Thus, Nevada withheld a portion of its contribution in the amount of \$45,500 and this money has reverted to the State General Fund as of July 1, 1994. It is anticipated that California will continue to be unable to provide full funding in FY 1994-1995, and Nevada will withhold an additional \$70,250.

Based on the facts that (1) this Nevada money has already been appropriated, and (2) in recent years, California has effectively contributed more than its official share of the bistate funding by channeling support through the Water Resources Control Board, the California Department of Transportation, and the California Tahoe Conservancy, the Nevada Legislative Committee concluded that the withheld Nevada funds should be allocated to the initial implementation of the "partnership approach."

Actions Needed

Thus, the Legislative Committee would ask your assistance in taking the necessary actions to secure transfer of the withheld funds into the Special Projects Category of the TRPA budget to support implementation of the "partnership approach" generally as follows:

- i. The sum of \$75,750 for initiation and operation of the "partnership approach" as previously outlined; and
- ii. The sum of \$40,000 to support a staff position responsible for working within the "partnership approach" to focus on air and water quality programs, including implementation of the capitol improvements plan and restoration of stream environment zones.

If it is deemed necessary to allocate revenue from the State's Contingency Fund to offset the money already reverted by TRPA to the State General Fund, the Committee would contend that such an expenditure supplements regular legislative appropriations which fail to cover unforeseen expenses associated with California's inability to make its full contribution. It should also be pointed out that the timing for initiation of the "partnership approach" is crucial in light of imminent prospects for settling a major law suit concerning community plans in the Basin, the success of relevant models for such an approach, and the need to implement capitol improvement plans and stream restoration efforts during the current "building" season.

As a monitoring mechanism, the Committee would further recommend that the TRPA be directed to report to the Legislature's Interim Finance Committee semiannually concerning progress in implementation of the "partnership approach" and expenditure of the funds having been released. As chairman of the Legislative Committee, I would offer my assistance in explaining the need for this program in greater detail and providing any other desired background materials.

Very truly yours,

Assemblyman Lynn C. Hettrick
Chairman
Nevada Legislature's Committee
To Continue Review of the TRPA

LCH/FW/td
Code:trpa40916.5

TAHOE REGIONAL PLANNING AGENCY

308 Doria Court
Elks Point, Nevada

P.O. Box 1038
Zephyr Cove, Nevada 89448-1038

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August 10, 1994

Mr. Pete Morros
Director, State of Nevada
Department of Conservation
and Natural Resources
Capitol Complex
Carson City, NV 89710

Mr. Perry Comeaux
Director, Budget Division
Capitol Complex
Carson city, NV 89710

Subject: TRPA Funding Request to Support the Partnership Approach

Dear Mr. Morros and Mr. Comeaux:

Enclosed is a request for funds from the State of Nevada to support the creation of a partnership approach to resolve various natural resource preservation issues in the Lake Tahoe Region. This approach has been endorsed by the Nevada Legislative Committee reviewing the activities of the Tahoe Regional Planning Agency.

Specifically, TRPA is requesting \$45,500 from the Interim finance Committee Contingency Fund and authorization of a work program revision for FY 1994-95, \$70,250, to support the proposed partnership approach.

TRPA has prepared a justification and proposed work program for this project as well as responses to questions anticipated from your department, the Budget Division and the Nevada Legislature. Additionally, enclosed please find a copy of the recommendations of the Legislative Committee and a letter from Assemblyman Lynn Hettrick, Committee Chairman, endorsing the project.

If you have any additional questions please contract Jerry Wells, Deputy Director, or James Dana, Finance Director, at (702) 588-4547. We would appreciate the opportunity to discuss this request further at your convenience. Thank you for your consideration of this request.

Sincerely,


James W. Baetge
Executive Director

enclosures

/jpd

TAHOE REGIONAL PLANNING AGENCY
REQUEST FOR FUNDS FROM THE STATE OF NEVADA
TO SUPPORT THE PARTNERSHIP APPROACH

Background

During the Nevada Legislative Session of 1993, the Legislature reestablished the Legislative Subcommittee to continue its review of the activities of the Tahoe Regional Planning Agency. At the conclusion of the Legislative Committee's four public hearings held in the Basin, the Committee adopted 22 recommendations that will ultimately be presented to the 1995 Session of the Nevada Legislature. One Committee recommendation calls for the implementation of a "partnership approach" where controversial issues could be resolved by working with interested participants (public and private) throughout the planning process. Due to the Committee's strong commitment to this approach, the Committee also recommended special funding be provided to TRPA by the State of Nevada in the amount of \$115,750 for FY 1994-95. TRPA is requesting that \$45,500 in funds which were reverted by the Administration for FY 1993-94, and \$70,250 in funds appropriated for FY 1994-95 be redirected to this project. These funds have been held by the Administration and not released to TRPA since the State of California failed to provide funds to match monies already appropriated by the Nevada Legislature during the 1993 Session.

Of this total amount of funding, \$15,500 would be used for outside contractor labor assistance and \$100,250 would be used to support TRPA staff including \$43,250 specifically for staff positions to focus on the water quality and Stream Environment Zone (SEZ) restoration implementation program. Additional programs proposed include the parking management program, recreation planning, forest health and forest ecosystem management, and other partnership programs including the Tahoe Truckee Regional Economic Coalition (TTREC), TEAM Tahoe, water and sewer providers, and the interagency Shorezone Review Committee.

For FY 1993-94 the State of Nevada appropriated \$744,501 including \$426,225 in general support, \$100,000 for legal support, \$189,276 for the environmental monitoring program, \$25,000 for the regional database system, and \$4,000 for Nevada Governing Board member travel. For FY 1994-95 Nevada appropriated \$769,251 including \$450,975 for general support, \$100,000 for legal support, \$189,276 for the environmental monitoring program, \$25,000 for the regional database system, and \$4,000 for Nevada Governing Board member travel. The FY 1994-95 appropriation included \$24,750 for general operating cost increases within the \$450,975 general support allocation.

For FY 1993-94 TRPA requested \$853,000 in general operating support from the State of California. This request was sufficient to match the request from Nevada based on the TRPA Compact mandated request format of 2/3:1/3 from the two states. During consideration of our request, the California Legislature reduced the TRPA request for FY 1993-94 by \$91,000 to \$762,000. In response, Nevada reduced the legislatively-approved allocation to TRPA by \$45,500 to \$380,725. For FY 1994-95 the California Legislature maintained the FY 1993-94 appropriation of \$762,000. The State of Nevada therefore maintained its contribution of \$380,725 for FY 1994-95. The reductions by Nevada totalled \$115,750 for the 93-95 biennium, \$45,500 for FY 1993-94 and \$70,250 for FY 1994-95.

TRPA Request

The Tahoe Regional Planning Agency is requesting approval by the Department of Conservation and Natural Resources and the Budget Division to seek approval by the Board of Examiners and the Interim Finance Committee (IFC) for a \$45,500 allocation from the IFC Contingency Fund, and for approval of a work program revision to redirect the use of \$70,250 in FY 1994-95 from general operating costs to support the "partnership approach."

Proposed Expenditures

Partnership Programs	IFC Contingency Funds	FY 1994-95 Redirected Funds	Total Proposed Funds
Water Quality/SEZ Restoration			
Planning Staff (Senior, 1200 hrs)		\$30,500	
Executive Director (100 hrs)		4,400	
Deputy Director (100 hrs)		4,300	
Clerical Support (200 hrs)		4,050	\$43,250
Air Quality/Parking Management Plan			
Planning Staff (Senior, 680 hrs)	\$17,250		
Planning Staff (Assoc. 270 hrs)		6,000	
Executive Director (100 hrs)	4,400		
Deputy Director (100 hrs)	4,300		
Clerical Support (200 hrs)	4,050		
Contract Labor (260)	13,000		49,000
Recreation Plan			
Executive Director (50 hrs)		2,200	
Planning Staff (Senior, 120 hrs)		3,000	5,200
Forest Health			
Planning Staff (Senior, 500 hrs)		12,800	12,800
TEAM Tahoe/TTREC/Sewer/Water/Other			
Planning Staff (120 hrs)		3,000	3,000
Contract Labor (50 hrs)	2,500		2,500
TOTAL	\$45,500	\$70,250	\$115,750
FUNDING	\$45,500	\$70,250	\$115,750

Recommended Activities

Water Quality/Stream Environment Zone Restoration

The Stream Environment Zone (SEZ) Restoration and Erosion Control program has been developed to address the water quality and SEZ environmental threshold goals. Implementation of erosion control projects has been more successful than implementation of SEZ restoration projects. The TRPA threshold goals require that 1,100 acres of SEZ in urban areas and all disturbed SEZ in non-urban areas be restored by 2007. As of the middle of 1994, approximately 85 acres in urban areas and 195 acres in non-urban areas have been restored.

TRPA collects air and water quality mitigation funds when development projects are approved by the Agency. Section 82.6 of the Code of Ordinances requires that 25 percent of the water quality mitigation funds collected be directed specifically toward SEZ restoration. As of June 30, 1994, TRPA is currently holding \$2,685,200 in total water quality mitigation funds. Of this amount \$663,751 is available for SEZ restoration projects. The balance of the funds is available for water quality mitigation projects. In Addition, TRPA is currently holding \$1,459,225 in air quality mitigation funds. TRPA has recently completed Memoranda of Understanding (MOUs) with the five local counties and the City of South Lake Tahoe to streamline the process of passing collected air and water quality mitigation funds through to each of these jurisdictions. The MOUs require each jurisdiction to develop five year project priority lists for TRPA approval. The approval of these lists will facilitate development of regional project priorities. The next major step is to assist in developing these lists and facilitating the project through project design, funding assistance, construction completion, and assessment of project effectiveness.

One major reason that there has been a low investment in restoration projects is the lack of a coordinated program with the local counties who are responsible for project development and implementation. TRPA has identified areas to be restored, but has not been able to aggressively pursue ensuring that projects are funded and completed. This has been primarily due to the lack of a staff person specifically assigned to coordinating project development with the local jurisdictions. TRPA is proposing to assign a current staff member to be responsible for the development of this program. This staff member has been working on Federal grant programs that have been completed and for which continued funding is no longer available. TRPA estimates that this person would spend 1,200 hours on this project during FY 1994-95. In addition, management and clerical staff are projected to spend approximately 400 hours on this program.

TRPA staff will invest the time necessary to refine program elements and coordinate with outside agencies to design, fund, implement, and monitor SEZ restoration/water quality mitigation projects within each of the five local jurisdictions. We will coordinate with the local public works departments to complete a minimum target acreage of SEZ restoration projects on an annual basis. TRPA will facilitate a coordinated program to expend the funds available within each jurisdiction. TRPA will also assist in the preparation of grant proposals to be submitted to state and federal agencies that have funds available for restoration projects under such programs as the Clean Water Act.

These projects will be developed in partnership with the Nevada Division of Environmental Protection, Nevada Department of Transportation, Nevada State Lands, Nevada Tahoe Conservation District, California Tahoe Conservancy, Caltrans, Lahontan Regional Water Quality Control Board, Tahoe Basin Association of Governments (TBAG), Soil Conservation Service, U.S. Forest Service, Environmental Protection Agency, local counties, the City of South Lake

Tahoe, Tahoe Research Group (TRG), League to Save Lake Tahoe, and the Tahoe Sierra Preservation Council.

