

**MINUTES OF THE
SENATE COMMITTEE ON NATURAL RESOURCES**

**Eighty-second Session
May 9, 2023**

The Senate Committee on Natural Resources was called to order by Chair Julie Pazina at 3:31 p.m. on Tuesday, May 9, 2023, in Room 2144 of the Legislative Building, Carson City, Nevada. [Exhibit A](#) is the Agenda. [Exhibit B](#) is the Attendance Roster. All exhibits are available and on file in the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Julie Pazina, Chair
Senator Melanie Scheible, Vice Chair
Senator Edgar Flores
Senator Pete Goicoechea
Senator Ira Hansen

STAFF MEMBERS PRESENT:

Alysa Keller, Policy Analyst
Erin Sturdivant, Counsel
Donna Crawford Kennedy, Committee Secretary

OTHERS PRESENT:

Charlie Donohue, Administrator; State Lands Registrar, Division of State Lands,
State Department of Conservation and Natural Resources
Devin Middlebrook, Tahoe Regional Planning Agency
Steve Walker, Douglas County
Christi Cabrera-Georgeson, Nevada Conservation League
Kennedy McKinney, League to Save Lake Tahoe
Carl Hasty, District Manager, Tahoe Transportation District
Elizabeth Earnhart
Wesley Harper, Kingsbury General Improvement District
Kimberly Chevallier, Deputy Director, Tahoe Regional Planning Agency
Cadence Matijevich, Washoe County
Robert Byren
Ann Nichols, President, North Tahoe Preservation Alliance
Karin Beaty, Board Member, North Tahoe Preservation Alliance

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Scott Tieche
David Thompson
Jim DeGraffenreid
Brett Tibbitts
Elizabeth Learners

CHAIR PAZINA:

Senator Pete Goicoechea has been on the Senate Committee on Natural Resources for 20-some years. This is his last year on the Committee, and he and his vast water knowledge will be missed. This year's Senate Committee on Natural Resources members have been amazing. I am so lucky to work with them every day. Today is gift day, as you might have noticed, and we are thanking our hardworking Committee and staff for all the great work they do all year round: Alysa Keller, Erin Sturdivant, Donna Kennedy, Cherie Dittler, Paige Taylor and, of course, Cameron McClimans, thank you so much.

As our first order of business, we will be holding work sessions on a few bills that have been previously heard by the Committee.

We will open the work session on Assembly Bill (A.B.) 19.

ASSEMBLY BILL 19: Revises provisions relating to water. (BDR 48-233)

ALYSA KELLER (Policy Analyst):

The bills for consideration by the Committee today are summarized in the work session documents, which are available on the legislative website.

I will read the summary of A.B. 19 from the work session document ([Exhibit C](#)).

CHAIR PAZINA:

I will entertain a motion to do pass A.B. 19.

SENATOR SCHEIBLE MOVED TO DO PASS A.B. 19.

SENATOR GOICOECHEA SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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CHAIR PAZINA:

We will move to the work session on A.B. 131.

ASSEMBLY BILL 131: Revises provisions governing urban and community forestry. (BDR 47-720)

MS. KELLER:

I will read the summary of A.B. 131 from the work session document ([Exhibit D](#)).

CHAIR PAZINA:

I will entertain a motion to do pass A.B. 131.

SENATOR SCHEIBLE MOVED TO DO PASS A.B. 131.

SENATOR FLORES SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

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We will move to the work session on A.B. 162.

ASSEMBLY BILL 162 (1st Reprint): Establishes provisions governing the use of neonicotinoid pesticides. (BDR 51-97)

MS. KELLER:

I will read the summary of A.B. 162 from the work session document ([Exhibit E](#)).

SENATOR GOICOECHEA:

I am still concerned about the bill, although I am very sympathetic about the homeowners that are using neonicotinoid pesticides that are not truly regulated. My concern with the bill is the fact that you can be a restricted use applicator and cannot buy neonicotinoid that is available over the counter. Until the Environmental Protection Agency (EPA) sets some restrictions and makes neonicotinoid a restricted chemical pesticide, I cannot support the bill. The bottom line is if you are a certified applicator and a restricted use applicator, the

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only time you can use this is on agriculture and that is not how a restricted license works. I do not like that language and I will be opposing the bill.

SENATOR HANSEN:

I told you I am going to vote to get the bill out of Committee. I share the same concerns as Senator Goicoechea. We have a one- or two-hour hearing. We find out that the EPA has reviewed this for years and they have not come to the same conclusion we have come to in a couple of hours of hearings. I talked to my brother, who is a beekeeper. He said they have no issues with neonicotinoid pesticides as far as bees go. He said that it is some mites that cause the problem. And then the State Department of Agriculture testified and said the beekeepers are using neonicotinoid pesticides to help prevent the spread of the mites in the bee colonies.

