



NEVADA LEGISLATURE
Legislative Committee for the Review and Oversight of the Tahoe
Regional Planning Agency and the Marlette Lake Water System
(Nevada Revised Statutes [NRS] 218E.555)

SUMMARY MINUTES AND ACTION REPORT

The fourth meeting of the Nevada Legislature's Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System was held on Friday, June 20, 2014, at 1 p.m. in the Meiling Room of the Donald W. Reynolds Nonprofit Community Center, 948 Incline Way, Incline Village, Nevada. A copy of this set of "Summary Minutes and Action Report," including the "Meeting Notice and Agenda" ([Exhibit A](#)) and other substantive exhibits, is available on the Nevada Legislature's website at <http://www.leg.state.nv.us/interim/77th2013/committee/>. In addition, copies of the audio record are available through the Legislative Counsel Bureau's Publications Office (e-mail: publications@lcb.state.nv.us; telephone: 775/684-6835).

COMMITTEE MEMBERS PRESENT IN INCLINE VILLAGE:

Assemblyman Michael Sprinkle, Chair
Senator Ben Kieckhefer, Vice Chair
Senator David R. Parks
Senator James A. Settelmeyer
Assemblyman Randy Kirner
Assemblywoman Heidi Swank

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Jennifer Ruedy, Principal Research Analyst, Research Division
Eileen G. O'Grady, Chief Deputy Legislative Counsel, Legal Division
Dan Reich, Deputy Legislative Counsel, Legal Division
Lisa Gardner, Senior Research Secretary, Research Division

OPENING REMARKS

- Chair Sprinkle welcomed members and the public to the fourth meeting of the Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency (TRPA) and the Marlette Lake Water System. He thanked Claudia Andersen, Chief Executive Officer, Parasol Tahoe Community Foundation, for allowing the meeting to be held at the Donald W. Reynolds Nonprofit Community Center, and Carl Hasty, District Manager, Tahoe Transportation District (TTD), and William "Buzz" Harris, President, WBH Enterprises, representing the TTD, for coordinating the premeeting tour of transportation-related projects in the Lake Tahoe Basin.

Chair Sprinkle noted that, at the May 2, 2014, Committee meeting, the members approved sending a letter to the United States Department of Justice regarding the outstanding debt of the Nevada Fire Safe Council. He stated that the letter has been sent and can be viewed on the Committee's webpage.

PUBLIC COMMENT

- Steve Teshara, Principal, Sustainable Community Advocates; and Coordinator, Lake Tahoe Partnership, presented a letter to the Committee regarding an upcoming TRPA budget request for the Lake Tahoe Aquatic Invasive Species Program ([Exhibit B](#)). He recommended that the Committee consider the budget request at its work session.
- James R. Lawrence, Special Advisor to the Director, State Department of Conservation and Natural Resources (SDCNR), briefed the Committee on the status of the Southern Nevada Public Lands Management Act (SNPLMA). He noted that he represents the State of Nevada on the Executive Committee and Partners Working Group for the SNPLMA, which met on June 19, 2014. Mr. Lawrence stated there is no additional funding anticipated for most projects in the Lake Tahoe Basin, with the exception of continued funding opportunities for hazardous fuels reduction projects in the Lake Tahoe Basin and in Spring Mountains in southern Nevada. He said that the next funding round of SNPLMA grants, up to \$30 million in total expenditures, may be advertised in October 2014 and will be very competitive for projects statewide. He suggested that the Committee send a letter of support to the Nevada State Office, Bureau of Land Management, U.S. Department of the Interior, and Nevada's congressional delegation, to commend the fire districts in the Lake Tahoe Basin for their work and to encourage continued funding of hazardous fuels projects in the Lake Tahoe Basin.

PRESENTATION ON THE HISTORY OF BISTATE TRANSPORTATION IN THE LAKE TAHOE BASIN

- Joanne S. Marchetta, Executive Director, TRPA, provided an overview of bistate transportation in the Lake Tahoe Basin ([Exhibit C](#)). She commented on the following: (1) the role of the TRPA; (2) Lake Tahoe's transportation planning authorities; (3) the transportation focus, strategy, and program; and (4) the transformation of transportation in the Lake Tahoe Basin.