Air Quality/Parking Management Program

TRPA staff has initiated a "partnership approach" as part of developing proposed strategies which are designed to enhance air quality and vehicle miles travelled (VMT) reductions. As an example, the Tahoe Transportation Coalition (TTC) has been identified as the primary vehicle for fostering a strong working relationship with other entities, and as the Technical Advisory Committee (TAC) for the program. TRPA has recently initiated a Short Range Transit program (S RTP) which outlines proposed projects which, if funded, will significantly increase transit ridership in the Basin. Successful implementation of parking management strategies is a key element of increasing transit ridership. The acceptance of identified strategies, which in most instances are implemented by the private sector, is extremely critical. The development of a parking management program is identified in the Regional Transportation Plan/Air Quality Plan (RTP/AQ Plan) and the 1991 Threshold Evaluation Report. Additionally, the completion of a parking management plan is included in the South Lake Tahoe Airport and Douglas County Community Plan litigation settlement agreements.

With the assistance of a consultant, TRPA recently initiated a parking management strategy which will serve as the foundation for subsequent phases of the parking management program. The next phase will develop specific strategies to be implemented. The "partnership approach" will assist TRPA in developing parking management strategies that will be effective in the Region and which have community support. TRPA will be coordinating development of these strategies with the Nevada Department of Transportation, Caltrans, Tahoe Transportation Coalition, Tahoe Transportation District (TTD), North and South Shore Chambers of Commerce and Transportation Management Associations (TMAs), Tahoe Coalition of Recreation Providers (TCORP), local counties, the City of South Lake Tahoe, the League to Save Lake Tahoe, and the Tahoe Sierra Preservation Council.

TRPA will assign a current staff position to this project. This staff position will spend approximately 680 hours on the program during FY 1994-95. Management, Project Review, and clerical staff support will contribute 670 hours. In addition, TRPA will utilize contract services and the Transportation Management Associations (TMAs) to recommend strategies and assist the Tahoe Transportation Coalition (TTC) in finalizing a parking management program by the end of FY 1994-95. Projected costs for contract services are \$13,000.

Recreation Planning

The Tahoe Coalition of Recreation Providers (TCORP) is a mutual benefit association whose mission is "dedicated to coordinating private and public recreation providers to enhance, unify, and promote recreational experiences within the Lake Tahoe area."

It was formally organized in 1992 following the adoption of the 1991 Threshold Evaluation Report by the TRPA Governing Board. TCORP's purpose is to ensure a partnership approach to recreation planning and project development by actively involving private sector recreation providers.

Long-range program goals include the coordination of recreation planning and project development, preparation of a region-wide capital improvements program for recreation, and

maintaining an aggressive advocacy role for recreation and related activities which serve as the Lake Tahoe Region's economic base.

TCORP is the main forum for preparation of a region-wide capital improvement program for recreation. This plan will include a supply and demand analysis, new facilities location, interim development targets, funding, and development strategies elements. Several baseline tasks are underway including a regional recreation facility inventory, a recreation travel patterns study, and preparation of a regional bikeway master plan. TCORP will also undertake a recreation user's survey and a recreation and travel study to be completed this fiscal year.

TRPA has been involved since the formation of the organization and is a member of the steering committee. Due to general fund budget constraints, TRPA has had to maintain a limited participatory role. The requested funds would allow TRPA to assign current staff members to work for approximately 170 hours on this project during FY 1994-95.

Forest Health

The Forest Health Consensus Group was established from a recognition that Lake Tahoe's forests were declining and that the direction of the forest management in the Region needed to be reevaluated. The group is a partnership between interested citizens and public and private natural resource specialists. The group's mission is to recommend to the TRPA Governing Board changes to the Regional Plan regarding the forest ecosystem. To accomplish this goal the group will identify and define objectives and strategies that educate and assist the decision-making bodies and the general public on the current and long-term dynamics of the forest ecosystem.

The central tasks of the group are: 1) define the desired future conditions of the ecosystem; 2) develop an ecosystem management strategy; 3) recommend an on-going system for monitoring and evaluating the condition of the forest ecosystem and the long-term effectiveness of the management strategies.

This group involves many partners from the public and private sectors. Among those are Nevada and California Divisions of Forestry, U.S. Forest Service, Nevada and California State Lands, UNR Cooperative Extension, U.S. Soil Conservation Service, California-Tahoe Conservancy, Lahontan Regional Water Quality Control Board, Tahoe Regional Fire Chiefs' Association, Tahoe Sierra Preservation Council, League to Save Lake Tahoe, University of California-Davis, Craven Logging, and Sierra Pacific Industries.

TRPA has been the major sponsor and has continued to be directly involved with the Forest Health Consensus Group since its inception. The Group has made a great deal of progress utilizing the consensus process and recognizing that all members are partners in a program that has far reaching ramifications for the health and safety of the Region. The funds requested would allow TRPA to dedicate 500 hours of staff support to this program.

TEAM Tahoe/TTREC and Other Partnerships

TRPA is currently providing staff support to various other partnership groups working on specific issues within the Region. This includes TEAM Tahoe working on recreation management issues along the Highway 28 corridor in the Carson City County portion of the Basin, Tahoe Truckee Regional Economic Coalition working on economic issues, and the interagency Shorezone

Review Committee working on shorezone issues including the Shorezone Cumulative Impact Study.

The Shorezone Cumulative Impact Study is a highly controversial issue. TRPA will be expending its partnership approach to include all affected groups and agencies in an effort to bring these shorezone issues to closure.

TRPA will also be assisting in the formation of a partnership group to address water and sewer capacity issues in the Basin. This effort is being initiated in response to a specific recommendation by the Nevada Legislative Committee.

TRPA is requesting \$3,000 to allow continued utilization of the partnership approach with these groups. The funding will allow TRPA to continue its participation in these programs. TRPA proposes allocating 120 hours of time to these partnership groups. In addition, TRPA is requesting \$2,500 for contract assistance for the TTREC group. This assistance will allow the TTREC group to develop a standardized collection effort of regional economic data and to continue development of the regional Bulletin Board Service (BBS). The regional economic data will be essential for the 1996 Threshold Evaluation. The BBS provides regional E-mail and information services to participating members of the TTREC organization.

FY 1993-94 and 1994-95 Expense Reductions

The funding reduction for FY 1993-94 from the State of Nevada was \$45,500. To offset this reduction, TRPA made cuts in numerous expense categories. The largest reduction was in employee benefits which were reduced from \$316,432 in our legislatively-approved budget to \$282,540 in actual expenses. Reductions were made in two areas, retirement and medical insurance. the retirement reduction totalled \$12,000 and resulted from the use of previous employee forfeitures to reduce the TRPA employer contribution. The use of forfeitures is allowed under the TRPA sponsored retirement program. Forfeitures result from TRPA employer contributions when an employee leaves prior to completing five years of service. Additionally, TRPA reduced health insurance costs by switching from a full service health insurance plan to a partially self-funded plan. TRPA had actual claims approximately \$20,000 under the budgeted maximum liability. TRPA staff training was reduced by \$8,920 from our legislatively-approved budget. There was a corresponding reduction in staff travel of approximately \$6,000 to reflect the elimination of training related travel.

For FY 1994-95, TRPA is maintaining essentially the same level of operating expenses as in FY 1993-94. TRPA is not granting a cost of living adjustment and is not improving the benefits package. TRPA will again be taking advantage of the ability to use employee forfeitures to reduce retirement expenses by \$19,899. For budgeting purposes, TRPA is not anticipating savings within the health insurance program for FY 1994-95. TRPA is budgeting actual building expenses approximately \$6,500 under the legislatively-approved budget primarily due to our office relocation which occurred in March 1993. The relocation has resulted in lower rent costs than had previously been budgeted for FY 1994-95 of 1992. Staff travel expenses are currently budgeted \$5,800 under the original FY 1994-95 submittal. This is due to the reduction of out-of-state travel associated with training. Reproduction and printing expenses are reduced by \$4,000 for FY 1994-95. Postage expenses have been reduced by \$7,500. Other expense reduction areas include film and camera, communication, insurance, general office expenses, repairs and maintenance, equipment leased, and auto expenses.

A new revenue source totalling \$30,000 is projected from the administration of Federal Transportation Funds available through the State of California. This new federal program allocates streets and highway funds to Regional Transportation Planning agencies, which TRPA is designated in California. TRPA is not designated as a recipient agency in Nevada.

The currently adopted TRPA budget for FY 1994-95 includes these requested funds for the partnership program. If this funding request is not granted, TRPA will have to reduce expenses by up to \$115,750. General operating expenses have already been significantly reduced and the only new reduction categories would be staff training, training related travel, and salaries and benefits. approximately three positions based on an annual salary of \$37,000 would have to be reduced. Eliminating training and training travel would save approximately \$19,000.

TRPA has previously used the partnership approach through general fund support. With the exception of a volunteer facilitator in the Forest Health Consensus Group, funded by another participating agency, no facilitators/mediators have been used with the other programs due to budget constraints. For other organizations involved in these various partnerships, their expenses will be paid for by their respective organizations.

TRPA is not requesting matching funds from California due to the current budget crisis in the state. California is, however, contributing to TRPA's planning efforts through Caltrans and with Local Transportation and State Transit Assistance funds. These contributions total \$90,800 for FY 1994-95. These California contributions are not currently matched by Nevada.

The partnership approach activities are not focused solely for programs in the State of Nevada. However, all of the issues are relevant to Nevada and to the Region in general. TRPA is not proposing to use these funds for specific restoration or stabilization work in the Region. The funds will be used for project planning and consensus building. As a result of this planning, TRPA and the Region will be able to access State and Federal funds for implementation of capital improvement projects.

Program Cost Assumptions

Salaries and Benefits:	Annual	Annual	Total	Hourly
Executive Director	\$70,000	\$10,735	\$80,735	\$38.82
Deputy Director	67,394	11,555	78,949	37.96
Senior Planner	36,718	5,755	42,473	20.42
Associate Planner	30,450	5,025	35,475	17.05
Clerical Support	27,102	5,539	32,641	15.70
Operating Overhead:				
Travel/Phone/Insurance/Supplies				5.00
Consulting Services Cost				50.00

Document Dated: August 11, 1994

APPENDIX E

LETTER FROM THE COMMITTEE TO THE TAHOE REGIONAL PLANNING AGENCY CONCERNING:

1. Coordination of Activities with Local Governments; and
2. The Further Study of the Issues of Land Coverage Limitations and Mechanisms for Increasing Flexibility in the Transfer of Coverage Rights.

October 18, 1994

Wayne Chimarusti
Chairman of the Governing Body
Tahoe Regional Planning Agency
300 West Second Street
Carson City, NV 89703

Dear Mr. Chimarusti:

As you are aware, the Nevada Legislature's Committee To Continue the Review of the TRPA has completed its activities for the 1993-1994 interim. The Committee members sincerely appreciate your willingness to provide information and discuss the issues faced by the Agency. The TRPA staff is also to be commended for their positive contributions to the Committee's efforts.