I am uncomfortable with someone having us, as a State Legislative Body with a limited understanding of these things, pass issues that may have national repercussions. But I am going to vote for it to get it out of Committee.

CHAIR PAZINA:

I will entertain a motion to do pass A.B. 162.

SENATOR SCHEIBLE MOVED TO DO PASS A.B. 162.

SENATOR FLORES SECONDED THE MOTION.

THE MOTION CARRIED. (SENATOR GOICOECHEA VOTED NO.)

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CHAIR PAZINA:

We will open the hearing on A.B. 424.

ASSEMBLY BILL 424: Revises provisions relating to the issuance of bonds for environmental improvement projects in the Lake Tahoe Basin. (BDR S-388)

CHARLIE DONOHUE (Administrator; State Lands Registrar, Division of State Lands, State Department of Conservation and Natural Resources):
Assembly Bill 424 provides for the issuance of \$13 million in general obligation bonds for the continuation of the Tahoe Environmental Improvement Program (EIP).

The Division of State Lands has been the lead coordinating agency for the Nevada share of the EIP since 1999, and Nevada's participation in the EIP continues to be a success. The EIP is a well-coordinated partnership of federal, state, local agencies, the Washoe Tribe and the private sector. The partnership carries out projects to protect and improve the Lake Tahoe environment and has become a national model for collaborative leadership. Nevada is a key member, whose commitment to the EIP has funded 170 projects in focused areas of watersheds, habitat and water quality, forest management, and invasive species and recreation. The EIP is the primary way to achieve environmental gains in the Lake Tahoe Basin.

A significant amount of this work is coordinated through the Nevada Tahoe Resource Team (Team), which was assembled to carry out the EIP with representatives from the Division of State Lands, Division of State Parks, Division of Forestry and the Nevada Department of Wildlife.

The Team implements projects directly as well as awards grants to EIP participating agencies. These have recently included water quality projects being implemented by Washoe County in Incline Village as well as projects at Marla Bay, Cave Rock and Kahle Drive implemented by the Nevada Tahoe Conservation District. These are critical capital improvement infrastructure projects that capture stormwater and treat fine sediment particles that are known to impact Lake Tahoe's clarity.

As the Division of State Lands has done in many of the previous Legislative Sessions since the start of the EIP, they are requesting bond authority for the next round of Nevada's projects. Specifically, A.B. 424 authorizes the sale of \$13 million in general obligation bonds for the continuation of EIP projects in the Lake Tahoe Basin. The activities listed in A.B. 424 will focus on improving water quality, infrastructure, continued forest health improvement to reduce the risk of wildfire, improved habitat, and improved State-owned recreational facilities at Lake Tahoe.

A portion of this request will also be used to address some of the recreational and transportation challenges along the State Route 28 (SR 28) corridor with our Basin partners, including the Tahoe Regional Planning Agency (TRPA), the Tahoe Transportation District (TTD) and the Nevada Department of Transportation (NDOT).

In addition to improving the Lake Tahoe environment, these active capital improvement projects contribute to a strong local economy. State bonds are often used to leverage local match or federal awards, as in the recent example where the Team secured a Southern Nevada Public Land Management Act award of \$1.3 million for hazardous fuel reduction work around Marlette Lake.

Finally, A.B. 424 addresses a concern that the Office of the Treasurer had regarding access to interest that the bonds generate. Prior legislation was not explicit in that interest revenue generated from the bonds in excess of legislative authority could be used for the EIP. Sections 4 through 6 of the bill specifically address this issue and will enable the Treasurer to make those funds available for the benefit of the Nevada EIP.

Passage of A.B. 424 allows the State to build upon the success of our past projects and continue moving forward with our EIP partners in protecting and restoring the Lake Tahoe Basin.

CHAIR PAZINA:

We will now open testimony in support of A.B. 424.

DEVIN MIDDLEBROOK (Tahoe Regional Planning Agency):

The TRPA is here to express our support for A.B. 424 and continued support by the State for the Environmental Improvement Program.

Mr. Donohue did a great job of explaining the EIP and the importance it has for not only Tahoe's environment but our economy. Our economy is linked to the value of our environment.

STEVE WALKER (Douglas County):

Douglas County is in full support of the EIP as it has maintained Lake clarity and, in some years, improved it.

CHRISTI CABRERA-GEORGESON (Nevada Conservation League):

The Nevada Conservation League supports A.B. 424. This funding is critical for projects that will enhance forest health, reduce wildfire threat, prevent the spread of invasive species, protect water quality and promote recreation. We urge the Committee's support.

KENNEDY MCKINNEY (League to Save Lake Tahoe):

I am representing the League to Save Lake Tahoe. We support A.B. 424 and its goal to carry out critical environmental improvement projects in the Lake Tahoe Basin.