Ms. Marchetta explained that the TRPA serves as the Tahoe Metropolitan Planning Organization (TMPO), which receives federal transportation funding through a rural classification. She pointed out that the classification understates the annual transportation need and use in the Lake Tahoe Basin. Ms. Marchetta explained that the funding formula is based on the 55,000 permanent residents in the Lake Tahoe Basin; it does not factor in the millions of visitors served annually by the transportation system. She added that the TMPO is the only MPO in the nation that has federal representation because more than 70 percent of the land in the Basin is federal. Ms. Marchetta said the U.S. Forest Service, as the major landowner, has a seat on the TMPO Board.

She conveyed that the focus of managing the region's fixed roadway system is to repair roads and increase efficiencies through technology and multimodal choices. Ms. Marchetta said that an emphasis is being placed on coordinating with other transit systems within the larger interregional system as well as creating walkable and bikeable communities in the Lake Tahoe Basin. She remarked that transportation is the key component to revitalizing town centers and meeting environmental threshold standards.

Discussion ensued between Chair Sprinkle, Ms. Marchetta, and Julie W. Regan, APR, Chief, External Affairs, TRPA, regarding the rural designation for the TMPO. Ms. Marchetta stated that the rural classification is designated in federal law. Ms. Regan commented that the designation is also found in State law. She added that an effort is underway to resolve the issue at the federal level through an update to the federal highway transportation bill. She added that Carl Hasty, District Manager, TTD, will discuss the issue further during his presentation.

- Chair Sprinkle asked about the process and level of difficulty involved with acquiring lands for various transportation corridors, including bike paths.
- Ms. Regan responded that it can be a challenge to acquire land, as easements are often required across sections of trail that are integral connectors. She noted that this can involve a significant amount of negotiation. Ms. Regan remarked that TRPA staff is not directly involved with such negotiations; the projects are implemented by the TTD and local jurisdictions.

OVERVIEW OF CAPITAL AND TRANSIT PROJECTS IN THE LAKE TAHOE BASIN

- Carl Hasty, previously identified, provided an overview of capital and transit projects in the Lake Tahoe Basin ([Exhibit D](#)). He highlighted the following:
 - The profile of the Lake Tahoe Basin;
 - Transportation, land use, and the environment;
 - Transportation and economic revitalization;
 - Leveraging resources through collaboration;
 - Douglas County's South Shore Area Plan and bike trails;
 - The U.S. Highway 50/South Shore Community Revitalization Project;
 - El Dorado Beach at Lakeview Commons;
 - The State Route 89/Fanny Bridge Community Revitalization Project;
 - The Lake Tahoe Passenger Ferry Project; and
 - The Kings Beach Commercial Core Improvement Project.

Mr. Hasty pointed out that although there is an urban transportation demand in the Lake Tahoe Basin, the TMPO has received a rural designation because it does not conform to a census definition.

He commented on an economic analysis, which shows that the U.S. Highway 50/South Shore Community Revitalization Project is expected to generate upward to \$1 billion in adjacent private sector investment. Mr. Hasty added that the realignment of the U.S. Highway 50 Corridor may catalyze an additional \$25 million in annual retail sales.

Concluding his testimony, he pointed out that most communities increase transportation capacity by adding more lane miles to a highway. Mr. Hasty explained that there are limitations with highway expansion in the Lake Tahoe Basin; therefore, the TTD is providing alternative, multimodal transportation options to increase capacity in the region.

Discussion ensued between Senator Kieckhefer and Mr. Hasty regarding federal funding for the TMPO. Mr. Hasty mentioned that, during his next presentation, he will request the Committee send a letter supporting a revision to federal language. He explained that the TTD is seeking a determination related to population and density, which would affect the formulas utilized for highway and transit funds in the Lake Tahoe Basin. Mr. Hasty conveyed that a formula change would result in a threefold funding increase for the TTD. He pointed out that \$40 million to \$50 million will be required annually to implement the Regional Transportation Plan in the Lake Tahoe Basin.