In addition to the areas addressed by legislative resolution, the Committee members felt that the topics of (1) coordination with local governments, and (2) flexibility in the transfer of land coverage could be handled effectively by letter. Thus, I was asked to forward the following recommendations.

Coordination with Local Governments

Testimony highlighted the progress of the Agency in adopting the mission statement emphasizing cooperation and entering into "memorandums of understanding" with local entities to review certain projects and undertake routine maintenance and repair operations without additional TRPA approvals. It was also pointed out, however, that the lack of conformity between the TRPA's Code of Ordinances and those of the local governments causes a considerable amount of unnecessary confusion. Likewise, the Agency's approach to regional situations often does not take into account the unique opportunities associated with specific localities.

Thus, the Committee approved the following recommendation:

- Transmit a letter from the interim legislative committee to the TRPA urging the Agency to coordinate activities closely with local governments in the Lake Tahoe Basin in order to increase conformity among the code and ordinance requirements and to provide for unique redevelopment opportunities within each community in the Basin.

Flexibility in Land Coverage Transfer Program

The Committee also received a significant amount of testimony about the need to initiate a more flexible program for the transfer of land coverage in the Basin. The potential values of a more flexible system were discussed, as were some possible negative ramifications.

John Upton, TRPA Vice Chairman, advocated a program which appears to address several issues in the Region. Additional testimony, however, identified areas in which Mr. Upton's approach might result in conflicts with the Agency's threshold relative to Basinwide land coverage. The complexity of the topic limited the Committee's ability to review its many facets in adequate detail.

The members acknowledged the significance of the issue and the need for experts in the field to carry the analysis to a workable conclusion. The following recommendation was therefore adopted:

- Transmit a letter from the interim legislative committee to the TRPA urging the Agency to further study the issue of land coverage limitations and mechanisms for increasing flexibility in the transfer of land coverage "rights."

Concluding Comments

It is apparent that you and the other members of the TRPA Governing Body invest a great amount of time and energy in the Agency's activities. We would take this opportunity to commend your efforts and request that you favorably consider the Committee's recommendations as part of your upcoming functions.

Very Truly Yours,

Lynn C. Hettrick, Chairman
Committee To Continue the
Review of the TRPA

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APPENDIX F

DESIRED FUTURE CONDITIONS OF THE LAKE TAHOE BASIN FOREST ECOSYSTEM

The Forest Health Consensus Group submitted the following outline of desired future conditions for the Lake Tahoe Basin forest ecosystem.

DESIRED FUTURE CONDITIONS OF THE LAKE TAHOE BASIN FOREST ECOSYSTEM

The Lake Tahoe Forest currently has a number of problems – tree disease, beetle infestation, dead trees, fire hazard, etc. – which have developed since the forest was clear-cut in the late 1800's.

The Forest Health Consensus Group wishes to restore the forest to its condition prior to the arrival of European-American settlers in the mid-1800's. These "Pre-European Settlement Conditions" are defined in terms of the broad forest vegetation types which predominated in different locations. The characteristics of each forest type, recreated from historical evidence, are listed below.

These descriptions serve as general targets for land managers in their effort to re-establish forest health in the Lake Tahoe Basin and represent a mosaic of states that encompass a range of characteristics that occur through the variation of time and landscapes. Our goals will include a gradual return to proportions of age classes, including late successional (old growth) stands that approximate pre-Comstock logging levels. This goal includes recognition of the need to retain and foster stands which exhibit, or which may easily attain, late successional characteristics (large, heavy limbed, broad crowned or very tall trees).

MID-MONTANE - LOWER ELEVATION

Eastside Pine: Jeffrey pine, Ponderosa pine, Sugar pine, White fir (Typical of Eastside Basin)

- Slopes typical of south and west aspects (drier sites)
- Widely spaced, large trees
- Pine dominated
- Herbaceous understory: shrub and grass covered openings
- Fire frequency of 5-10 years of low to moderate intensity and a potential for extensive fires

White fir, Jeffrey pine (Transition Between Lower Elevation & Upper Elevation)

- All slope gradients
- Moist sites typical of north and east aspects
- Moderate to dense stocking with gaps or openings less than one acre
- Mosaic of mostly fir with scattered pines
- Open, patchy understory
- Fire frequency of 8-16 years of low intensity and a potential for extensive fires

White fir, Mixed Conifer: Ponderosa pine, Jeffrey pine, White fir, Sugar pine (Typical of Westside Basin)

- Lower slopes, more often on moister sites in ravines or lakeside
- Pines are often dominant but a mixture of species occur
- Well developed understory of herbs and shrubs
- Frequent low intensity fires

UPPER-MONTANE - UPPER ELEVATION

Red fir, Jeffrey pine

- All slope gradients
- Moderate stocking with gaps and openness between individual trees and groups of trees
- Mostly fir with scattered pines
- Open, patchy understory
- Fire frequency of 40-100 years of low to medium intensity

Red fir, Mountain hemlock, Western white pine, Lodgepole pine

- Clumpy distribution with moderate to dense stocking within clumps
- Infrequent, small or localized fires of low to medium intensity
- Many natural fire barriers

MIXED SUBALPINE - HIGH ELEVATION

Western white pine, Lodgepole pine, Mountain hemlock, Whitebark pine

- Small groups of individual trees and widely scattered
- Small, very infrequent fires

RIPARIAN VEGETATION COMMUNITIES - ALL ELEVATIONS

Lodgepole pine, Aspen, Cottonwood, Alder, Willow

- All slope gradients and all aspects
- Moderate to dense stocking
- Stream Environment Zones (SEZ's) which include meadows, streams, stream banks, seeps, and springs
- Fire frequency with intensity varying with surrounding forest types

FOREST VEGETATION TYPES IN THE LAKE TAHOE BASIN

There are four general forest vegetation types within the Lake Tahoe Basin: Mid-montane and Upper-montane, Mixed subalpine, and Riparian which can occur within any of the previous three. Several recognizable vegetation communities exist within each of the forest vegetation types. For example, a vegetation community characterized by red fir, mountain hemlock, and western white pine is recognizable within the Upper-montane vegetation type.

When describing or mapping vegetation, it is tempting and convenient to describe discrete vegetation communities separated by solid lines. On the ground, it is rarely so neat and simple.

The change from one vegetation community to a neighboring one is characterized more by a gradient than a clean boundary. Adjoining communities phase into one another, and the overlap area, frequently called an "ecotone," has some vegetation attributes of both communities. The width of this overlap area may vary from one to many yards. But the important point is that there is generally a gradation between communities which causes neat, precise mapping to misrepresent reality to a degree, and which can certainly confound overly-simplistic land management direction-setting.

There is also variation within vegetation communities. Subtle changes in such environmental factors as: slope, soils, aspect, moisture regimes, biological influences, past and present land use practices, or fire frequency and intensity create a range of conditions within even a single vegetation community. Variations in the above environmental factors create complexity in what might otherwise be simple vegetation descriptions. Also, interaction among these and other factors further complicate community descriptions. Examples of such variations and interactions among the above environmental factors are described below:

SLOPE: Changes in slope steepness can affect drainage (and therefore available moisture) and fire intensity. See the discussion of moisture regimes, and fire frequency and intensity for the effects on species mix within forest communities. Steeper slopes have a greater potential for erosion.

SOILS: Soils in the Lake Tahoe Basin are of either volcanic or granitic origin. Granitic soils tend to be more well-drained and drier than volcanic soils. These differences can lead to a change in vegetation. Drier sites tend to support more Jeffrey pine and moister sites tend to support a higher percentage of fir. Other soil factors also influence vegetation. These include physical, biological, and chemical make-up of soils. Differences in soils can occur gradually and can result in subtle variations in vegetation, although on occasion, an abrupt change may occur.

ASPECT: North and east-facing aspects are noticeably cooler and more moist than south aspects. Typically, then, one might find purer stands of Jeffrey pine on south and west-facing slopes, and purer stands of fir on north-facing slopes, all other factors being equal.

MOISTURE REGIMES: Close proximity to bodies of surface water, a shallow local water table, and basins formed by changes in slope can create a more moist micro-site and produce a subtle change to a wetter site species. Consequently, we may find lodgepole pine and/or aspen growing within communities typified by Jeffrey pine or fir. The eastside of the Basin is generally drier than the westside. Land use can also affect moisture regimes.

BIOLOGICAL INFLUENCES: Plants, animals, insects, and microorganisms, etc., influence each other within the forest ecosystem. The associations which occur between the many biological organisms of the forest in turn affect the distributions and densities of communities within the ecosystem. Parasitism, predation, allelopathy, seed distribution, fungal and bacterial associations are examples of biological processes which have influenced vegetation patterns within the Lake Tahoe Basin ecosystem.

PAST AND PRESENT LAND USE PRACTICES: Human activities such as logging, road construction, urbanization, fire suppression and others have affected the composition of vegetation communities. For instance, where selective logging of certain species (e.g. Jeffrey pine) has occurred, the residual species (e.g. white fir) may come to dominate the site. Also, exclusion of fire will lead to changes in arrangement, composition, and age of vegetation. The combination of these and other human activities has resulted in the conversion of open pine stands to ones containing a higher proportion of fir trees growing more closely together. In addition, human activities have altered the proportion of the forest in each age class. For example, much of the Basin was clear-cut in the late 1800's. The forest ecosystem is therefore predominantly second growth and has more uniformity in age and maturity than the pre-European settlement forest.

FIRE FREQUENCY AND INTENSITY: In pre-settlement times, fires exerted a profound influence in the development and maintenance of the forests in the Lake Tahoe Basin. Fire frequency is the measure of how often a specific piece of ground experiences a fire. Fire intensity is the measure of how much heat is released by a fire. Together, for a specific geographic area, they constitute the primary elements of what is called a 'fire regime.' For example, the pre-settlement fire regime of the mixed conifer forests of the Basin could be described as frequent, mostly isolated low intensity fires. Infrequent stand replacement fires also helped shape the forest.

Pre-settlement fire regimes with frequent lightning and Native American ignitions, resulted in forests with a different species composition and stand characteristics than today. For example, in Mid-montane forests of the Basin, fire suppression has radically reduced the frequency of fire. Lack of fire has favored the increased dominance of white fir over Jeffrey pine and suppressed reproduction of shrub and herb species. Also, tree densities and fuel accumulation has increased without frequent fire. High intensity wildfires are more likely with current fuel conditions.

Fire is key in the maintenance of biological diversity. Many plants have adaptations which ensure survival in fire regimes. Improved wildlife habitat often result from the effects of fire. Under pre-settlement conditions, the pattern of stands across the landscape were probably more diverse, which in turn may have limited the spread of both fires and insect epidemics.

In summary, forest type classifications are helpful in describing pre-European settlement conditions. These classifications describe the forest as if it was made up of pure stands. In fact, variations in one or more of the above environmental factors will produce stands which exhibit complex mixtures of these characteristics.

(REVISED 1/12/94 - cjt)

APPENDIX G

LETTER FROM THE COMMITTEE TO THE U. S. FOREST SERVICE

The following officials were sent a letter from the Committee (the text of which follows) advocating adequate funding for the U. S. Forest Service to meet its responsibilities in the removal of dead and dying trees in the Tahoe Basin.

