



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

**SUMMARY MINUTES AND ACTION REPORT**

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The sixth meeting and work session 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 Monday, August 25, 2014, at 2 p.m. in The Chateau at Incline Village, 955 Fairway Boulevard, 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](mailto: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  
Wayne Thorley, Program Analyst, Fiscal Analysis Division  
Lisa Gardner, Senior Research Secretary, Research Division

## OPENING REMARKS

- Chair Sprinkle welcomed members and the public to the sixth meeting and work session of the Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency (TRPA) and the Marlette Lake Water System. He commented that several members of the Committee attended a tour of the Marlette Lake Water System prior to the meeting. Chair Sprinkle thanked Gustavo Nuñez, P.E., Administrator, State Public Works Division, Department of Administration, for coordinating the tour.

## PUBLIC COMMENT

- Mark Bruce, Governor of Nevada Appointee, Governing Board, TRPA, introduced himself to the Committee. He commended the members for addressing critical issues affecting Lake Tahoe, including Aquatic Invasive Species (AIS). Mr. Bruce discussed the positive, collaborative working environment of the Governing Board, and noted his availability to meet with Committee members to discuss various issues.

## WORK SESSION—DISCUSSION AND POSSIBLE ACTION RELATING TO:

- *Aquatic Invasive Species*
- *The Lake Tahoe Environmental Improvement Program*
- *Forest Health*
- *Transportation*
- Jennifer Ruedy, Committee Policy Analyst, Research Division, Legislative Counsel Bureau (LCB), provided an overview of the “Work Session Document” ([Exhibit B](#)), including possible actions that could be taken by the Committee. She noted that a “Summary of Recommendations” would later be submitted to the Legislative Commission and a Bulletin describing the activities of the Committee would be posted to the Committee’s webpage.

### *Aquatic Invasive Species*

#### **Recommendation No. 1**

**Send a Committee letter** to Governor Brian Sandoval in support of an increase in the Governor’s *Executive Budget* for the 2015–2017 Biennium in an amount up to \$500,000 in each fiscal year for the Tahoe Regional Planning Agency funding request for the Lake Tahoe Aquatic Invasive Species Program. (See **Tab A**.)

*(Requested by Joanne S. Marchetta, Executive Director, Tahoe Regional Planning Agency. Discussed at the August 4, 2014, meeting, where other presenters voiced support.)*

- Ms. Ruedy provided an overview of Recommendation No. 1. She stated that letters of support and a spreadsheet containing funding history for the Lake Tahoe AIS Program are located behind Tab A of the “Work Session Document.” (See [Exhibit B](#).)

Discussion ensued between Chair Sprinkle and Assemblyman Kirner regarding previous State funding for the Lake Tahoe AIS Program and the current budget request. Assemblyman Kirner noted the spreadsheet behind Tab A ([Exhibit B](#)) shows that previous State General Fund allocations for the Lake Tahoe AIS Program were substantially smaller than the current request for \$500,000 in each fiscal year of the upcoming biennium. Chair Sprinkle pointed out the wording in the recommendation states, “in an amount up to,” which would allow the Office of the Governor to meet Nevada’s apportioned, one-third funding obligation to the TRPA. He elaborated that the level of funding in the request was built-in to rectify the loss of funding previously allocated through the Southern Nevada Public Land Management Act (SNPLMA) of 1998.

- Chair Sprinkle called for a motion on Recommendation No. 1.
- The Committee **APPROVED THE FOLLOWING ACTION:**

**ASSEMBLYMAN KIRNER MADE A MOTION TO APPROVE RECOMMENDATION NO. 1. THE MOTION WAS SECONDED BY SENATOR PARKS AND PASSED UNANIMOUSLY.**

### *The Lake Tahoe Environmental Improvement Program*

#### **Recommendation No. 2**

**Send a Committee letter** to Governor Brian Sandoval to urge the issuance of the general obligation bonds authorized, but not yet sold, by Senate Bill 438 (Chapter 437, *Statutes of Nevada 2011*) to fund Nevada’s apportioned share of the costs for the Lake Tahoe Environmental Improvement Program (EIP).

The EIP is a partnership between Nevada and California, the federal government, local governments, and the private sector. Nevada’s EIP projects are carried out by a State interagency team referred to as the Nevada Tahoe Resource Team, which is coordinated by the Division of State Lands (DSL) of the State Department of Conservation and Natural Resources (SDCNR).

