

MEETING NOTICE AND AGENDA

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

Date and Time of Meeting: Friday, May 21, 2010
1 p.m.

Place of Meeting: [Cal Neva Resort, Spa and Casino](#)
California Room
2 Stateline Road
Crystal Bay, Nevada

<p>Note: Minutes of this meeting will be produced in summary format. Please provide the secretary with electronic or written copies of testimony and visual presentations if you wish to have complete versions included as exhibits with the minutes.</p>

A G E N D A

Note: Items on this agenda may be taken in a different order than listed.

*Denotes items on which the Committee may take action.

I. Opening Remarks

Senator John J. Lee, Chair

*II. Overview of Cal Neva Resort, Spa and Casino's Presence in the Tahoe Basin: Past, Present, and Future

Robert Marcil, General Manager, Cal Neva Resort, Spa and Casino

*III. Discussion of Prescribed Fire Protocols in the Lake Tahoe Basin

Charlene Meenan, Private Citizen

Elwood Miller, Ph.D., Operations Section Leader, Tahoe Fire and Fuels Team

*IV. Update on the Federal Program of the Environmental Improvement Program Projects by the United States Forest Service

Terri Marceron, Forest Supervisor, Lake Tahoe Basin Management Unit,
U. S. Forest Service, U. S. Department of Agriculture

*V. Overview of the Wildlife Present in the Lake Tahoe Basin

James R. Lawrence, Administrator and State Land Registrar,
Division of State Lands, State Department of Conservation and Natural
Resources (SDCNR)

David P. Catalano, Wildlife Biologist III, Nevada Tahoe Resource Team,
Nevada's Department of Wildlife (NDOW)

*VI. Update on NDOW's Proposed Draft Legislation Regarding Aquatic Invasive Species

Cameron Waithman, Staff Game Warden, NDOW

*VII. Informational Briefing on Aquatic Invasive Species and Boat Inspections in the Lake Tahoe Basin

Ted Thayer, Manager, Aquatic Invasive Species Program, Tahoe Regional Planning Agency (TRPA)

*VIII. Presentation on the Lake Tahoe Regional Plan Initiative

Steve Teshara, Strategic Advisor, North Lake Tahoe Chamber of Commerce

Betty "B" Gorman, President and Chief Executive Officer, Lake Tahoe South Shore Chamber of Commerce

*IX. Update on Programs and Activities Associated With the TRPA

Joanne S. Marchetta, Executive Director, TRPA

X. Public Comment

(Because of time considerations, the period for public comment by each speaker may be limited, and speakers are urged to avoid repetition of comments made by previous speakers.)

*XI. Work Session—Discussion and Possible Action on Recommendations Relating to:

A. Environmental Improvement Program

B. Transportation

C. Regional Plan Initiative

D. Property Owners' Protections

E. Committee Acknowledgment

The "Work Session Document" is attached below and contains recommendations proposed at this and other meetings of the Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System during the 2009-2010 Legislative Interim. The document is also available on the Committee's webpage, [Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System \(NRS 218E.555\)](#), or a written copy may be obtained by contacting Jennifer Ruedy, Senior Research Analyst, Research Division, Legislative Counsel Bureau, at (775) 684-6825.

XII. Public Comment

(Because of time considerations, the period for public comment by each speaker may be limited, and speakers are urged to avoid repetition of comments made by previous speakers.)

XIII. Adjournment

Note: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Research Division of the Legislative Counsel Bureau, in writing, at the Legislative Building, 401 South Carson Street, Carson City, Nevada 89701-4747, or call Tracey Wineglass at (775) 684-6825 as soon as possible.

Notice of this meeting was posted in the following Carson City, Nevada, locations: Blasdel Building, 209 East Musser Street; Capitol Press Corps, Basement, Capitol Building; City Hall, 201 North Carson Street; Legislative Building, 401 South Carson Street; and Nevada State Library, 100 Stewart Street. Notice of this meeting was faxed and e-mailed for posting to the following Las Vegas, Nevada, locations: Clark County Government Center, 500 South Grand Central Parkway; and Capitol Police, Grant Sawyer State Office Building, 555 East Washington Avenue. Notice of this meeting was faxed for posting to the following Crystal Bay, Nevada, location: Cal Neva Resort, Spa and Casino, 2 Stateline Road. Notice of this meeting was posted on the Internet through the Nevada Legislature's website at www.leg.state.nv.us.



WORK SESSION DOCUMENT

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

May 21, 2010

The following “Work Session Document” has been prepared by the Chair and staff of the Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency (TRPA) and the Marlette Lake Water System. The recommendations listed in this document are in no particular order and do not necessarily have the support or opposition of the Committee Chair or members. The Committee may accept, reject, modify, or take no action on any of the proposals. Actions available to the Committee members include: legislation, statements in the Committee’s final report, and letters of recommendation or support.

The members of the Committee may vote to send as many letters as they choose; however, pursuant to *Nevada Revised Statutes* (NRS) 218D.160, the Committee is limited to ten bill draft requests (BDRs), including requests for the drafting of legislative resolutions. The Committee must submit its BDRs by September 1, 2010, unless the Legislative Commission authorizes submission of a request after that date.

The “Work Session Document” contains a summary of proposals for BDRs or other actions that have been presented during public hearings, through communication with individual Committee members, or through correspondence or communications submitted to the Legislative Committee for the Review and Oversight of the TRPA and the Marlette Lake Water System. The source of each recommendation is noted in parentheses unless the proposal was raised and discussed by numerous individuals and entities during the course of the Committee’s meetings.