The Honorable Richard H. Bryan
United States Senator
364 Russell Senate Office Building
Washington, D.C. 20510

The Honorable Harry Reid
United States Senator
324 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Barbara Vucanovich
United States Representative
206 Cannon House Office Building
Washington, D.C. 20515

The Honorable James H. Bilbray
United States Representative
319 Cannon House Office Building
Washington, D.C. 20515

Jack Ward Thomas
United States Forest Service
U. S. Department of Agriculture
201 14th Street SW at
Independence Avenue SW
Washington, D.C. 20250

Robert Harris, Forest Supervisor
United States Forest Service
Lake Tahoe Basin Management Unit
870 Emerald Bay Road, Suite 1
South Lake Tahoe, CA 96150

June 9, 1994

Dear:

The Nevada Legislature's Committee To Continue Review of the Tahoe Regional Planning Agency (TRPA) has received considerable testimony concerning the forest health and fire hazard in the Lake Tahoe Basin.

Six years of drought in the area have contributed to insect-caused tree mortality rates of 25 to 80 percent in the Basin's forests. Even more important than the scenic degradation is the dramatic increase in fire hazard created by the fuels associated with these dead trees. The very real potential for a catastrophic fire threatens not only the life and safety of the Basin's residents and visitors but also the watershed ecosystems that protect the Lake's unique water quality.

National Forest lands occupy 75 percent of the Lake Tahoe Region, and the U.S. Forest Service's Lake Tahoe Basin Management Unit has demonstrated that, when adequately funded, it can satisfactorily remove the dead and dying trees which create this serious fire threat. The Tahoe Basin Forest Health Consensus Group, consisting of representatives from virtually all of the entities having professional expertise in the field, has joined the TRPA and many other knowledgeable parties to advocate sufficient funding for the Management Unit to meet its responsibilities in this area.

The members of the Nevada Legislature's Committee To Continue Review of the TRPA would lend their support to this effort. In addition, we would request your assistance to ensure that the necessary funding is made available to address this most serious threat to the natural and human environment in the Lake Tahoe Basin.

Very truly yours,

Lynn C. Hettrick, Chairman
Committee To Continue the Review of the
Tahoe Regional Planning Agency

LCH:FWW:ld
Code:tpaV26

APPENDIX H

LETTER FROM THE COMMITTEE TO THE CHAIRMEN OF THE SENATE COMMITTEE ON FINANCE AND THE ASSEMBLY COMMITTEE ON WAYS AND MEANS REGARDING:

1. Allocation of additional funds for erosion control projects along U.S. Highway 50 from Spooner Summit to Stateline; and
2. Concerns expressed by the Lake Tahoe Gaming Alliance relative to program modifications implemented by the Division of State Lands.

January 16, 1995

Dear:

As Chair of the Legislative Commission's Committee To Continue the Review of the Tahoe Regional Planning Agency (TRPA), I was asked by the Committee members to transmit a letter to you concerning activities in the Tahoe Basin. During the 1993-1994 interim, the Committee considered testimony in two areas which are addressed by your standing legislative committee.

Erosion Control Projects along U.S. Highway 50

The street and highway network in the Tahoe Basin represents 40 percent of the land coverage. For several years, applicable studies have concluded that runoff from these streets and highways is a major contributing factor to the degradation of water quality. After reviewing the basic data, a consensus of the Tahoe Gaming Alliance, the League To Save Lake Tahoe, the TRPA, and the Tahoe-Sierra Preservation Council concluded that one of the most significant, "on-the-ground" actions which could be taken to enhance the water quality situation at Lake Tahoe is the implementation of erosion control projects along U.S. Highway 50 from Spooner Summit to Stateline in Nevada.

Their testimony, supplemented by the Committee's personal inspection of the highway erosion problems, resulted in approval of the following recommendation:

Transmit letters from the interim legislative committee to the Senate Committee on Finance and the Assembly Committee on Ways and Means urging the members of these standing committees to ensure that Nevada's Department of Transportation allocates additional funds for erosion control projects along U.S. Highway 50 from Spooner Summit to Stateline.

Staff Support for the Nevada Tahoe Regional Planning Agency

The Nevada Tahoe Regional Planning Agency (NTRPA) is composed of the Nevada members of the full TRPA Governing Body. From the origin of the Bistate Compact until 1979/1980, the NTRPA was independently responsible for review of environmental impacts associated with casino-related proposals in the Basin. Changes in Nevada law in 1979 and the Bistate Compact in 1980 eliminated the possibility of new or expanded casinos in the Basin. In place of its original authority, the NTRPA is now responsible for review of the restrictions on internal or external modifications of gaming properties which were included in the 1979-1980 legislative actions.

In recent years, staff for the NTRPA has been provided through an independent contractor. The 1993 Legislature, however, transferred this responsibility to the Division of State Lands. Testimony from the Lake Tahoe Gaming Alliance indicated that some controversy has arisen between the state agency and the gaming establishments concerning requirements for informational filings. Representatives have agreed to work together in an attempt to resolve these matters, but the Gaming Alliance requested the opportunity to bring their concerns before the appropriate standing committees of the Legislature, if the issues are not alleviated.

Thus, the Committee approved the following recommendation designed to inform the legislative committees of the situation:

Transmit letters from the interim legislative committee to the Senate Committee on Finance and the Assembly Committee on Ways and Means explaining that the Lake Tahoe Gaming Alliance has expressed concerns about program modifications since the Division of State Lands was assigned the responsibility of providing staff support for the Nevada Tahoe Regional Planning Agency. Indicate that the Alliance and representatives of the Division have agreed to work together in an effort to address these matters. However, the Alliance would appreciate the opportunity to bring its concerns before the standing committees if these discussions are not successful in alleviating the issues.

Your consideration of these matters is sincerely appreciated. The erosion control projects along U.S. Highway 50 are essential to the overall water pollution abatement efforts in the Tahoe Basin, and the staffing for the NTRPA is important as it relates to the efficient operation of the major economic enterprises in the Nevada portion of the Basin. I would offer to explain these situations to your Standing Committee in greater detail or provide any other assistance you may desire.

Sincerely,

Assemblyman Lynn C. Hettrick
Chairman
Nevada Legislature's Committee
To Continue Review of the TRPA

LCH:ld
Code:tpa130 and 31

APPENDIX I

SUGGESTED LEGISLATION PURSUANT TO SENATE JOINT RESOLUTION NO. 7 (FILE NO. 164, *STATUTES OF NEVADA 1993*)

<u>BDR</u>	<u>Summary</u>	<u>Page</u>
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BDR R-306	Supports efforts of Tahoe Truckee Regional Economic Coalition to promote strong economy and enhance quality of life in Lake Tahoe Basin	84
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BDR R-308	Urges Tahoe Regional Planning Agency to assist in coordinating analysis of resources within Lake Tahoe Basin which are potentially finite in nature and to continue to review status of environmental threshold carrying capacities for Lake Tahoe Basin	90
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BDR R-310	Urges Tahoe Regional Planning Agency to continue to simplify its operations and procedures and to encourage cooperation between persons interested in protecting environment of Lake Tahoe Basin	96
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BDR R-312	Expresses support of Nevada Legislature for mission of Tahoe Basin Forest Health Consensus Group and urges Congress and certain federal and state agencies to provide assistance in accomplishment of that mission . .	101
BDR R-313	Directs certain state agencies to cooperate with Tahoe Regional Planning Agency and local governments in Lake Tahoe Basin and to provide information within their fields of responsibility	104
BDR 20-314	Allows proceeds from optional tax on revenues from within of transient lodging imposed within transportation district to be used for public transit system	106
BDR R-315	Expresses support of nevada legislature for participation of Department of Transportation in certain projects in Lake Tahoe Basin	110
BDR R-316	Expresses continued support for designation of Tahoe Regional Planning Agency as Metropolitan Planning Organization	112
BDR S-317	Requires submission of proposal to issue general obligation bonds to provide grants to local governments and department of transportation for projects for controlling erosion and restoring natural watercourses in Lake Tahoe Basin	115
BDR S-318	Requires administrator of division of state lands of state department of conservation and natural resources to offer for sale certain rights to develop real property in Lake Tahoe Basin	117
BDR S-319	Provides for construction of storm sewer project within Lake Tahoe Basin	119
BDR R-320	Urges Congress and United States Postal Service to provide for delivery of mail in Lake Tahoe Basin	122
BDR R-321	Directs Legislative Commission to appoint committee to continue review of Tahoe Regional Planning Compact	125

SUMMARY--Urges Congress to expedite ratification of amendments to Tahoe Regional Planning Compact made by State of California and adopted by Nevada Legislature. (BDR R-304)

FISCAL NOTE: Effect on Local Government: No.
 Effect on the State or on Industrial Insurance: No.

JOINT RESOLUTION--Urging the Congress of the United States to expedite ratification of the amendments to the Tahoe Regional Planning Compact made by the State of California and adopted by the Nevada Legislature in 1987.

WHEREAS, The text of the Tahoe Regional Planning Compact is set forth in full in NRS 277.200; and

WHEREAS, The compact was amended by the State of California and the amendments were adopted by the Nevada Legislature in 1987; and

WHEREAS, The amendments become effective upon their approval by the Congress of the United States; and

WHEREAS, The amendments would authorize certain members of the California and Nevada delegations which constitute the governing body of the Tahoe Regional Planning Agency to appoint alternates to attend meetings and vote in the absence of the appointed members, alter the selection process of

the Nevada delegation and further expand the powers of the Tahoe Transportation District; and

WHEREAS, The compact was enacted to achieve regional goals in conserving the natural resources of the entire Lake Tahoe Basin and the amendments are consistent with this objective; now, therefore, be it

RESOLVED BY THE AND THE OF THE STATE OF NEVADA, JOINTLY, That the Legislature of the State of Nevada hereby urges the Congress of the United States to expedite ratification of the amendments to the Tahoe Regional Planning Compact made by the State of California and adopted by the Nevada Legislature in 1987; and be it further

RESOLVED, That the of the prepare and transmit a copy of this resolution to the Vice President of the United States as presiding officer of the Senate, the Speaker of the House of Representatives and each member of the Nevada Congressional Delegation; and be it further

RESOLVED, That this resolution becomes effective upon passage and approval.

SUMMARY--Makes appropriations for establishment and operation of program to provide for preparation and implementation of plans for protection and development of Lake Tahoe Basin by all interested participants. (BDR S-305)

FISCAL NOTE: Effect on Local Government: No.
 Effect on the State or on Industrial Insurance: Contains
 Appropriation.

AN ACT relating to the Tahoe Regional Planning Agency; making an appropriation for the development and operation of a program which would provide for the preparation and implementation of plans for the protection and development of the Lake Tahoe Basin by all interested participants; making an appropriation to the contingency fund for the continued support of such a program; and providing other matters properly relating thereto.

