

MEETING NOTICE AND AGENDA

Name of Organization: Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency (TRPA) and the Marlette Lake Water System (*Nevada Revised Statutes* 218.53871)

Date and Time of Meeting: Friday, August 15, 2008
9:30 a.m.

Place of Meeting: Legislative Building
Room 3138
401 South Carson Street
Carson City, Nevada

Note: Some members of the Committee may be attending the meeting and other persons may observe the meeting and provide testimony through a simultaneous videoconference conducted at the following locations: Grant Sawyer State Office Building, Room 4412, 555 East Washington Avenue, Las Vegas, Nevada, and the Great Basin College, Lundberg Hall, Room 114, 1500 College Parkway, Elko, Nevada.

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.

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
Assemblywoman Peggy Pierce, Chair
- *II. Approval of Minutes of the April 18, 2008, Meeting in Incline Village, Nevada
- *III. Update of Improvements to the Marlette Lake Water System
Patrick McInnis, Chief Engineer, Buildings and Grounds Division, Department of Administration
- *IV. Update on Programs and Activities of the Lake Tahoe Transportation and Water Quality Coalition
Rochelle Nason, Co-Chair, Lake Tahoe Transportation and Water Quality Coalition, and Executive Director, League to Save Lake Tahoe
Andrew Strain, Co-Chair, Lake Tahoe Transportation and Water Quality Coalition, and Vice President of Planning and Government Affairs, Heavenly Mountain Resort
Steve Teshara, Co-Chair, Lake Tahoe Transportation and Water Quality Coalition, and President and CEO, North Lake Tahoe Resort Association
- *V. Presentation on the Tahoe Science Consortium and the Role of an Established Science Program in the Lake Tahoe Basin
Zach Hymanson, Executive Director, Tahoe Science Consortium

- *VI. Presentation on Vegetation Management in Sensitive Areas of the Lake Tahoe Basin
Wally Miller, Ph.D., Department of Natural Resources and Environmental Science,
University of Nevada, Reno
- *VII. Presentation on Impact of Assembly Bill 423 (Chapter 45, *Statutes of Nevada 2007*)
on Community Land Trusts
Cindy Hannah, Executive Director, St. Joseph’s Community Land Trust
- *VIII. Status Reports by the Tahoe Regional Planning Agency presented by John Singlaub,
Executive Director, TRPA
 - A. “Pathway” (TRPA Regional Plan Update), including the Environmental
Improvement Program and Adaptive Management Programs
 - B. The California-Nevada Tahoe Basin Fire Commission Report’s Recommendations
Specific to the TRPA
 - C. The Lake Tahoe Shorezone Ordinance Amendments
 - D. Aquatic Invasive Species Program
- IX. Public Comment
- *X. Work Session—Discussion and Possible Action on Recommendations Related to:
 - A. Aquatic Invasive Species
 - B. Climate Change
 - C. Environmental Improvement Program
 - D. TRPA Budgetary Issues
 - E. Wildfires

The “Work Session Document” is attached below and contains proposed recommendations. The document is also available on the Committee’s Web page ([Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System](#)) or a written copy may be obtained by contacting Jennifer Ruedy, Senior Research Analyst, Research Division, Legislative Counsel Bureau, at (775) 684-6825.

XI. Public Comment

XII. 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 Sally Trotter at (775) 684-6825 as soon as possible.

Notice of this meeting was posted in the following Carson City, Nevada, locations: Bladel 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 for posting to the following Las Vegas, Nevada, locations: Clark County Government Center, 500 South Grand Central Parkway; and Grant Sawyer State Office Building, 555 East Washington Avenue. Notice of this meeting was posted on the Internet through the Nevada Legislature’s website at www.leg.state.nv.us. Notice of this meeting was faxed for posting at the Great Basin College, Lundberg Hall, 1500 College Parkway, Elko, Nevada.



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 218.53871*)

August 15, 2008

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. It is designed to assist the Committee members to develop recommendations to be forwarded to the 2009 Session of the Nevada Legislature. Each item in this document may be the subject of further discussion, refinement, or action.

This document contains recommendations that were either submitted in writing or presented during the Committee’s hearings on November 5, 2007; February 29, 2008; and April 18, 2008. 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 Subcommittee’s meetings.

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. For purposes of this “Work Session Document,” the recommendations have been compiled and grouped by topic so the members may review them to decide if they should be adopted, changed, rejected, or further considered. The members of the Committee may vote to send as many letters as they choose; however, pursuant to *Nevada Revised Statutes 218.2429*, the Committee is limited to ten bill draft requests, including requests for the drafting of legislative resolutions. Additionally, although possible actions may be identified within each recommendation, the Committee may choose to recommend any of the following actions: (1) draft

legislation; (2) draft a legislative resolution; (3) draft a letter; or (4) include a statement in the final report.