In 2009, the Nevada Legislature enacted Assembly Bill 18 (Chapter 431, *Statutes of Nevada*), which was structured so that each legislative session, the DSL, SDCNR, as the coordinating entity for the EIP, would return to request legislative authorization for each installment of those bond sales. Assembly Bill 18 authorized the issuance of not more than \$100 million in general obligation bonds for the State’s apportioned share of the costs for the second phase of the EIP between July 1, 2009 and June 30, 2020. The Committee sponsored S.B. 438, which required an amount of not more than \$12 million through the

sale of general obligation bonds be provided to carry out Nevada's share of the EIP. Senate Bill 438 became effective on July 1, 2011.

Budgetary constraints resulted in a temporary suspension of bond sales. On February 20, 2014, and March 20, 2014, the Committee received updates on the status of the bonds. On March 11, 2014, the State Board of Finance approved the sale of \$1.5 million of these authorized bonds. The bond revenue is used to leverage continued investment of federal dollars in the Lake Tahoe Basin.

*(Discussed at the February 20, 2014, and March 20, 2014, meetings. Requested by Chair Sprinkle.)*

- Ms. Ruedy provided an overview of Recommendation No. 2.
- Chair Sprinkle noted that, given the legislative history, a BDR is unnecessary for this recommendation. He said a Committee letter would express support for the availability of bond revenue for the Lake Tahoe EIP.

Responding to a question from Senator Kieckhefer, Ms. Ruedy confirmed there is a remaining authority to issue \$10.5 million in bond revenue to the Lake Tahoe EIP, as set forth in S.B. 438.

- Chair Sprinkle called for a motion on Recommendation No. 2.
- The Committee **APPROVED THE FOLLOWING ACTION:**

**SENATOR KIECKHEFER MADE A MOTION TO APPROVE RECOMMENDATION NO. 2. THE MOTION WAS SECONDED BY ASSEMBLYWOMAN SWANK AND PASSED UNANIMOUSLY.**

### ***Forest Health***

#### **Recommendation No. 3**

**Send a Committee letter** to the Nevada State Office, Bureau of Land Management, United States 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 from the Southern Nevada Public Land Management Act of 1998 (SNPLMA).

*(Requested by James R. Lawrence, Special Advisor to the Director, State Department of Conservation and Natural Resources, at the June 20, 2014, meeting.)*

- Ms. Ruedy provided an overview of Recommendation No. 3.

- The Committee **APPROVED THE FOLLOWING ACTION:**

**SENATOR SETTELMAYER MADE A MOTION TO APPROVE RECOMMENDATION NO. 3. THE MOTION WAS SECONDED BY ASSEMBLYMAN KIRNER AND PASSED UNANIMOUSLY.**

**Recommendation No. 4**

**Include a statement** in the final report of the Committee affirming the Committee's support for the immediate release of the federal grant funds previously awarded to the Nevada Fire Safe Council for hazardous fuels treatment in the Lake Tahoe Basin.

The Committee voted unanimously on May 2, 2014, to send a Committee letter to Eric H. Holder, Jr., Attorney General, U.S. Department of Justice (DOJ), to request assistance in securing the release of the federal grant funds to pay the long-standing debt for hazardous fuels treatment work completed in good faith. The letter was sent on June 16, 2014 (letter with attachments available on the Committee's webpage at <http://leg.state.nv.us/Interim/77th2013/Committee/StatCom/Tahoe/?ID=53>).

*(Requested by Chair Sprinkle.)*

- Ms. Ruedy provided an overview of Recommendation No. 4. She noted the topic was discussed during the February 20, 2014, and March 20, 2014, Committee meetings.
- Senator Settelmeyer commented on the importance of releasing the federal funds owed for work conducted through the NFSC. He stated that of all the entities waiting to be paid, the North Lake Tahoe Fire Protection District is owed the greatest amount—in the hundreds of thousands of dollars. Senator Settelmeyer pointed out the funding has been held up for at least three years.
- **SENATOR SETTELMAYER MOVED TO REQUEST LEGISLATION FOR A RESOLUTION TO URGE CONGRESS TO FACILITATE THE RELEASE OF THE FEDERAL GRANT FUNDS PREVIOUSLY AWARDED TO THE NEVADA FIRE SAFE COUNCIL FOR HAZARDOUS FUELS TREATMENT IN THE LAKE TAHOE BASIN.**