WHEREAS, The preparation and implementation of plans for the protection and development of the Lake Tahoe Basin have often been accompanied by controversy and conflict between persons interested in protecting the region; and

WHEREAS, A program which would provide for the preparation and implementation of such plans by all interested participants, commonly referred

to as the "partnership approach," would alleviate many of the controversies and conflicts that have arisen in the past; and

WHEREAS, Many useful models exist for the development of such an approach, including, but not limited to, the Tahoe Transportation Coalition, the Truckee-North Tahoe Transportation Management Association, the Tahoe-Truckee Regional Economic Coalition and the Forest Health Consensus Group; and

WHEREAS, The components of such an approach would include, without limitation:

1. A mechanism by which the Tahoe Regional Planning Agency and all interested participants develop and carry out, jointly, plans for the protection and development of the Lake Tahoe Basin which comply with the environmental threshold carrying capacities established by the agency while providing opportunities for orderly growth and development;
 2. The incorporation of such an approach in the work program of the Tahoe Regional Planning Agency and the provision of necessary funding in the budget of the agency to carry out such an approach; and
 3. The adoption of guidelines by the governing body of the Tahoe Regional Planning Agency which include:
 - (a) The circumstances under which such an approach would be utilized;
 - (b) The personnel that would be required to carry out such an approach and a statement of their primary duties and responsibilities; and
 - (c) The circumstances under which mediators would be utilized;
- and

WHEREAS, The funding which would have been available to carry out this approach has decreased in recent years as a result of the reduced contributions made for the support of the Tahoe Regional Planning Agency by the State of California because of reductions made in that state's budget, and the withholding of a portion of this state's contributions in reaction to those reductions; and

WHEREAS, The adoption of a partnership approach is of such value to the management, preservation and enhancement of the resources of the Lake Tahoe Basin and, in particular, to the resources of that portion of the basin located in Nevada, that the initial implementation of the program should be funded as a special project by the State of Nevada; now, therefor,

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. 1. There is hereby appropriated from the state general fund to the Tahoe Regional Planning Agency the sum of \$30,000 to be used as follows:

(a) To develop and operate a program which would provide for the preparation and implementation of plans for the protection and development of the Lake Tahoe Basin by all interested participants, commonly referred to as the "partnership approach," pursuant to the standards set forth in the preamble of this act\$10,000

(b) To pay the costs related to the appointment of a member of the agency's staff whose primary duty is to utilize such an approach to carry out programs

for the preservation of air and water quality in the Lake Tahoe Basin, including the agency's plan for capital improvements and the restoration of stream environment zones\$20,000

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 1997, and reverts to the state general fund as soon as all payments of money committed have been made.

Sec. 2. 1. There is hereby appropriated from the state general fund to the contingency fund created pursuant to NRS 353.266, for allocation by the interim finance committee pursuant to the provisions of this section, the sum of \$90,000.

2. Notwithstanding the provisions of NRS 353.266, 353.268 and 353.269, the interim finance committee shall allocate the money appropriated pursuant to subsection 1 as follows:

(a) If, by December 1, 1995, the interim finance committee receives a report from the Tahoe Regional Planning Agency describing the manner in which the money appropriated pursuant to section 1 of this act has been expended during the quarter ending on December 31, 1995, and the committee determines that the program funded by that appropriation is being carried out in a satisfactory manner, the interim finance committee shall allocate to the Tahoe Regional Planning Agency by January 1, 1996:

For the purposes set forth in paragraph (a) of subsection 1	
of section 1 of this act.....	\$10,000
For the purposes set forth in paragraph (b) of subsection 1	
of section 1 of this act.....	\$20,000

(b) If, by June 1, 1996, the interim finance committee receives a report from the Tahoe Regional Planning Agency describing the manner in which the money appropriated pursuant to section 1 of this act has been expended during the quarter ending on June 30, 1996, and the committee determines that the program funded by that appropriation is being carried out in a satisfactory manner, the interim finance committee shall allocate to the Tahoe Regional Planning Agency by July 1, 1996:

For the purposes set forth in paragraph (a) of subsection 1	
of section 1 of this act.....	\$10,000
For the purposes set forth in paragraph (b) of subsection 1	
of section 1 of this act.....	\$20,000

(c) If, by December 1, 1996, the interim finance committee receives a report from the Tahoe Regional Planning Agency describing the manner in which the money appropriated pursuant to section 1 of this act has been expended during the quarter ending on December 31, 1996, and the committee determines that the program funded by that appropriation is being carried out in a satisfactory manner, the interim finance committee shall allocate to the Tahoe Regional Planning Agency by January 1, 1997:

For the purposes set forth in paragraph (a) of subsection 1	
of section 1 of this act.....	\$10,000
For the purposes set forth in paragraph (b) of subsection 1	
of section 1 of this act.....	\$20,000

3. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 1997, and reverts to the state general fund as soon as all payments of money committed have been made.

Sec. 3. This act becomes effective on July 1, 1995.

SUMMARY--Supports efforts of Tahoe Truckee Regional Economic Coalition to promote strong economy and enhance quality of life in Lake Tahoe Basin. (BDR R-306)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: No.

JOINT RESOLUTION--Acknowledging the efforts of the Tahoe Truckee Regional Economic Coalition in promoting a strong economy and the enhancement of the quality of life in the Lake Tahoe Basin and urging the Tahoe Regional Planning Agency to continue to participate actively as a member of the Coalition.

WHEREAS, The Tahoe Truckee Regional Economic Coalition is an alliance formed to promote a strong economy, to improve the quality of life and to integrate the goals of economic productivity and the enhancement of the environment in the Lake Tahoe Basin; and

WHEREAS, The Coalition provides a common platform from which varying points of view, areas of expertise and philosophies may be presented to address human, economic and environmental needs of the region; and

WHEREAS, Through the adoption of regional strategies and the implementation of local projects, the Coalition encourages cooperation and planning among competing interests in the Lake Tahoe Basin, and promotes

the investment of capital for the improvement and restoration of the environment surrounding Lake Tahoe; and

WHEREAS, The natural environment of Lake Tahoe is the greatest economic asset of the Lake Tahoe Basin and the residents and businessmen located in the area consider themselves to be guardians of a national treasure; and

WHEREAS, The goal of the Tahoe Truckee Regional Economic Coalition is to ensure the long-term and harmonious enhancement of Lake Tahoe's natural and human environment, its historical and cultural heritage and its overall quality of life for residents and visitors; now, therefore, be it

RESOLVED BY THE AND OF THE STATE OF NEVADA, JOINTLY, That the Legislature of the State of Nevada hereby acknowledges the valuable efforts of the Tahoe Truckee Regional Economic Coalition in promoting a strong economy, improving the quality of life and integrating the goals of economic health and environmental enhancement in the Lake Tahoe Basin; and be it further

RESOLVED, That the Tahoe Regional Planning Agency is urged to continue to participate actively as a member of the Tahoe Truckee Regional Economic Coalition and assist in its efforts to achieve its goals; and be it further

RESOLVED, That the of the prepare and transmit a copy of this resolution to the governing body of the Tahoe Regional Planning Agency and the Tahoe Truckee Regional Economic Coalition; and be it further

-- 3 --

RESOLVED, That this resolution becomes effective upon passage and approval.

SUMMARY--Urges Tahoe Regional Planning Agency to continue to carry out its current plans and to expand further its efforts to emphasize implementation of those plans and other plans and projects which enhance environmental quality of Lake Tahoe Basin.
(BDR R-307)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: No.

JOINT RESOLUTION--Urging the Tahoe Regional Planning Agency to continue to carry out its current plans and to expand further its efforts to emphasize the implementation of those plans and other plans and projects which enhance the environmental quality of the Lake Tahoe Basin.

WHEREAS, The Tahoe Regional Planning Agency has adopted several major plans for the protection of the environment and the development of real property in the Lake Tahoe Basin, including its Regional Transportation and Air Quality Plan, Regional Water Quality Management Plan and Five-Year Strategic Plan, all of which currently contain provisions for their implementation; and

WHEREAS, The Tahoe Regional Planning Agency has also adopted other plans and projects which are intended to enhance the environmental quality of the Lake Tahoe Basin, including several projects for the management of water

quality and the control of erosion throughout the basin, projects for the removal and underground placement of overhead power lines, community plans for Round Hill, Kingsbury, Stateline, Meyers and Tahoe City, a redevelopment project for South Lake Tahoe, and a plan for the redesign and construction of the Kings Beach Conference Center and Park; and

WHEREAS, The implementation of those plans and projects and the further expansion of efforts to emphasize the implementation of other plans and projects without unnecessary delay would be beneficial to the environment of the Lake Tahoe Basin and the people of the State of Nevada; and

WHEREAS, Assembly Joint Resolution No. 2 of the 67th session of the Legislature of the State of Nevada urged the Tahoe Regional Planning Agency to carry out its current plans through the implementation of existing regulations instead of through the adoption of additional restrictions and by actively assisting in the design of proposals for the development of real property that would not detract from the environmental quality of the Lake Tahoe Basin; now, therefore, be it

RESOLVED BY THE AND THE OF THE STATE OF NEVADA, JOINTLY, That the Nevada Legislature hereby urges the Tahoe Regional Planning Agency to continue to carry out its current plans and to expand further its efforts to emphasize the implementation of those plans and other plans and projects which enhance the environmental quality of the Lake Tahoe Basin; and be it further

-- 3 --

RESOLVED, That the _____ of the _____ prepare and transmit a copy of this resolution to the governing body of the Tahoe Regional Planning Agency; and be it further

RESOLVED, That this resolution becomes effective upon passage and approval.

SUMMARY--Urges Tahoe Regional Planning Agency to assist in coordinating analysis of resources within Lake Tahoe Basin which are potentially finite in nature and to continue to review status of environmental threshold carrying capacities for Lake Tahoe Basin. (BDR R-308)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: No.

JOINT RESOLUTION--Urging the Tahoe Regional Planning Agency to assist in the coordination of an analysis of the resources within the Lake Tahoe Basin which are potentially finite in nature and to continue to review the status of the environmental threshold carrying capacities for the Lake Tahoe Basin.

WHEREAS, Many resources in the Lake Tahoe Basin are finite in nature, the most significant of which include the quantity of water and the resources that are available for the treatment of sewage; and

WHEREAS, Both of those resources, while not presently being allocated by the Tahoe Regional Planning Agency on a regional basis, would potentially limit the amount and location of development in the Lake Tahoe Basin if a shortage of either were to occur; and

WHEREAS, The provisions of NRS 277.200 require the Tahoe Regional Planning Agency to develop environmental threshold carrying capacities for

the Lake Tahoe Basin and incorporate those capacities into the regional plan so that those capacities are achieved and maintained; and

WHEREAS, The Tahoe Regional Planning Agency has initiated a process for the review of environmental threshold carrying capacities every 5 years, and the next review is scheduled to occur in 1995; and

WHEREAS, The sewage treatment plant for the City of South Lake Tahoe is approaching its projected maximum capacity, and the city is preparing an environmental impact statement which will reevaluate the capacity of the plant and assess alternatives for increasing that capacity; now, therefore, be it

RESOLVED BY THE AND OF THE STATE OF NEVADA, JOINTLY, That the Tahoe Regional Planning Agency is hereby urged to:

1. Assist in the coordination of an analysis of the resources within the Lake Tahoe Basin which are potentially finite in nature and the methods by which those resources are to be allocated; and

2. Continue to review the status of the environmental threshold carrying capacities for the Lake Tahoe Basin, and the degree to which those capacities are currently being achieved and maintained and the mechanisms by which they will be achieved and maintained in the future;

and be it further

RESOLVED, That the of the prepare and transmit a copy of this resolution to the governing body of the Tahoe Regional Planning Agency; and be it further

-- 3 --

RESOLVED, That this resolution becomes effective upon passage and approval.