There was a discussion between Assemblyman Kirner and Mr. Hasty regarding revenue for the operation and maintenance of the Lake Tahoe Passenger Ferry Project. Mr. Hasty stated that the TTD owns the assets and will likely contract with a private firm to operate the system. He elaborated that the average annual operating cost will be \$3.5 million, and a subsidy will be necessary.

- Chair Sprinkle asked about Complete Streets on the south shore of Lake Tahoe.
- Mr. Hasty explained the concept of Complete Streets, which are streets designed and operated to allow safe access for all users, including bicyclists, motorists, pedestrians, and transit riders. He confirmed that federal funding might be available for these streets that meet certain safety standards in revitalized areas.

Responding to additional questions from Chair Sprinkle, Mr. Hasty stated that some business owners were initially concerned that they would lose “drive-by” customers as a result of the U.S. Highway 50 Corridor realignment; however, such concerns diminished after an economic analysis revealed that the revitalization will trigger an increase in retail sales for local businesses. Mr. Hasty indicated that there has been no opposition to the Lake Tahoe Passenger Ferry Project.

- Mr. Hasty submitted pamphlets on the State Route 28 Corridor Management Plan and transportation and transit activities in the Lake Tahoe Basin (See [Exhibit D-1](#) and [Exhibit D-2](#).)

PRESENTATION ON THE NORTH LAKE TAHOE TRANSIT VISION

- Sandy Evans Hall, CEO/Executive Director, North Lake Tahoe Chamber/CVB/Resort Association, gave a presentation regarding the North Lake Tahoe Resort Triangle Transit Vision ([Exhibit E](#)). She highlighted the following topics:
 - Benefits of improved public transportation;
 - A study of transit systems in other resort areas;
 - Ideas for a regional public transit system;
 - Ridership and environmental benefits;
 - Economic benefits; and
 - Achievability of the Vision.

She referenced a list of frequently asked questions regarding the Resort Triangle Transit Vision ([Exhibit E-1](#)).

Discussion ensued between Chair Sprinkle and Ms. Evans Hall regarding funding for the Resort Triangle Transit system. Ms. Evans Hall stated that the system, which will be free

for the rider, is expected to cost \$7.2 million. She noted that a combination of public and private funding is expected to cover a \$2.7 million shortfall.

DISCUSSION OF FUTURE TRANSPORTATION NEEDS IN THE LAKE TAHOE BASIN

- Bill Hoffman, P.E., Deputy Director, Nevada's Department of Transportation (NDOT), commented that NDOT is evaluating local needs across the State as part of its long-term planning process. He remarked that federal transportation funds are currently hinging on congressional approval, and such uncertainty is an obstacle to the long-term planning process. Mr. Hoffman noted that federal transportation funds, which are derived from the gas tax, have been decreasing as vehicles have become more fuel efficient. He stated that safety is the top priority of NDOT, and the Department is evaluating crash and fatality data involving multimodal forms of transportation. Mr. Hoffman conveyed that NDOT will continue to conduct extensive public outreach to increase public buy-in, as it did with the Kingsbury Grade Pavement Reconstruction Project.
- Carl Hasty, previously identified, commended Mr. Hoffman and Rudy Malfabon, P.E., Director, NDOT, for engaging in a positive working relationship with the TTD. He noted that the current working relationship between NDOT and TTD is the best it has ever been in the 24 years he has worked in the Basin.

Mr. Hasty gave a presentation on future transportation needs in the Lake Tahoe Basin ([Exhibit F](#)). He focused on the following topics: (1) proposed corridors; (2) infrastructure needs; (3) the Bay to Tahoe Basin Recreation and Tourism Travel Impact Study; (4) the Trans-Sierra Region; and (5) the Trans-Sierra Transportation Coalition.

Mr. Hasty said the TTD is working with the TRPA to secure funding through the U.S. Department of Transportation's Transportation Investment Generating Economic Recovery, or TIGER Discretionary Grant program, within the American Recovery and Reinvestment Act of 2009.