Lake Tahoe is a beautiful and unique natural resource that attracts millions of visitors each year. However, it is facing significant environmental challenges including water pollution, invasive species and erosion. These issues threaten not only the health of Lake Tahoe but also the economic well-being of the surrounding communities. This bill will provide the necessary funding to carry out critical environmental improvement projects in the Lake Tahoe Basin. These projects include efforts to reduce the amount of sediment and nutrients entering the Lake, restoring stream habitats for fish and wildlife and preventing the spread of invasive species. By investing in these projects, we can ensure that Lake Tahoe remains a healthy and vibrant natural resource for generations to come.

CARL HASTY (District Manager, Tahoe Transportation District):

As District Manager for the TTD, I want to express our support for A.B. 424 and for the bonds. Nevada plays a critical role in being a partner in the EIP and remains a seminal one for Tahoe. It has done a lot of good work and has much more good work to complete.

CHAIR PAZINA:

Seeing no more testimony in support, is there anyone who wishes to testify in opposition to A.B. 424?

ELIZABETH EARNHART:

Every visitor agrees that Tahoe is a special place and needs to be preserved. But before you approve more money to fund the ill-defined TRPA and the TTD projects, it is essential to obtain a Basin-wide comprehensive assessment of the need. In the last several years, the tourist capacity, wildfires and recent extreme winters have pushed Lake Tahoe to the brink.

Several travel magazines and newspapers have called out the damage to the Basin due to excessive tourism, yet the agencies entrusted with preventing this damage, the TRPA and TDD, have all but turned a blind eye to the problem. They resist the gathering of data and facts, such as evacuation plans, traffic congestion, data and traffic safety issues. They have done a 180-degree turn in their objective to prevent greed and to exploit our natural beauty. They are approving and encouraging large multifamily housing projects, not to reduce the local housing shortage but to attract more tourists who can afford apartments costing \$2.5 million and upwards. Do not blindly approve this bill. Money alone is not the solution to this problem. A reassessment as to how and who should manage Tahoe is the only way to go forward.

CHAIR PAZINA:

Is there testimony in neutral?

WESLEY HARPER (Kingsbury General Improvement District):

On behalf of the chair and trustees of the Kingsbury General Improvement District (KGID), I would like to offer some perspective on the implication of some environmental improvement projects in the Lake Tahoe Basin. First, KGID is appreciative of the State and federal environmental efforts and is supportive of the State's commitment to protect the Basin. Unintended consequences of prior programs have unfortunately created a financial strain on KGID and its residents.

Programs designed to prevent overdevelopment purchased a significant number of undeveloped lots that had already been outfitted with water, sewer and road infrastructure, then kept those lots vacant. This has left KGID with a legacy of stranded infrastructure that was designed and installed for these lots but is now not contributing and not performing. These lots, however, must be maintained at KGID's expense. Unlike an unbuilt private lot, these are public and therefore exempt from property tax; KGID receives no revenue for their maintenance. Along with the road maintenance is stormwater management, fire hydrants and fire protection. We are maintaining about 150 of these lots, which equates to more than \$25,000 per month of lost utility revenue, and \$85,000 per year of lost property tax revenue. Again, KGID appreciates the State's commitment to protect the Basin and I appreciate the opportunity to testify.

CHAIR PAZINA:

Mr. Donohue, would you like to come up and give closing statements?

MR. DONOHUE:

I would appreciate your support of A.B. 424. I want to assure the Committee that I will meet with Mr. Harper and ferret out his concerns.

CHAIR PAZINA:

We will close the testimony on A.B. 424 and open the testimony on Assembly Concurrent Resolution (A.C.R.) 5.

ASSEMBLY CONCURRENT RESOLUTION 5: Expresses support for the Lake Tahoe Transportation Action Plan. (BDR R-387)

KIMBERLY CHEVALLIER (Deputy Director, Tahoe Regional Planning Agency):

I am the new Deputy Director at TRPA and serve alongside Julie Regan, Executive Director. I am here today with Devin Middlebrook.

I will give you a short background on Tahoe. Tahoe is a small town with big transportation challenges. We have 55,000 residents, 15 million annual visitors, and we surround a \$5 billion annual economy. Administrator Charlie Donahue talked about our EIP in Tahoe, 25 years strong and 80 partners strong. We have completed over 700 projects since 1997. Transportation is a major focus area of the EIP, and it supports 1,700 jobs every year.

We are here to speak with you about the TRPA transportation plan. I want to highlight the main goals of that plan to reduce congestion and preserve our environment. As you know, the transportation system is inextricably linked to preserving the clarity of Lake Tahoe, the safety of our visitors and residents, equitable public access, economic development to support our jobs and workforce, and climate resilience. Devin Middlebrook will now talk about the Lake Tahoe Transportation Action Plan (LTTAP) ([Exhibit F](#)), and the resolution in front of you today.