SUMMARY--Urges Tahoe Regional Planning Agency to rank environmental threshold carrying capacities for Lake Tahoe Basin in their order of priority. (BDR R-309)

FISCAL NOTE: Effect on Local Government: No.
 Effect on the State or on Industrial Insurance: No.

JOINT RESOLUTION--Urging the Tahoe Regional Planning Agency to rank, where practicable, the environmental threshold carrying capacities for the Lake Tahoe Basin in their order of priority.

WHEREAS, The provisions of NRS 277.200 require the Tahoe Regional Planning Agency to develop environmental threshold carrying capacities for the Lake Tahoe Basin and to incorporate those capacities into the regional plan to ensure that the capacities are achieved and maintained; and

WHEREAS, Pursuant to the provisions of NRS 277.200, an environmental threshold carrying capacity is defined as an environmental standard necessary to maintain a significant scenic, recreational, educational, scientific or natural value in the Lake Tahoe Basin or to maintain public health and safety within the basin; and

WHEREAS, The standards for environmental threshold carrying capacities must include, but are not limited to, standards for air quality, water quality, soil conservation, vegetation preservation and noise; and

WHEREAS, In some instances, the various environmental threshold carrying capacities adopted by the Tahoe Regional Planning Agency to protect the Lake Tahoe Basin may conflict and cannot be carried out in a consistent manner without emphasizing certain capacities over others; and

WHEREAS, A limited amount of revenue is available to ensure that all of the required environmental threshold capacities are successfully maintained; and

WHEREAS, The Tahoe Regional Planning Agency has initiated a process for the review of environmental threshold carrying capacities every 5 years, and the next such review is scheduled to occur in 1995 and 1996; now, therefore, be it

RESOLVED BY THE AND OF THE STATE OF NEVADA, JOINTLY, That the Tahoe Regional Planning Agency is hereby urged to rank, where practicable, the environmental threshold carrying capacities for the Lake Tahoe Basin in their order of priority as part of its next scheduled review of those capacities in 1995 and 1996; and be it further

RESOLVED, That if the Tahoe Regional Planning Agency ranks the environmental threshold carrying capacities of the Lake Tahoe Basin in their order of priority, the agency is urged to rank those capacities with the understanding that all of the environmental standards that are required to protect the basin are to be achieved and maintained; and be it further

RESOLVED, That the of the prepare and transmit a copy of this resolution to the governing body of the Tahoe Regional Planning Agency; and be it further

-- 3 --

RESOLVED, That this resolution becomes effective upon passage and approval.

SUMMARY--Urges Tahoe Regional Planning Agency to continue to simplify its operations and procedures and to encourage cooperation between persons interested in protecting environment of Lake Tahoe Basin. (BDR R-310)

FISCAL NOTE: Effect on Local Government: No.
 Effect on the State or on Industrial Insurance: No.

JOINT RESOLUTION--Urging the Tahoe Regional Planning Agency to continue to simplify its operations and procedures and to encourage cooperation and interaction between interested persons when considering new projects proposed for the Lake Tahoe Basin.

WHEREAS, The Tahoe Regional Planning Compact established the Tahoe Regional Planning Agency to adopt and enforce a regional plan and to provide opportunities for orderly growth and development in the Lake Tahoe Basin; and

WHEREAS, The Tahoe Regional Planning Agency has stated that its mission is to lead a cooperative effort to preserve, restore and enhance the unique natural and human environment of the Lake Tahoe Basin; and

WHEREAS, The Tahoe Regional Planning Agency has provided the services of a member of its staff who is responsible for the coordination of public education concerning the goals, objectives, programs and activities of the Tahoe Regional Planning Agency; and

WHEREAS, The Tahoe Regional Planning Agency has conducted workshops for members of the public concerning the regional plan and the process by which permits are obtained for various projects in the Lake Tahoe Basin; and

WHEREAS, The Tahoe Regional Planning Agency has initiated efforts to simplify its operations and procedures for planning, reviewing and approving various projects by entering into numerous memoranda of understanding which:

1. Delegate specified responsibilities to local governments for the review of development projects proposed for the Lake Tahoe Basin;
2. Allow local governments in the Lake Tahoe Basin to perform routine maintenance and repairs without being required to obtain the approval of the Tahoe Regional Planning Agency; and
3. Provide for greater coordination between local, state and federal agencies interested in carrying out plans and enforcing regulations in the Lake Tahoe Basin;

now, therefore, be it

RESOLVED BY THE AND OF THE STATE OF NEVADA, JOINTLY, That the Tahoe Regional Planning Agency is hereby urged to:

1. Continue to simplify its operations and procedures for planning, reviewing and approving various projects in the Lake Tahoe Basin through mechanisms such as the increased utilization of memoranda of understanding with other local, state, regional and federal agencies;

2. Continue its efforts to accommodate a wider variety of interests in the Lake Tahoe Basin and to work diligently in partnership with other local, state, regional and federal agencies in providing increased public education concerning the goals, objectives, programs and activities of the Tahoe Regional Planning Agency; and

3. Encourage cooperation and interaction between all persons interested in preserving and enhancing the environment of the Lake Tahoe Basin in order to foster flexibility when considering new projects proposed for the basin; and be it further

RESOLVED, That the _____ of the _____ prepare and transmit a copy of this resolution to the governing body of the Tahoe Regional Planning Agency; and be it further

RESOLVED, That this resolution becomes effective upon passage and approval.

SUMMARY--Urges Tahoe Regional Planning Agency to establish procedures to grant variances from ordinances adopted pursuant to Tahoe Regional Planning Compact for certain projects. (BDR R-311)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: No.

JOINT RESOLUTION--Urging the Tahoe Regional Planning Agency to establish procedures to grant variances from the ordinances adopted pursuant to the Tahoe Regional Planning Compact for certain projects.

WHEREAS, The Tahoe Regional Planning Compact specifies the powers and duties of the Tahoe Regional Planning Agency; and

WHEREAS, Subject to its authority under the Tahoe Regional Planning Compact, the Tahoe Regional Planning Agency has adopted ordinances which are detailed, complicated and relatively inflexible; and

WHEREAS, Strict enforcement of the ordinances of the Tahoe Regional Planning Agency in all circumstances may create unfairness because the physical characteristics of the property in the Lake Tahoe Basin are diverse, and unique and peculiar conditions may be associated with certain projects; and

WHEREAS, Procedures to grant variances are necessary to provide flexibility in the enforcement of the ordinances of the Tahoe Regional

Planning Agency when the strict enforcement of the ordinances would result in unnecessary delay and hardship; and

WHEREAS, The Tahoe Regional Planning Agency has determined that it has the authority to establish procedures to grant variances from the ordinances adopted pursuant to the Tahoe Regional Planning Compact, so long as the variances granted maintain the environmental threshold carrying capacities established by the agency; now, therefore, be it

RESOLVED BY THE AND OF THE STATE OF NEVADA, JOINTLY, That the Legislature of the State of Nevada urges the Tahoe Regional Planning Agency to establish procedures to grant variances from the ordinances adopted pursuant to the Tahoe Regional Planning Compact when, based on unique and peculiar conditions associated with certain projects, the strict enforcement of the ordinances would result in unnecessary and undue hardship; and be it further

RESOLVED, That the of the prepare and transmit a copy of this resolution to the governing body of the Tahoe Regional Planning Agency; and be it further

RESOLVED, That this resolution becomes effective upon passage and approval.

SUMMARY--Expresses support of Nevada Legislature for mission of Tahoe Basin Forest Health Consensus Group and urges Congress and certain federal and state agencies to provide assistance in accomplishment of that mission. (BDR R-312)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: No.

JOINT RESOLUTION--Expressing the support of the Nevada Legislature for the mission of the Tahoe Basin Forest Health Consensus Group and urging Congress and certain federal and state agencies to provide financial and other assistance in the accomplishment of that mission.

WHEREAS, The drought which has occurred in the last 6 years in the Lake Tahoe Basin has created conditions in the forests of the basin wherein there is widespread infestation of beetles and other diseases causing an estimated 25 to 80 percent rate of mortality for trees and creating an extremely dangerous and potentially catastrophic fire hazard; and

WHEREAS, The threat of fire and the drastic decline in the health of the forests in the Lake Tahoe Basin presents a serious threat to the natural and human environment in the Lake Tahoe Basin; and

WHEREAS, The Tahoe Basin Forest Health Consensus Group, formed in October 1992, is a voluntary organization consisting of interested residents of the basin and specialists in the management of natural resources; and

WHEREAS, The stated mission of the Tahoe Basin Forest Health Consensus Group is to recommend to the Tahoe Regional Planning Agency certain changes to the regional plan which would assist in restoring the health of the ecosystem of the forests in the Lake Tahoe Basin; and

WHEREAS, To accomplish its mission, the Tahoe Basin Forest Health Consensus Group has stated that it will, by examining the ecosystem of the Lake Tahoe Basin in its entirety, identify and define objectives and strategies intended to educate and assist the public and the various local, state, regional and federal agencies in the Lake Tahoe Basin on the current and long-term dynamics of the ecosystem of the forests; and

WHEREAS, Approximately 75 percent of the lands of the Lake Tahoe Basin lie within the lands belonging to the national forest; and

WHEREAS, The United States Forest Service has indicated that, when adequately funded, it could satisfactorily remove the dead and dying trees in the basin; and

WHEREAS, An effective and safe transition from the current unhealthy condition of the forests to a healthy and manageable condition requires vision and commitment from all those concerned; now, therefore, be it

RESOLVED BY THE AND OF THE STATE OF NEVADA, JOINTLY, That the Legislature of the State of Nevada expresses its support for the mission of the Tahoe Basin Forest Health Consensus Group in

recommending to the Tahoe Regional Planning Agency those changes to the regional plan which would assist in restoring the health of the ecosystem of the forests in the Lake Tahoe Basin and the reduction of the threat of catastrophic fires; and be it further

RESOLVED, That the Congress of the United States and the various federal and state agencies that regulate activities in the Lake Tahoe Basin are hereby urged to provide financial and other assistance to the Tahoe Basin Forest Health Consensus Group in the accomplishment of its mission; and be it further

RESOLVED, That the _____ of the _____ prepare and transmit a copy of this resolution to the Vice President of the United States as presiding officer of the Senate, the Speaker of the House of Representatives, each member of the Nevada Congressional Delegation, the United States Forest Service, the Division of State Lands of the State of Nevada and the Division of Wildlife of the State of Nevada; and be it further

RESOLVED, That this resolution becomes effective upon passage and approval.

SUMMARY--Directs certain state agencies to cooperate with Tahoe Regional Planning Agency and local governments in Lake Tahoe Basin and to provide information within their fields of responsibility.
(BDR R-313)

CONCURRENT RESOLUTION--Directing certain state agencies to cooperate with the Tahoe Regional Planning Agency and the local governments in the Lake Tahoe Basin and to provide information within their fields of responsibility.