He requested that the Committee consider the following recommendations:

- Keep all State transportation funds dedicated to transportation rather than diverting them to the General Fund.
- Amend Assembly Bill 413 of the 2013 Session (Chapter 540, *Statutes of Nevada*) to allow for statewide indexing of fuel taxes by State and local governments; the bill established both a local and statewide ballot initiative for 2016—such duplication might confuse the voter.
- Initiate a statewide, long-term investment plan for transportation system improvements.

- Send a letter of support relating to a revision in technical language in the reauthorization of the federal transportation bill; the funding formula can be improved through consideration of urban population and density.
- Send a letter of support relating to the sale of Question 1 bonds, which would provide matching funds for the State Route 28 Corridor.

Mr. Hasty added that he believes the Division of State Parks, SDCNR, will be asking for a budget measure looking for a match for transit-related projects, and the TTD would support that request.

Discussion ensued between Senator Settelmeyer and Mr. Hoffman regarding the federal Highway Trust Fund. Mr. Hoffman remarked that the Fund is expected to go into the red within the next few weeks, which would require Congress to borrow from the General Fund. He stated that this scenario would be more devastating than passing a continuing resolution or bill for a new highway fund because federal funds would stop flowing to states and construction projects would be halted. Mr. Hoffman surmised that, at a minimum, Congress will pass a continuing resolution. He noted that an option being considered by Congress is to increase transportation funds by closing loopholes with corporate offshore taxes.

DISCUSSION OF WATER QUALITY WITHIN THE LAKE TAHOE BASIN RELEVANT TO THE IMPLEMENTATION OF THE LAKE TAHOE TOTAL MAXIMUM DAILY LOAD PROGRAM

- Colleen Cripps, Ph.D., Administrator, Division of Environmental Protection, SDCNR, and Patty Kouyoumdjian, Executive Officer, Lahontan Regional Water Quality Control Board, California Environmental Protection Agency (EPA), jointly presented information regarding the Lake Tahoe Total Maximum Daily Load (TMDL) Program ([Exhibit G](#)). They discussed the following:
 - Background information on the Tahoe TMDL;
 - Annual average Secchi depth;
 - Fine sediment particles (FSPs) and floating algae;
 - Goals relating to annual average Secchi depth;
 - Goals relating to reductions in pollutants;
 - FSP source distribution;
 - TMDL implementation;
 - Load reduction plans;
 - The Lake Clarity Crediting Program;
 - The TMDL Management System;

- The TRPA’s role with the TMDL;
 - The nearshore—midlake clarity; and
 - Plans and funding for monitoring the nearshore.
- Dr. Cripps stated that the TMDL numeric target for 2065 is 97.4 feet; the current five-year running average is 69.4 feet. She explained that an interim target, referenced as the “clarity challenge,” is to achieve a five-year running average of 80 feet by 2031.
 - Ms. Kouyoumdjian referenced a report pertaining to water quality in the Lake Tahoe nearshore ([Exhibit H](#)). She mentioned that the California State Legislature approved an annual funding allocation of \$150,000 for the Lake Tahoe Nearshore Water Quality Protection Plan; these funds match another \$150,000 that California has for nearshore monitoring efforts. She clarified that the California budget will be signed next week, so the allocation is not certain until that time.
 - Dr. Cripps added that the Division of Environmental Protection, SDCNR has managed to put together approximately \$50,000 for nearshore monitoring efforts, and it is one-time funding.
 - Chair Sprinkle mentioned that the Committee will focus on water-quality issues at its July 30, 2014, meeting.
 - Senator Parks directed attention to the chart titled “FSP Source Distribution” (slide 7 of [Exhibit G](#)), and noted that the urban upland represents 72 percent of FSP source distribution. He asked if there is one particular area that should be addressed for the greatest impact in reducing FSPs.
 - Ms. Kouyoumdjian stated that road improvement projects, such as adding storm drain gutters and catchment basins, provide the greatest cost-benefits for urban upland areas.
 - Dr. Cripps pointed out that a lakewide evaluation has identified all of the catchment basins as well as areas where the highest loads are entering Lake Tahoe. She noted that the evaluation will help determine where to focus resources.