MR. MIDDLEBROOK:

We have been working with this Legislative Body for several years on addressing Tahoe's transportation challenges. Most recently, in 2021, the Legislature adopted S.C.R. No. 8 of the 81st Session. It called for us to work with the State and with many of our partners to address transportation challenges at Tahoe. Especially challenging are identifying priority projects, their costs and benefits to the Lake and how those projects address climate change,

barriers to equitable access and other barriers to effectively implement that transportation system.

Since 2017, Nevada and California have convened a bistate consultation on transportation to fully implement the regional transportation plan. The fruit of this labor was the LTTAP. The resolution before you today, A.C.R. 5, supports and is the cornerstone of this shared funding commitment. The goals for it are shown in Exhibit F on pages 3 and 8.

The regional transportation plan is a 20-year vision for transportation in the Tahoe Basin and has about \$20 million per year funding gap to fully implement the Plan. The funding strategy that we produced is dubbed 777. It calls for each of the partners in the different sectors—federal, state and local—be responsible for meeting a funding gap of \$7 million per year to fund those unfunded priority projects. Nevada's funding commitment for that is one-third of the \$7 million, or \$2.5 million per year, and for the State of California, two-thirds, or \$4.5 million.

Through that process, we developed a series of priority projects. You can see on the map, Exhibit F, page 6, a lot of those are Nevada projects. I want to highlight the SR 28 Recreation Corridor. This includes beautiful State parks like Spooner Summit and Sand Harbor, which see about one-third of the State's total State parks' visitation. It is a high-priority area not only for public access for the residents of Nevada, but also for economic development opportunities for the local businesses.

How do all these pieces fit together? You have the overarching Regional Transportation Plan, which has the 20-year vision for transportation at Lake Tahoe through the bistate consultation on transportation. California and Nevada came together and set those priority projects and goals for implementing the Regional Transportation Plan. The result of that was the LTTAP and 777 strategy. This is that next step toward implementing those priority projects. The priority projects were selected through stakeholder and public engagement and represent the highest priority projects for the region.

Any money that comes from a state toward their 777 contribution will either come through the TRPA, the TTD, Nevada or any number of local funding and implementation partners. Oversight of these projects and accountability for implementing them comes through the TRPA, in addition to many other California and federal bodies that we report to. The LTTAP has many goals in

terms of reducing congestion, increasing safety and supporting the infrastructure. There are many performance-measure targets that all these plans roll up into.

Before you today is A.C.R. 5 expressing support for the LTTAP. We are asking for this resolution to continue the S.C.R. No. 8 of the 81st Session's support for the LTTAP and to express support for funding high-priority transportation projects in the Lake Tahoe Basin. This Session, there are several different actions that this Body will be considering in that support. You just heard A.B. 424; part of those bond funds will contribute towards the State's share of the 777. There is also a Conserve Nevada Bond Program this Session that will contribute, and there is a direct budget request to support Tahoe transportation districts, operations and State parks. Finally, we request continued support from the State for new and competitive grant-funding programs.

SENATOR HANSEN:

I have some questions for you about Lake Tahoe because my great grandfather bought property at King's Beach in the 1950s. As a child, I spent my summers at Lake Tahoe and I watched the clarity of the Lake change through the years. We are spending a ton of money on the Lake. What have been the positive results on the clarity? What about the quagga mussels; where are we today?

MR. MIDDLEBROOK:

Aquatic invasive species are a top priority of the EIP. As you mentioned, the quagga mussels were about ten years ago. When those were first discovered in Lake Mead, that really raised the alarm for us at Tahoe. We are lucky enough that we do not have quagga mussels. We do have other invasive weeds and Asian clams in the Lake that affect clarity. Our Team sprang into action and created the Aquatic Invasive Species Prevention Program. Now, every boat that comes into the Lake must be inspected to make sure it is clean before it goes into the Lake. Part of the SR 28 corridor is a permanent inspection station; therefore, we can increase our customer service and the speed at which we can inspect those boats and get people out on the Lake enjoying the water.

Ms. CHEVALLIER:

We enjoyed great improvements this year with an increase in clarity of about ten feet from the prior year. This is due to a lot of work with the EIP. We have many different priorities within the EIP to reduce fine sediment and pollutant loads into the Lake. The local jurisdictions take a lot of the responsibility and

have met the last two milestones laid out in the total maximum daily load. We are making progress and working with the Tahoe Science Advisory Council on ways we can continue progress with changing climate and changing ecosystems.