WHEREAS, The Tahoe Regional Planning Agency was created pursuant to the provisions of the Tahoe Regional Planning Compact in order to enhance the efficiency and governmental effectiveness of the Lake Tahoe Basin; and

WHEREAS, The provisions of the Tahoe Regional Planning Compact authorize the Tahoe Regional Planning Agency to adopt and enforce a regional plan and carry out ordinances so that established environmental threshold carrying capacities can be achieved and maintained while at the same time providing opportunities for orderly growth and development consistent with those capacities; and

WHEREAS, The Department of Transportation and the Division of Environmental Protection, the Division of Forestry, the Division of State Lands and the Division of Wildlife of the State Department of Conservation and Natural Resources each possess and maintain information in their respective fields of responsibility in the Lake Tahoe Basin which, if provided to the

Tahoe Regional Planning Agency, would assist in the efforts of the agency to protect the environment of the basin and plan for orderly and environmentally responsible growth in the area; and

WHEREAS, The Division of Environmental Protection is represented on the Advisory Planning Commission of the Tahoe Regional Planning Agency and the Division of State Lands and the Division of Wildlife are participating members of the Shorezone Project Review Committee; now, therefore, be it

RESOLVED BY THE OF THE STATE OF NEVADA, THE

CONCURRING, That the Department of Transportation and the Division of Environmental Protection, the Division of Forestry, the Division of State Lands and the Division of Wildlife of the State Department of Conservation and Natural Resources are hereby directed to cooperate with the Tahoe Regional Planning Agency and the various local governments in the Lake Tahoe Basin and to provide them with information within their respective fields of responsibility which would be of assistance in the efforts to protect the environment of the basin and plan for the orderly and environmentally responsible growth of the area; and be it further

RESOLVED, That the of the prepare and transmit a copy of this resolution to the governing body of the Tahoe Regional Planning Agency, the Department of Transportation and the Division of Environmental Protection, the Division of Forestry, the Division of State Lands and the Division of Wildlife of the State Department of Conservation and Natural Resources.

SUMMARY--Allows proceeds from optional tax on revenues from rental of transient lodging imposed within transportation district to be used for public transit system. (BDR 20-314)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: No.

AN ACT relating to taxation; authorizing the proceeds from an optional tax on revenues from the rental of transient lodging that is imposed within a transportation district to be used for a public transit system within the district; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 244.33514 is hereby amended to read as follows:

244.33514 1. In a transportation district in which a tax has been imposed pursuant to paragraph (b) of subsection 1 of NRS 244.3351, the proceeds of the tax and any applicable penalty or interest must be retained by the county and used to pay the cost of:

[1.] (a) Projects related to the construction and maintenance of sidewalks, streets, avenues, boulevards, highways and other public rights of way used primarily for vehicular traffic, including, without limitation, overpass projects, street projects and underpass projects, as defined in NRS 244A.037, 244A.053

and 244A.055, within the boundaries of the district or within such a distance outside those boundaries as is stated in the ordinance imposing the tax, if the governing body finds that such projects outside the boundaries of the district will facilitate transportation within the district;

[2.] (b) Payment of principal and interest on notes, bonds or other obligations issued by the county to fund projects described in [subsection 1; or 3.] *paragraph (a)*;

(c) *Establishing, operating and maintaining a public transit system within the boundaries of the district; or*

(d) Any combination of those uses.

2. *As used in this section, "public transit system" means a system employing motor buses, rails or any other means of conveyance, by whatever type of power, that is operated for public use in the conveyance of persons and provides local transportation within a transportation district.*

Sec. 2. NRS 244A.256 is hereby amended to read as follows:

244A.256 1. A county may pledge any money received from the proceeds of taxes imposed pursuant to paragraph (a) of subsection 1 of NRS 244.3351 or paragraph (a) of subsection 1 of NRS 278.710 or pursuant to NRS 371.045 or, with the consent of the regional transportation commission, received from the proceeds of the tax imposed pursuant to NRS 377A.020, or any combination of money from those sources with revenue derived from the project financed with the proceeds of the obligations for whose payment those taxes are pledged, including any existing or future extensions or enlargements thereof, for the payment of general or special obligations issued for projects described in

paragraph (a) of subsection 2 of NRS 244.33512, if the project for which the securities are issued could be directly funded with the taxes whose proceeds are pledged for the payment of the securities.

2. A county may pledge any money received from the proceeds of taxes imposed pursuant to paragraph (b) of subsection 1 of NRS 244.3351 or paragraph (b) of subsection 1 of NRS 278.710, or any combination of money from those taxes with revenue derived from the project financed with the proceeds of the obligations for whose payment those taxes are pledged, including any existing or future extensions or enlargements thereof, for the payment of general or special obligations issued for projects described in *paragraph (a) of subsection 1 of NRS 244.33514*, if the project for which the securities are issued could be directly funded with the taxes whose proceeds are pledged for the payment of the securities.

3. Any money pledged by the county pursuant to subsection 1 or 2 may be treated as pledged revenues of the project for the purposes of subsection 3 of NRS 350.020.

Sec. 3. NRS 268.446 is hereby amended to read as follows:

268.446 1. A city that has created one or more transportation districts shall use any part of the money received pursuant to the provisions of NRS 244.3351 which is collected within the boundaries of a transportation district to pay the cost of:

(a) Projects related to the construction and maintenance of sidewalks, streets, avenues, boulevards, highways and other public rights of way used primarily for vehicular traffic, including, without limitation, overpass projects,

street projects and underpass projects, as defined in NRS 244A.037, 244A.053 and 244A.055, within the boundaries of the district or within 1 mile outside those boundaries if the governing body finds that such projects outside the boundaries of the district will facilitate transportation within the district;

(b) Payment of principal and interest on notes, bonds or other obligations issued by the city to fund projects described in paragraph (a); [or]

(c) *Establishing, operating and maintaining a public transit system within the boundaries of the district; or*

(d) Any combination of those uses.

2. A city shall use any part of the money received from such a tax which is not collected within the boundaries of a transportation district for the same purposes within the incorporated boundaries of the city or within 1 mile outside those boundaries if the governing body finds that such projects outside those boundaries will facilitate transportation within the incorporated area.

3. *As used in this section, "public transit system" means a system employing motor buses, rails or any other means of conveyance, by whatever type of power, that is operated for public use in the conveyance of persons and provides local transportation within a transportation district.*

Sec. 4. This act becomes effective on July 1, 1995.

SUMMARY--Expresses support of Nevada Legislature for participation of Department of Transportation in certain projects in Lake Tahoe Basin. (BDR R-315)

CONCURRENT RESOLUTION--Expressing the support of the Nevada Legislature for the participation of the Department of Transportation in certain projects in the Lake Tahoe Basin.

WHEREAS, The maintenance of the environmental, social and economic health of the Lake Tahoe Basin is dependent upon maintaining the significant scenic, recreational, educational, scientific, natural and public health values of the basin; and

WHEREAS, There is a strong public interest in protecting, preserving and enhancing those values for the residents and visitors in the Lake Tahoe Basin; and

WHEREAS, The number of residents in the Lake Tahoe Basin and the visitors from outlying regions has increased significantly in recent years, thereby increasing the amount of traffic in the Lake Tahoe Basin and requiring the development of safety and management plans and programs for persons traveling to and from the Lake Tahoe Basin; and

WHEREAS, The TransCal Field Operation Test is a program developed to provide travelers with road and travel information concerning the conditions along United States Highway No. 50 and United States Highway No. 80 from

California to Nevada, and to provide for the testing of market incentives for transit in the Lake Tahoe Basin; and

WHEREAS, The Tahoe Intercity Rail Study addresses the importance of and the technical issues related to providing persons with increased access by rail to the Tahoe-Truckee area and western areas of Nevada as an alternative to using private vehicles; and

WHEREAS, It is anticipated that the Tahoe Intercity Rail Study will be completed in early 1995; and

WHEREAS, The Department of Transportation has participated in the annual development of the Tahoe Basin Traffic Management Plan; now, therefore, be it

RESOLVED BY THE OF THE STATE OF NEVADA, THE

CONCURRING, That the Nevada Legislature expresses its support for the partnership and participation of the Department of Transportation in the following projects in the Lake Tahoe Basin:

1. The implementation of the TransCal Field Operation Test;
 2. The completion of the Tahoe Intercity Rail Study; and
 3. The annual development of the Tahoe Basin Traffic Management Plan;
- and be it further

RESOLVED, That the of the prepare and transmit a copy of this resolution to the governing body of the Tahoe Regional Planning Agency and to the Director of the Department of Transportation.

SUMMARY--Expresses continued support for designation of Tahoe Regional Planning Agency as Metropolitan Planning Organization.
(BDR R-316)

FISCAL NOTE: Effect on Local Government: No.
 Effect on the State or on Industrial Insurance: No.

JOINT RESOLUTION--Expressing continued support for the designation of the Tahoe Regional Planning Agency as a Metropolitan Planning Organization in accordance with the Intermodal Surface Transportation Efficiency Act of 1991.

WHEREAS, The Congress of the United States passed the Intermodal Surface Transportation Efficiency Act of 1991; and

WHEREAS, That Act and Title 49 of the United States Code provide money for the provision of public transportation systems and other transportation projects for areas which are designated as Metropolitan Planning Organizations; and

WHEREAS, To qualify for such a designation, the Federal Act requires that the Governor of this state and at least 75 percent of the local governments in the particular area agree to the designation of the area as a Metropolitan Planning Organization; and

WHEREAS, The Governor, Department of Transportation of this state, Douglas County Board of County Commissioners, Washoe County Board of County Commissioners, Carson City Board of Supervisors, Tahoe Transportation District and Tahoe Regional Planning Agency have worked diligently to attain the required agreement to designate the Tahoe Regional Planning Agency as a Metropolitan Planning Organization; and

WHEREAS, During the 67th session of the Nevada Legislature, Senate Joint Resolution No. 8 expressed the legislature's support for the designation of the Tahoe Regional Planning Agency as a Metropolitan Planning Organization in accordance with the Intermodal Surface Transportation Efficiency Act of 1991; now, therefore, be it

RESOLVED BY THE AND OF THE STATE OF NEVADA, JOINTLY, That the members of the Nevada Legislature express their continued support for the designation of the Tahoe Regional Planning Agency as a Metropolitan Planning Organization in accordance with the Intermodal Surface Transportation Efficiency Act of 1991; and be it further

RESOLVED, That copies of this resolution be prepared and transmitted by the of the to the Governor of the State of Nevada, Department of Transportation of this state, Douglas County Board of County Commissioners, Washoe County Board of County Commissioners, Carson City Board of Supervisors, Tahoe Transportation District and the Tahoe Regional Planning Agency; and be it further

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RESOLVED, That this resolution becomes effective upon passage and approval.

SUMMARY--Requires submission of proposal to issue general obligation bonds to provide grants to local governments and department of transportation for projects for controlling erosion and restoring natural watercourses in Lake Tahoe Basin. (BDR S-317)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: No.