Prior to a vote, there was discussion among Committee members and staff regarding the motion. Chair Sprinkle concurred with the importance of resolving the issue. He conveyed the intent of Recommendation No. 4 was to heighten awareness among members of the Legislature and to point out that the issue has yet to be resolved. Chair Sprinkle noted the Committee's letter to the DOJ has not triggered any action. He deferred to Eileen G. O'Grady, Chief Deputy Legislative Counsel, Legal Division, LCB, to determine whether the motion was an appropriate action that could be taken by the Committee. Ms. O'Grady confirmed the recommendation could be modified from a statement in the final report to a resolution. Assemblyman Kirner expressed his support for

the motion. He remarked that some of his constituents are being affected by the outstanding payments.

- The Committee **APPROVED THE FOLLOWING ACTION:**

**THE MOTION AS STATED BY SENATOR SETTELMAYER WAS SECONDED BY ASSEMBLYMAN KIRNER AND PASSED UNANIMOUSLY.**

### *Transportation*

#### **Recommendation No. 5**

**Send a Committee letter** to Governor Brian Sandoval in support of issuing the general obligation bonds authorized, but not yet issued, for the Conservation and Resource Protection Grant Program, commonly referred to as the “Question 1 Program.” Specifically, the letter would support the \$2.1 million that is designated for the Stateline-to-Stateline Bikeway.

Voter approval of Ballot Question No. 1 on November 5, 2002, authorized the State of Nevada to issue general obligation bonds in an amount not to exceed \$200 million in order to preserve water quality; protect open space, lakes, rivers, wetlands, and wildlife habitat; and restore and improve parks, recreational areas, and historic and cultural resources. The question was considered in the 2001 Legislature as A.B. 615, and it was ultimately authorized in A.B. 9 (Chapter 6, *Statutes of Nevada 2001, 17th Special Session*). The money from the bonds was to be allocated to seven areas, including \$65.5 million to the DSL, SDCNR, to provide grants for State agencies, local governments, or qualifying private nonprofit organizations for various programs, including conservation easements.

Budgetary constraints resulted in a temporary suspension of bond sales. On Tuesday, March 11, 2014, the State Board of Finance approved the sale of \$1.25 million of these authorized bonds. There is a remaining authority to issue more than \$19 million in these bonds.

*(Discussed at the June 20, 2014, meeting.)*

- Ms. Ruedy provided an overview of Recommendation No. 5.
- Chair Sprinkle called for a motion.
- The Committee **APPROVED THE FOLLOWING ACTION:**

**ASSEMBLYMAN KIRNER MADE A MOTION TO APPROVE RECOMMENDATION NO. 5. THE MOTION WAS SECONDED BY SENATOR PARKS AND PASSED UNANIMOUSLY.**

### **Recommendation No. 6**

**Send a Committee letter** to Governor Brian Sandoval in support of an increase in the Governor's *Executive Budget* for the 2015–2017 Biennium in the amount of \$85,000 in each fiscal year for the Division of State Parks, SDCNR. These funds will provide a match for federal transportation funding that was previously matched by SNPLMA funds. This will allow continued operation of the shuttle service operated by the Tahoe Transportation District between Incline Village and Sand Harbor State Park.

Some additional information received from James R. Lawrence, Special Advisor to the Director, SDCNR, regarding the shuttle service:

- It provides an option for visitors otherwise unable to enter Sand Harbor State Park.
- It has been instrumental in accomplishing the public safety goals of the Division of State Parks, SDCNR; Nevada Highway Patrol, Department of Public Safety; and Nevada's Department of Transportation by reducing traffic congestion on State Route 28 and reducing the number of pedestrians walking in or adjacent to the highway travel lanes.
- This service further allows park staff to focus efforts on issues within the perimeter of the park rather than conducting traffic control and/or issuing citations.

*(Discussed at the June 20, 2014, meeting.)*

- Ms. Ruedy provided an overview of Recommendation No. 6.