SENATOR HANSEN:

I have one more question. I did not realize crawdads, or crayfish as they are known now, were not native to the Basin. I heard that some have pointed the finger at them for part of the decline in the clarity of the Lake.

MR. MIDDLEBROOK:

Yes, crayfish are a little bit of a gray area. They are considered an invasive species, but they were introduced back in the day to help feed the sport fishing stocks. Crayfish are part of the whole biological environment of the Lake. They eat little critters at the bottom of the Lake, native critters, and poop in the water which leads to nutrient loading. They are one of those target species that we are exploring ways to reduce their numbers. In years past, there have been commercial operations that have tried to capitalize and have a business focus on reducing their impact on the Lake, at the same time creating Tahoe crawfish. And there used to be crawdad festivals at the Lake where you could enjoy them. It is one of those species, among many others, that we are looking at controlling. We want to return the Lake to a more natural food web and ecosystem to support Lake clarity.

SENATOR HANSEN:

At one time logging was the industry at Lake Tahoe, going back to the Comstock Lode. Whole mountains were basically denuded. When I was a kid in the early sixties, the clarity of the Lake was remarkable; probably the best it had been in years. If Lake Tahoe's clarity was able to stay so nice for so many years despite that amazing amount of logging and deforestation of the whole range, why is it now that little, tiny amounts of sediments getting into the Lake has affected the clarity so much? Is it the erosion or is it the invasive species? Why, in the past, despite the incredible environmental degradation, did the Lake stay so clear versus today, when a relatively small amount, comparably speaking, seems to be getting into the Lake, yet clarity levels have been declining.

MR. MIDDLEBROOK:

I think your knowledge of Tahoe and the history of Tahoe is why we are here today. As you noted, during the Comstock era and the silver mining in Nevada,

Tahoe trees were clear-cut to support Virginia City; that had a big impact on the Lake in terms of erosion. Once that period was done, the forest grew back, and it grew back overly dense and all the trees are the same age. Consequently, it is not that same mix of healthy forest. That was a major impact to the Lake. It was a relatively short period where they came, cut down all the trees and left.

What we have today is a situation that has built up over the last 40 or 50 years. We have had continuous development throughout the region and often, before our agency was founded, that development was done in wetlands and marshes and built over that natural filtration system. So, what we have now is a more continuous impact.

About 70 percent of the pollutants that are reaching the Lake and affecting clarity come from our urban environment. The Regional Transportation Plan and LTTAP aim to remove that legacy development out of those sensitive areas and restore them. For example, many Basin partners have restored and/or are working to restore the upper Truckee River and marsh system, which is the largest meadow system in the entire Sierra Nevada Mountain Range. That is the primary source of pollutants in the Lake. By removing that legacy development and restoring those areas, we are trying to reverse that marsh and wetland damage. But again, it is more of a continuous impact and that is why the Regional Transportation Plan and the LTTAP are so important—it gets people out of their vehicles, gets those pollutant loads off the roads and still allows people to enjoy the area. Then, once the pollutants make it into the Lake, there are other dynamics.

We just had many years of drought where the Lake level was low; this year, the Lake has gone up four to five feet from all the moisture we received. You do get somewhat of a flush of pollutants reaching the Lake, and now, with warming temperatures, Lake dynamics are being affected as well. It is an interwoven system. Our EIP has many different focus areas to tackle each one of those interconnected pieces.

SENATOR HANSEN:

Obviously, when you have a big influx of water like this year, it tends to make the Lake clearer. The TRPA, in the early 1970s, initiated restrictions on growth and things kicked into gear. What is the trend line as far as clarity of the Lake? Are we winning the fight to make it clear again or are we just treading water?

MR. MIDDLEBROOK:

In the 1950s, 1960s and 1970s, we had nearly 100 feet of clarity in the Lake. The clarity rapidly got worse in the last 20 years. Now, thanks to the EIP, that trend line has stabilized and dropped off and flattened. So, we are making progress toward our goal of restoring clarity to Lake Tahoe's historic levels. Obviously, there are year-to-year fluctuations. But when you look over the five-year trend, there are improvements in Lake clarity.

SENATOR HANSEN:

That is very good, because it is one of the treasures of the world and we tend to love it to death.

CHAIR PAZINA:

We will now hear testimony in support of A.C.R. 5.

KENNEDY MCKINNEY (League to Save Lake Tahoe):

The League to Save Lake Tahoe has been proud to participate in the bistate working group on transportation for the last six years. This is a collaboration of public and private entities working to advance high-priority transportation solutions in the Lake Tahoe Basin. The transportation network is one of the biggest contributors to sediment pollution in the Lake and reducing vehicle miles traveled is key to keeping Tahoe blue. We are in full support of A.C.R. 5.