AN ACT relating to natural resources; requiring the submission to a vote of the people of a proposal to issue state general obligation bonds to provide grants to local governments and the department of transportation to carry out projects for the control of erosion and the restoration of natural watercourses in the Lake Tahoe Basin; requiring the state land registrar to adopt regulations necessary to carry out a program for awarding such grants and to report to the interim finance committee concerning the program if the proposal is carried; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. At the general election to be held in the State of Nevada in 1996, there must be submitted to the voters of the state, in the manner prescribed by

chapter 349 of NRS, a proposal to issue general obligation bonds of the state to provide grants to local governments and the department of transportation to carry out projects for the control of erosion and the restoration of natural watercourses in the Lake Tahoe Basin in an amount of not more than \$20,000,000. If the proposal is carried, the bonds may be issued at one time or from time to time.

Sec. 2. If the proposal is carried, the state land registrar shall:

1. Adopt regulations necessary to carry out a program for awarding grants pursuant to the provisions of section 1 of this act. The regulations must:

- (a) Set forth the procedure for applying for a grant;
- (b) Set forth the criteria that will be considered in awarding a grant; and
- (c) State whether and to what degree an applicant must match any money awarded.

2. Report semiannually to the interim finance committee concerning the establishment and administration of the program and the expenditure of money for the program.

Sec. 3. The state land registrar may use the proceeds from any bonds issued pursuant to the provisions of section 1 of this act to defray the costs of administering the program for awarding grants.

SUMMARY--Requires administrator of division of state lands of state department of conservation and natural resources to offer for sale certain rights to develop real property in Lake Tahoe Basin.
(BDR S-318)

FISCAL NOTE: Effect on Local Government: No.
 Effect on the State or on Industrial Insurance: No.

AN ACT relating to the Lake Tahoe Basin; requiring the administrator of the division of state lands of the state department of conservation and natural resources to offer for sale certain rights to develop real property in the Lake Tahoe Basin; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. 1. The administrator of the division of state lands of the state department of conservation and natural resources shall offer for sale the rights to develop real property in the Lake Tahoe Basin, including any rights that are not required to be retired or otherwise terminated by the Tahoe Regional Planning Agency, that are appurtenant to any real property acquired by the division with money from fees to exceed limits on land coverage that has been

collected by the Tahoe Regional Planning Agency and transferred to the division.

2. The administrator may sell such rights:

(a) To state and federal agencies, local governments and nonprofit organizations for such consideration as he deems to be reasonable and in the interest of the general public.

(b) To other persons for a price that is not less than the fair market value of the right that is sold.

3. All money received by the division of state lands from the sale of such rights pursuant to this section must be deposited in the state treasury to the credit of the account for mitigation of land coverage in the Lake Tahoe Basin created pursuant to section 2 of chapter 355, Statutes of Nevada 1993. Such money must be accounted for separately. Any real property or interest in real property acquired with the money deposited pursuant to this subsection is not subject to the restrictions set forth in subsection 5 of section 1 of chapter 355, Statutes of Nevada 1993.

4. As used in this section, "land coverage" means any covering over the natural surface of the ground that prevents water from percolating into the ground.

Sec. 2. This act becomes effective upon passage and approval.

SUMMARY--Provides for construction of storm sewer project within Lake Tahoe Basin. (BDR S-319)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: No.

AN ACT relating to the Lake Tahoe Basin; requiring the board of county commissioners of Douglas County to construct, operate and maintain a storm sewer project at Stateline, Nevada, under certain circumstances; providing for the levy of a special assessment to cover the costs of such a project; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The legislature hereby finds and declares that:

1. The Lake Tahoe Basin exhibits unique environmental and ecological conditions that are irreplaceable;
2. The increasing development of the region is threatening the quality of the water in Lake Tahoe;
3. The operation of systems for the collection, transportation and disposal of rainfall and other storm waters that no longer percolate into the ground

because of the increased development is necessary to protect the quality and integrity of the water in Lake Tahoe;

4. Businesses owning property in Stateline, Nevada, adjacent to the northern portion of U.S. Highway 50 and the Loop Road have participated in the development of a regional drainage system for storm water that would serve approximately 150 acres by interconnecting and improving the individual treatment systems operated by those businesses;

5. A draft of an "Agreement Concerning Design, Permitting, Construction, Operation, Maintenance and Repair of the Stateline Area Storm System" has been presented to all participants for their review;

6. The operation of such a drainage system has been included in the Douglas County Community Plan; and

7. A special law is necessary to provide for the construction, operation and maintenance of such a drainage system, and that a general law cannot be made applicable because of the requirements for the regulation of water quality that are unique to the Lake Tahoe Basin.

Sec. 2. 1. Except as otherwise provided in subsection 2, the board of county commissioners of Douglas County shall, pursuant to the provisions of chapter 271 of NRS, construct, operate and maintain a storm sewer project to collect, transport and dispose of rainfall and other storm waters in Stateline, Nevada. The project must:

(a) Collect, transport and dispose of water in an area designated by the board to serve those properties on which gaming establishments are located and any appropriate properties adjacent thereto.

(b) Be designed to interconnect and improve any individual systems for the collection, transportation and disposal of rainfall and other storm waters that are operated by the businesses located in that designated area.

(c) Carry out the provisions of the Douglas County Community Plan that provide for the construction of such a system.

(d) Be funded by assessments levied and collected pursuant to chapter 271 of NRS.

2. The board of county commissioners of Douglas County is not required to comply with the provisions of subsection 1 if, on or before October 1, 1995, it receives evidence satisfactory to the board that an agreement has been entered into by the owners of the affected properties for the construction and operation of such a project.

3. As used in this section, "storm sewer project" has the meaning ascribed to it in NRS 271.215.

SUMMARY--Urges Congress and United States Postal Service to provide for delivery of mail in Lake Tahoe Basin. (BDR R-320)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: No.

JOINT RESOLUTION--Urging the Congress of the United States and the United States Postal Service to initiate and maintain a program for the delivery of mail from door to door in the Lake Tahoe Basin or other similar programs which would enhance the efficiency of the delivery of mail in that area.

WHEREAS, The Lake Tahoe Basin is an area of significant and often unparalleled scenic, recreational, educational, scientific and natural value for the states of California and Nevada as well as the entire nation; and

WHEREAS, The natural beauty of the Lake Tahoe Basin has attracted increasing numbers of visitors and residents to the area in the past 25 years, thereby increasing the amount of traffic congestion and air pollution in the basin; and

WHEREAS, The Tahoe Regional Planning Agency, pursuant to its authority under the provisions of the Tahoe Regional Planning Compact, has created a regional transportation plan which calls for the delivery of mail from door to door in the Lake Tahoe Basin as a means of reducing the total number of miles traveled by vehicles in the basin; and

WHEREAS, The Tahoe Regional Planning Agency has similarly created a postal service action plan which also provides for the implementation of a program for the delivery of mail from door to door, as well as other programs such as the delivery of mail to neighborhood cluster boxes; and

WHEREAS, Although the delivery of mail from door to door has been initiated in certain portions of the Lake Tahoe Basin, delivery throughout the basin would decrease the current total number of miles traveled by vehicles in the basin by an estimated 57,000 miles per year; and

WHEREAS, Such a reduction in the miles traveled per year by vehicles in the Lake Tahoe Basin would help to reduce the increasing amount of traffic congestion and air pollution in the Lake Tahoe Basin; now, therefore, be it

RESOLVED BY THE AND OF THE STATE OF NEVADA, JOINTLY, That the Legislature of the State of Nevada hereby urges the Congress of the United States and the United States Postal Service to initiate and maintain a program for the delivery of mail from door to door in the Lake Tahoe Basin or other similar programs which would enhance the efficiency of the delivery of mail and assist in the effort to reduce traffic congestion and air pollution in the Lake Tahoe Basin; and be it further

RESOLVED, That the of the prepare and transmit a copy of this resolution to the Vice President of the United States as the presiding officer of the Senate, the Speaker of the House of Representatives, each member of the Nevada Congressional Delegation and the Postmaster General of the United States Postal Service; and be it further

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RESOLVED, That this resolution becomes effective upon passage and approval.

SUMMARY--Directs Legislative Commission to appoint committee to continue review of Tahoe Regional Planning Compact. (BDR R-321)

CONCURRENT RESOLUTION--Directing the Legislative Commission to appoint a committee to continue the review of the Tahoe Regional Planning Compact, including a review of the Tahoe Regional Planning Agency and the federal and state agencies that regulate activities in the Lake Tahoe Basin.

WHEREAS, The Tahoe Regional Planning Compact provides for the maintenance of the scenic, recreational, educational, scientific, natural and public health values of the entire Lake Tahoe Basin; and

WHEREAS, The Tahoe Regional Planning Compact establishes the Tahoe Regional Planning Agency to adopt and enforce a regional plan and to provide opportunities for orderly growth and development consistent with the values of the Lake Tahoe Basin; and

WHEREAS, The Legislature of the State of Nevada is vitally concerned with achieving regional goals in conserving the natural resources of the entire Lake Tahoe Basin and with the programs and activities of the Tahoe Regional Planning Agency which affect these goals; and

WHEREAS, As a necessary corollary to this vital concern and for the protection of Lake Tahoe, the Legislature of the State of Nevada is also concerned with the role and activities of those federal and state agencies having authority to regulate activities in the Lake Tahoe Basin and their

interactions with and effect upon the Tahoe Regional Planning Agency and the Lake Tahoe Basin; and

WHEREAS, Subcommittees of the Legislative Commission have successfully conducted reviews of the programs and activities of the Tahoe Regional Planning Agency on previous occasions; and

WHEREAS, Senate Joint Resolution No. 7 of the 67th Legislative Session directed the Legislative Commission to appoint a committee of six legislators composed of three senators and three assemblymen to continue the review of the Tahoe Regional Planning Compact and to oversee the Tahoe Regional Planning Agency; and

WHEREAS, The review and oversight of the programs and activities of the Tahoe Regional Planning Agency and the role of each federal and state agency having authority and responsibility in the Lake Tahoe Basin continue to be necessary to ensure the proper functioning of those agencies; and

WHEREAS, It is vital to remain in communication with members of the Legislature of the State of California to continue to achieve the goals set forth in the Tahoe Regional Planning Compact; now, therefore, be it

RESOLVED BY THE OF THE STATE OF NEVADA, THE

CONCURRING, That the Legislative Commission is hereby directed to appoint a committee of six legislators composed of three senators and three assemblymen to continue the review of the Tahoe Regional Planning Compact and to oversee the Tahoe Regional Planning Agency and each federal and state agency having authority to regulate activities in the Lake Tahoe Basin; and be it further

RESOLVED, That the committee is directed to:

1. Review the budget, programs, activities, responsiveness and accountability of the Tahoe Regional Planning Agency; and
 2. Study the role and activities of each federal and state agency having authority to regulate activities in the Lake Tahoe Basin, including their role in the protection of Lake Tahoe and their interactions with and effect upon the Tahoe Regional Planning Agency and the Lake Tahoe Basin;
- and be it further

RESOLVED, That the committee is directed to continue to communicate with interested members of the Legislature of the State of California to achieve the goals set forth in the Tahoe Regional Planning Compact; and be it further

RESOLVED, That the _____ of the _____ transmit copies of this resolution to each member of the California delegation to the Tahoe Regional Planning Agency, the President pro Tempore of the Senate and the Speaker of the Assembly of the State of California.