Discussion ensued among Committee members, Wayne Thorley, Program Analyst, Fiscal Analysis Division, LCB, and Carl Hasty, General Manager, Tahoe Transportation District (TTD), regarding the budget for the shuttle service between Incline Village and Sand Harbor State Park. The following information was clarified:

- The budget request calls for an \$85,000 increase in the State General Fund for the budget of the Division of State Parks, SDCNR, for each fiscal year in the upcoming biennium; this funding would be specifically earmarked for the shuttle service between Incline Village and Sand Harbor State Park.
- The current budget for the shuttle service is comprised of the following: (1) Federal Transit Administration (FTA), U.S. Department of Transportation, Section 5311 funding administered through Nevada's Department of Transportation; (2) a grant from the Lake Tahoe License Plate Fund; and (3) fares paid by riders on the shuttle.
- Prior to 2014, the FTA Section 5311 funds were matched by SNPLMA funding.
- In 2014, FTA Section 5311 funds were matched through the Tahoe License Plate Fund.

There was a discussion between Assemblyman Kirner and Mr. Hasty regarding ridership on the shuttle. Mr. Hasty stated the TTD is in its third year of running the shuttle, and the number of one-way rides increased from 11,000 in 2011 to 14,000 in the summer of 2013. Assemblyman Kirner conveyed that while budgets will be challenging during the 2015 Session, he supported sending a letter to the Governor regarding this funding request.

- Chair Sprinkle pointed out that reducing traffic is beneficial for Lake Tahoe's water quality and clarity.
- **ASSEMBLYMAN KIRNER MOVED TO APPROVE RECOMMENDATION NO. 6. THE MOTION WAS SECONDED BY SENATOR PARKS.**

Prior to a vote, Chair Sprinkle stated the \$85,000 increase is needed to leverage federal transportation funds.

- The Committee **APPROVED THE FOLLOWING ACTION:**

**THE MOTION PREVIOUSLY STATED TO APPROVE RECOMMENDATION NO. 6 PASSED UNANIMOUSLY.**

#### **Recommendation No. 7**

**Send a Committee letter** to Nevada's Congressional Delegation in support of a revision to technical language in the reauthorization of the Moving Ahead for Progress in the 21st Century Act of 2012 (Public Law 112-141 – Map 21) to allow the Tahoe Metropolitan Planning Organization to receive federal formula funds for capital projects and transit services under Map 21.

*(Requested by Carl Hasty, District Manager, Tahoe Transportation District, at the June 20, 2014, meeting.)*

- Ms. Ruedy provided an overview of Recommendation No. 7.
- Senator Kieckhefer asked whether the letter should also be sent to members of the California Congressional Delegation who represent the Lake Tahoe Basin.
- Mr. Hasty voiced support for Senator Kieckhefer's idea.
- Chair Sprinkle confirmed the recommendation could be modified as suggested. He commented on the large number of tourists who visit the Lake Tahoe Basin and the need to acquire additional transportation funding.

Chair Sprinkle called for a motion on Recommendation No. 7.



- The Committee **APPROVED THE FOLLOWING ACTION:**

**SENATOR PARKS MOVED TO APPROVE RECOMMENDATION NO. 7 WITH THE REVISION OF ALSO SENDING THE LETTER TO THOSE IN CALIFORNIA'S CONGRESSIONAL DELEGATION WHOSE DISTRICTS INCLUDE A PORTION OF THE LAKE TAHOE BASIN. THE MOTION WAS SECONDED BY ASSEMBLYWOMAN SWANK AND PASSED UNANIMOUSLY.**

#### **PUBLIC COMMENT**

- Steve Teshara, Principal, Sustainable Community Advocates; and Coordinator, Lake Tahoe Partnership, thanked the Committee members and staff for their outstanding work over the course of the interim.
- Chair Sprinkle expressed his appreciation for the other Committee members, staff, and members of the public who participated at the meetings.

## ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 3:14 p.m.

Respectfully submitted,

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Lisa Gardner  
Senior Research Secretary

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Jennifer Ruedy  
Principal Research Analyst

APPROVED BY:

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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 (LCB).

[Exhibit B](#) is the “Work Session Document,” dated August 25, 2014, prepared by Jennifer Ruedy, Principal Research Analyst, Research Division, LCB.

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](http://www.leg.state.nv.us/lcb/research/library/feedbackmail.cfm) or telephone: 775/684-6827.