CADENCE MATIJEVICH (Washoe County):

Our Board of County Commissioners has taken an official policy position in support of A.C.R. 5.

MR. HASTY:

The Tahoe Transportation District is in support of A.C.R. 5. Some of you may not be aware that the bistate compact gives the TTD the direction to deal with transportation congestion and other issues through multimodal means. We are not there yet. We are prohibited from expanding highways, which is what happens in most communities where traffic tends to grow. Our mission is making Tahoe more pedestrian-friendly, more bike-friendly, integrating it with public transit and providing alternatives for people to get places without using their cars. Appropriately, the first 25 years of the EIP were focused on road retrofit to improve water quality and clarity of the Lake. Now we are moving into the next 25 years and focusing on getting more of the multimodal system on the ground and in play.

This transportation plan is a subset of the Regional Transportation Plan. It is important; we cannot keep people from traveling on State or federal highways, but we can provide alternatives for people to get where they are going. As we watch the populations around us grow and come to Tahoe for their recreation, our solution is to follow this plan. Unfortunately, it happens more slowly than we would like. This is something that we are all working to accelerate; to get these kinds of improvements and services available to people in the Basin and outside the Basin, so they can get in and around the Lake and not have as much of an environmental impact. I express our support for A.C.R. 5.

CHAIR PAZINA:

We will close testimony in support and open testimony in opposition to A.C.R. 5. There is a letter of opposition from Tahoe Sierra Clean Air Coalition ([Exhibit G](#)).

ROBERT BYREN:

I have come to voice my opposition to A.C.R. 5, a resolution affirming the LTTAP. It calls for the adoption of NDOT's U.S. 50 East Shore Corridor Management Plan (CMP), which is now in revision, but still includes adding dedicated multiuse bike lanes at the expense of two traffic lanes that are essential to the community. For the record, I have attended and interacted with the CMP study team at all four public hearings and listening tours. It is clear to me that the study team has either ignored or given lip service to several major issues.

These are my concerns: First is the additional congestion caused by the reduction in number and width of north- and south-bound traffic lanes. We are a destination resort with well over 15 million visitors each year and a transient population that can reach 300,000 during the high seasons. Most of these visitors use Highway 50 as their main access and thoroughfare because they have no alternative. Fordor's Travel, a well-known tourist travel company, has already cautioned people that Lake Tahoe is an undesirable resort due to congestion. The CMP will only add to the severe traffic congestion in our community.

Second, I am concerned about evacuation problems should we experience a major wildfire within the Tahoe Basin.

My third concern is that the increased air pollution and algae bloom caused by additional travel time is exacerbated by the frequent temperature inversions in Lake Tahoe.

My fourth concern is the access problem for power, water, sewer and road maintenance vehicles, with the shoulder essentially lost to these multiuse lanes.

Fifth, I am concerned about winter travel conditions in our alpine climate. We are unique in Nevada given the large transient population at our 11 downhill ski resorts, which create special safety needs and require road shoulders for snow clearance.

Finally, there is bike safety. Because barriers are proposed to form these dedicated multiuse lanes, the high-speed road bikers will not choose to interact with pedestrians, strollers, lime scooters and skateboarders; rather they will prefer to share the road with the cars and trucks. Now with only a single transportation lane in each direction and no shoulder, as proposed, the cars and trucks will be forced to pass the road biker by veering into the center lane which creates several obvious safety problems.

A better solution is to keep the four traffic lanes and create a proper Class II Bike Lane at the shoulder. For these reasons, the Nevada State Senate should oppose, not promote, the current CMP.

ANN NICHOLS (President, North Tahoe Preservation Alliance):

I am a 52-year resident of North Lake Tahoe and a real estate broker in Nevada and California speaking in opposition to both bills. No matter how much money you spend on Lake Tahoe, if the TRPA keeps approving large-scale development, including more people and more traffic, more, more, more, it is never going to work. None of the 109 projects that are being proposed in the 777 funding strategy, which no one knows anything about, will solve it. They are going to promote more visitation, more attractions and more people coming to Lake Tahoe. They are not dealing with the real problem.

They are creating more bike trails and hiking trails, but they do not mention what happens in peak periods or if we are unable to leave when there is real danger and we cannot move. The TRPA is supposed to take care of our safety. So, this is simply wrong headed. We need to go to TRPA to tell them we want

them to succeed, but if they decide to only approve luxury condominium developments with more people and cars, it is not going to work.

Before you approve any of these bills, we hope that you will take a hard look at the 109 projects. The public is not informed about these projects, and we have no idea about the 777 plan. So really take a hard look.

The TRPA's initial budget was \$320,000; now it is \$22.5 million. That is a lot of money being spent. I want them to succeed, but they cannot do it by promoting more luxury development. I have also submitted a letter ([Exhibit H](#)) of opposition to A.B. 424 and A.C.R. 5.