Discussion ensued between Chair Sprinkle, Ms. Kouyoumdjian, and Robert Larsen, Environmental Scientist, Lahontan Regional Water Quality Control Board, California EPA, regarding the relationship between current levels of sedimentation and water clarity. Ms. Kouyoumdjian remarked that the first five-year milestone was a 10 percent reduction in nutrients and sediment. Mr. Larsen added that the 10 percent reduction in FSPs indicates that the program is on track with the trajectory. He said that the loss of transparency in Lake Tahoe is tapering off; however, a tangible and measurable change is not anticipated until a 32 percent reduction in FSPs is attained.

Responding to a question from Chair Sprinkle regarding the Lake Clarity Crediting Program, Mr. Larsen explained that “credit” refers to compliance with a permit; it is a simple metric of benefit to track progress.

PUBLIC COMMENT

- Chair Sprinkle called for public comment; however, no testimony was offered. He announced that the Committee’s next meeting will be held on Wednesday, July 30, 2014, at the TRPA Boardroom in Stateline, Nevada.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 3:31 p.m.

Respectfully submitted,

Lisa Gardner
Senior Research Secretary

Jennifer Ruedy
Principal Research Analyst

APPROVED BY:

Assemblyman Michael Sprinkle, Chair

Date: _____

LIST OF EXHIBITS

[Exhibit A](#) is the “Meeting Notice and Agenda” provided by Jennifer Ruedy, Principal Research Analyst, Research Division, Legislative Counsel Bureau.

[Exhibit B](#) is a letter dated June 20, 2014, to the Committee regarding a Tahoe Regional Planning Agency (TRPA) funding request for the Aquatic Invasive Species Program, from Steve Teshara, Principal, Sustainable Community Advocates; and Coordinator, Lake Tahoe Partnership.

[Exhibit C](#) is a Microsoft PowerPoint presentation titled “ Bi-State Transportation in the Lake Tahoe Basin,” dated June 20, 2014, submitted by Joanne S. Marchetta, Executive Director, TRPA.

[Exhibit D](#) is a Microsoft PowerPoint presentation titled “Overview of Capital and Transit Projects in the Lake Tahoe Basin,” provided by Carl Hasty, District Manager, Tahoe Transportation District (TTD).

[Exhibit D-1](#) is a pamphlet titled “SR 28 Corridor Management Plan Overview,” submitted by Carl Hasty, District Manager, TTD.

[Exhibit D-2](#) is a pamphlet titled “Transportation & Transit Activities in the Tahoe Region,” dated June 17, 2014, submitted by Carl Hasty, District Manager, TTD.

[Exhibit E](#) is Microsoft PowerPoint presentation titled “North Lake Tahoe Resort Triangle Transit Vision,” dated June 20, 2014, submitted by Sandy Evans Hall, CEO/Executive Director, North Lake Tahoe Chamber/CVB/Resort Association.

[Exhibit E-1](#) is a document titled “Resort Triangle Transit Vision Frequently Asked Questions,” provided by Sandy Evans Hall, CEO/Executive Director, North Lake Tahoe Chamber/CVB/Resort Association.

[Exhibit F](#) is a Microsoft PowerPoint presentation titled “Discussion of Future Transportation Needs in the Lake Tahoe Basin,” submitted by Carl Hasty, District Manager, TTD.

[Exhibit G](#) is a Microsoft PowerPoint presentation titled, “The Lake Tahoe Total Maximum Daily Load (TMDL) Program,” provided by Colleen Cripps, Ph.D., Administrator, Division of Environmental Protection, State Department of Conservation and Natural Resources.

[Exhibit H](#) is a report titled *Lake Tahoe Nearshore Water Quality Protection Plan*, dated June 2014, submitted by Patty Kouyoumdjian, Executive Officer, Lahontan Regional Water Quality Control Board, California Environmental Protection Agency.

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