Committee members should be advised that Legislative Counsel Bureau staff may, at the direction of the Chair, coordinate with interested parties to obtain additional information for drafting purposes or for information to be included in the final report.

If action is taken to adopt a recommendation, it will become part of the Committee's final report. The approved recommendations for legislation resulting from these deliberations will be prepared as BDRs and submitted to the 2011 Session of the Nevada Legislature.

Section 5 of NRS 218E.560 requires that any recommended legislation proposed by the Committee be approved by a majority of the members of the Senate and by a majority of the members of the Assembly appointed to the Committee.

RECOMMENDATIONS

A. ENVIRONMENTAL IMPROVEMENT PROGRAM

- 1. Request the drafting of a bill** to release the next phase of bonds in an amount of \$12 million to carry out Nevada's portion of the Environmental Improvement Program (EIP) for the 2011-2013 biennium. The preliminary list of projects that will be submitted for consideration with this legislation includes:
 - \$1 million for continued forest health, restoration, and fuels management project implementation;
 - \$300,000 to control invasive terrestrial and aquatic species;
 - \$1,037,500 for recreation enhancements;
 - \$335,000 for protecting sensitive species and improving wildlife habitat;
 - \$8,827,500 for water quality, erosion control, and stream restoration/enhancement projects; and
 - \$500,000 for project contingencies.

The Administrator of the Division of State Lands is authorized to submit a request to the Legislature each biennium, as necessary, for an appropriation to the program. The bill would provide that the total bond value issued for the program may be reduced by the amount of money appropriated by the

Legislature. The costs of carrying out the EIP are apportioned between the federal government, the States of California and Nevada, local governments, and private property owners within both states.

(Requested by James R. Lawrence, Administrator, Division of State Lands, State Department of Conservation and Natural Resources, at the March 29, 2010, meeting. Specific amounts were provided to Committee staff prior to the Work Session.)

B. TRANSPORTATION

- 2. Send a Committee letter to California and Nevada's Congressional Delegation to request support of Lake Tahoe Transportation Authorities in the Reauthorization of the Safe Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU).**

Include a statement that the Metropolitan Planning Organization (MPO) designation under the current federal SAFETEA-LU for transportation and the transportation project implementation funds the Tahoe MPO (TMPO) receives have been of tremendous benefit to the people and the environment in the Lake Tahoe Basin. Specify support of the Committee for the retention of all authorities currently designated for the Lake Tahoe Region in the reauthorization of the bill.

Express the concern of the Committee that the TMPO does not receive transit operating formula funds as do all other MPOs and request that the new transportation bill should add this authority for the TMPO.

Therefore, the committee supports the amendment of Section 5307 as follows:

Amend Section 5307(h) of Title 49, USC, Chapter 53 to add a new subsection 5307(h)(2):

(2) For purposes of this section, the Lake Tahoe Region, as defined in Title 49 USC 5309(f)(3)(A), shall be treated as an urbanized area with a population of 150,000 and a land area of 77 square miles, as defined in Section 5302.

Note that given the dominance of federal land ownership at Lake Tahoe (approximately 77 percent), the policy direction of the Tahoe Regional Planning Compact (Public Law 96-551) to provide alternatives to the automobile, and the large annual visitation that comes to enjoy Lake Tahoe, significant operating funds are necessary to provide an effective region-wide transit system.

(Requested by Carl Hasty, District Manager, Tahoe Transportation District, at the Committee meeting on March 29, 2010.)

3. **Include a statement in the final report** in support of turning or replacing the drop inlet grates with bicycle-friendly ones in the Tahoe Basin.

(Suggestion by Chair Lee to a representative from Nevada's Department of Transportation at the Committee meeting on March 29, 2010.)

C. REGIONAL PLAN INITIATIVE

4. **Send a Committee letter to TRPA** in support of the Lake Tahoe Regional Plan Initiative.

(Recommendation to be proposed by Steve Teshara at the Committee meeting on May 21, 2010.)

D. PROPERTY OWNERS' PROTECTIONS

5. **Request the drafting of a bill** to create a new ombudsman position in the Office of the Attorney General.

(Recommendation proposed by Jenny Reese, Government Affairs Director, Nevada Association of Realtors, at the Committee meeting on March 29, 2010.)

6. **Request the drafting of a bill** to strengthen protections for lakeshore property owners in relation to the Public Trust Doctrine.

(Discussion at the Committee meeting on March 29, 2010.)

E. ACKNOWLEDGMENT

7. **Send a Committee letter to Steve Teshara** acknowledging his multi-decade work promoting collaboration between diverse entities for the common goal of improving environmental and economic conditions in the Lake Tahoe Basin. From serving as the Executive Director of the Tahoe Sierra Preservation Council in the mid-1980s to his recent resignation as President and Chief Executive Officer of the North Lake Tahoe Resort Association, Steve has been an effective force for positive change. Steve was instrumental in the Lake Tahoe Gaming Alliance's establishment of the luxury motor coach service to take visitors from the Reno-Tahoe International Airport to Stateline and the successful lobbying of the 1997 Legislature to establish the Tahoe-Douglas Visitor's Authority (Assembly Bill 616 [Chapter 496, *Statutes of Nevada 1997*]).

(Recommended by Chairman Lee.)