KARIN BEATY (Board Member, North Tahoe Preservation Alliance):

My family moved here in 1965. I also remember the clarity of the Lake then and what it was like to live in the community and be able to enjoy all those things that you are talking about, crowdads included. My objection to A.C.R. 5 is simply this, the TRPA is no longer following its original mandate and the intent of Congress. This was defined in the original materials, establishing the TRPA to "establish an environmental standard necessary to maintain significant scenic, recreational, educational, scientific or natural values of the region and to maintain public health and safety within the region." The TRPA does not know, and is not willing to learn, what it takes to take care of the Lake Tahoe Basin today. What this means is, they do not know how many approved developments will affect Lake Tahoe's clarity, Lake Tahoe Basin's air quality, and how it will affect our ability to evacuate in a wildfire, how it will impede traffic and degrade roads and what it will do to the natural environment. Giving them more money without oversight is a mistake.

As could be expected, the TRPA has always been a lightning rod for controversy as it seeks to maintain a balance between environmentalists and developers or property owners seeking to make a profit from ownership. The wide range and scope of recently approved development shows clearly that the members of TRPA no longer see themselves as environmental stewards, but instead are acting from the self-interest of big money developers. These groups have legal and public relations teams backed by millions of dollars to overwhelm whatever good intentions the TRPA staff may have. Before the TRPA approves projects, they must work and understand what the thresholds are and what the capacity is for Lake Tahoe. If you want to keep Tahoe as beautiful as it is, vote no on A.C.R. 5.

SCOTT TIECHE:

I am a 43-year Tahoe resident. I am opposed to A.B. 424 and A.C.R. 5 until the TRPA performs the Lake Tahoe Basin-wide supplemental cumulative environmental impact to the 2012 TRPA Plan. It should be connected with all past, current and future public and major private projects, including all projects connected with the TRPA EIP since 2012. The current system, which allows transportation projects determined to be environmental improvements, are often subjective and lack Basin-wide cumulative environmental impact statements before inclusion.

Additional environmental oversight of TRPA priorities is needed now more than ever as TRPA and the TTD continue to aggressively move further and further away from protecting the natural resources of the Lake Tahoe Basin in favor of other self-determined priorities. This includes currently proposed and significant code changes to increase height, density and coverage. This is while failing to provide a Basin-wide supplemental EIP in connection with incremental projects and code change approvals over the last 50 years.

All my years in Tahoe, I have been a staunch protector of the TRPA. That is no longer true. Do not give them this money carte blanche. It only emboldens their behavior.

DAVID THOMPSON:

I have been a citizen of Nevada since 1966 and lived here since then, except for three years serving my Country in the Army. I now live in Glenbrook and take my life in my hands every time I pull out onto the one-lane Highway 50. There is a constant flow of traffic making it impossible to pull out of Glenbrook at certain times of the day. And to me, this is a dangerous proposition. When NDOT came to Glenbrook to give a presentation, it was advertised as a 15-minute presentation with questions and answers afterward. What really happened was that they talked for an hour and left hurriedly without any questions and answers. The audience was completely opposed to the narrowing of the highway past Glenbrook. It is going to be dangerous and cost a lot of lives.

JIM DEGRAFFENREID:

I am a 20-plus-year resident of Douglas County and a regular user of Lake Tahoe's highways and trail systems as both a driver and a bicyclist. There may be good items in the Lake Tahoe 777 Transportation Plan, but there are also many serious issues with it, as has been pointed out by many local

residents and stakeholders both in this hearing and in the prior one. The Transportation Plan is designed to discourage vehicle traffic in the Basin. But unless the Transportation Plan takes reality into account, rather than simply wishing vehicles would just go away, it is doomed to fail. In the Assembly hearing, Assemblywoman Alexis Hansen asked why the shuttle service on the northeast portion of the Lake no longer runs. This was because it does not have sufficient ridership to be sustainable, often running with only two riders.

Another issue is the desire to reduce U.S. Route 50 to two lanes as has been mentioned before. This worsens congestion rather than improving it. As a cyclist, although maybe not one of the high-speed bicyclists referred to earlier, I use U.S. 50 and SR 28 regularly. I agree with the comments made earlier. The cyclists will prefer to use the highway as opposed to endangering pedestrians on a multiuse path. But under this Transportation Plan, that will place me and other cyclists in great danger on a greatly narrowed highway. Reducing a four-lane highway to two lanes greatly increases dangers during evacuation for residents and visitors alike. Please protect your local constituents and Tahoe residents; take a step back and do not support the Transportation Plan via A.C.R. 5 until the very real dangers that it causes have been resolved.

BRETT TIBBITTS:

I am opposed to A.C.R. 5. I am specifically against the Transportation Plan to reduce much of the east shore of U.S. 50 from four vehicle lanes to two vehicle lanes. The TRPA Transportation Plan is the same kind of plan that the town of Paradise, California, and Caltrans implemented a short time before much of the town of Paradise burned to the ground. Instead of having four lanes to escape, the townspeople were left with only two lanes and people died as a result. Reducing U.S. Route 50 from four lanes to two lanes will also create disasters for ambulances and fire trucks responding to emergencies.

U.S. Route 50, on the east and south shore of Lake Tahoe, is vastly different from the other areas of the Lake, as it serves the Lake's largest population by far. South Lake Tahoe is the area where over half of the Lake's population resides. U.S. Route 50 is largely the only way in and out; it is extremely important in times of emergency and fire evacuations.

Unlike the TRPA's transportation equity notions, bicycles are not the equivalent of cars at the Lake. Bicycles are mostly used for recreational purposes. People do not ride their bikes to the Lake from the Bay Area. They put their bikes in

their cars and drive to Lake Tahoe, then get their bikes out of their cars and ride them. I also must point out that TRPA is hypocritical in wanting to reduce roadway capacity at the Lake. The TRPA is constantly approving large new projects that greatly add to vehicle trips. For instance, they approved the new Stateline Event Center project that has a 6,000-seat venue. People will be driving to this Center, not biking or taking the bus. The TRPA is allowing Barton Hospital to move to Stateline, creating thousands of new vehicle trips, as Barton's patient base is in South Lake Tahoe. Those of us on the Nevada side go to Carson Tahoe Health, not Barton.

Please oppose this plan. Please consider that if this bill is approved, responsibility will need to be taken if people die during an evacuation or other emergency scenarios.

ELIZABETH LEARNERS:

I lived in California at the time Paradise burned. I will never forget November 15, 2018. Within a short period of time, less than an hour, at six o'clock in the morning, 85 people burned in their cars trying to outrun a fire that overtook them. This happened because the State of California, Butte County and the town of Paradise accepted \$2 million to apply road reduction to and from their only evacuation route.

This Transportation Plan will do the same thing to the east shore of Lake Tahoe. U.S. Route 50 is the only four-lane road that goes in and out of the Tahoe Basin. This is the only evacuation route, given that the predominant winds are from the south, southwest or west and they drive the fires toward us. It is also the only road that stays open during winter. It is also the only road that will let wide loads and excavators and other heavy equipment into and out of the Basin for work. Please do not vote for this bill. It will circumvent the two-state compact that says, as Congress pointed out, two-thirds of both states, California and Nevada, must approve the plan. It is not what the locals want.

CHAIR PAZINA:

Having no testifiers in neutral, do the presenters have any closing statements?

MR. MIDDLEBROOK:

As you saw here today, with the amount of public comment we received, everyone is very passionate about Lake Tahoe. I want to point out that the Regional Transportation Plan and LTTAP share the same goals that you heard

from all the commenters; improving and enhancing safety, making sure people can safely evacuate during emergencies, reducing congestion and protecting the environment. We all share that in common.

The TRPA and LTTAP have the goal of managing growth and identifying priority projects, working toward the goals I just mentioned. The resolution is not approval of each of those individual projects, those go through their own permitting and environmental analysis and stakeholder input. We continue to be committed to working with the public to address any concerns as projects and funding moves forward.

MS. CHEVALLIER:

I will add that the LTTAP has been a product of years of collaboration with the State, residents, private sector and with many different partners. We will continue to collaborate with these entities as we implement it going forward. The action taken today with the resolution will be an important step.

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CHAIR PAZINA:

Hearing no testimony in neutral, I would ask that you stay involved and engaged with the community as this moves forward. Having no further business, we adjourn this meeting at 4:38 p.m.

RESPECTFULLY SUBMITTED:

Donna Crawford Kennedy,
Committee Secretary

APPROVED BY:

Senator Julie Pazina, Chair

DATE: _____

EXHIBIT SUMMARY				
Bill	Exhibit Letter	Introduced on Minute Report Page No.	Witness / Entity	Description
	A	1		Agenda
	B	1		Attendance Roster
A.B. 19	C	2	Alysa Keller	Work session document
A.B. 131	D	3	Alysa Keller	Work session document
A.B. 162	E	3	Alysa Keller	Work session document
A.C.R. 5	F	9	Kimberly Chevallier / Tahoe Regional Planning Agency	Lake Tahoe Transportation Action Plan Presentation
A.C.R. 5	G	15	Chair Julie Pazina	Letter of opposition from Tahoe Sierra Clean Air Coalition
A.B. 424 and A.C.R. 5	H	17	Ann Nichols / North Tahoe Preservation Alliance	Letter in opposition