If action is taken to adopt a recommendation, it will become part of the Committee's final report and will be presented to the 75th Session of the Nevada Legislature for consideration. Finally, please note that specific details of approved requests for legislation or statements may need to be clarified by the Committee staff prior to drafting.

RECOMMENDATIONS

A. AQUATIC INVASIVE SPECIES

- 1. Include a statement in the final report** recognizing the threat of aquatic invasive species to the Tahoe Basin's natural and economic resources and supporting programs that jointly involve the efforts of scientists and resource management agencies to control infestation. An effective program may include a public education campaign, boat inspection program, boat wash stations, agricultural inspection points, monitoring near boat ramps, and fines for noncompliance.

(Discussed by Robert Coats, Ph.D., Hydroikos Ltd., and Sudeep Chandra, Ph.D., Assistant Professor of Limnology and Conservation Ecology, Department of Natural Resources and Environmental Science, University of Nevada, Reno, at the Committee meeting on February 29, 2008.)

B. CLIMATE CHANGE

- 2. Draft a legislative resolution or include a statement in the final report** in support of an operational study regarding the impact of climate change on small water systems that depend on the snowpack, such as the Marlette Lake Water System.

(Suggested by Robert Coats, Ph.D., Hydroikos Ltd., at the Committee meeting on February 29, 2008.)

- 3. Include a statement in the final report** in support of reducing carbon dioxide and greenhouse gas emissions through public transportation, fuel efficient vehicles, and alternative sources of energy as a means to address climate change in the Tahoe Basin.

(Suggested by Robert Coats, Ph.D., Hydroikos Ltd., at the Committee meeting on February 29, 2008.)

C. ENVIRONMENTAL IMPROVEMENT PROGRAM

- 4. Request the drafting of a bill** to authorize the total issuance of general obligation bonds up to \$100 million for environmental improvement projects at Lake Tahoe over the ten-year period from July 1, 2009, to June 30, 2019. The Division of State Lands, State Department of Conservation and Natural Resources (SDCNR) is specifically requesting the sale of \$4,420,000 in general obligation bonds to carry out environmental improvement projects during the 2009-2011 biennium. The administrator of the Division 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 Environmental Improvement Program (EIP) are apportioned between the federal government, the States of California and Nevada, local governments, and private property owners within both states.

(Requested by Pamela B. Wilcox, Administrator and State Lands Registrar, Division of State Lands, SDCNR, at the Committee meeting on April 18, 2008.) Note: Pamela B. Wilcox retired as of June 30, 2008.

- 5. Include a statement in the final report** in support of the mission of TRPA as set forth in the Tahoe Regional Planning Compact (Public Law 96-551), specifically that TRPA has been charged “to establish environmental threshold carrying capacities and to adopt and enforce a regional plan and implementing ordinances which will achieve and maintain such capacities while providing opportunities for orderly growth and development consistent with such capacities.” The success of the Lake Tahoe EIP relies on the teamwork of more than 50 public and private organizations and adherence to the priorities set forth in the Tahoe Regional Planning Compact. The Committee supports the EIP and recognizes the challenges of achieving the goal set forth in the compact.

(Recommended for discussion purposes by Chair Pierce.)

D. TRPA BUDGETARY ISSUES

- 6. Send a Committee letter to Nevada’s Department of Administration and the Nevada Legislature** in support of baselining Nevada’s current level of support (\$200,000 per year) for the Pathway Threshold and Regional Plan development and implementation process for Fiscal Year 2009-2011 and beyond to match the State of California’s existing baseline funding of \$400,000 per year.

(Recommendation to be proposed by TRPA at the Committee meeting on August 15, 2008.)

7. **Send a Committee letter to Nevada's Department of Administration and the Nevada Legislature in support of a \$100,000 budget increase, phased in over two years, for Nevada's share of TRPA's baseline funding for compliance, enforcement, and legal services needs.**

(Recommendation to be proposed by TRPA at the Committee meeting on August 15, 2008.)

8. **Send a Committee letter to Nevada's Department of Administration and the Nevada Legislature in support of funding Nevada's one-third share of the estimated cost to comply with certain elements of Finding No. 46, Recommendation No. 84, of the *Emergency California-Nevada Tahoe Basin Fire Commission Report*. Specifically, the proposal is to utilize TRPA's Tahoe Integrated Information Management System (TIIMS) to warehouse and display all project data for the Tahoe Basin in a Fuel Break Parcel and Project Database at a one-time cost of \$500,000. A Defensible Space Risk Database is also proposed to track defensible space treatments, parcels where enforcement action may be necessary, and specific instructions for homeowners on possible actions to take to reduce the hazard to their property at a one-time cost of \$500,000. The total one-time cost of the two database projects is \$1 million, and Nevada's one-third share of this amount is \$333,333. Additionally the California Nevada Tahoe Basin Fire Commission recommends annual contributions of \$250,000 for public outreach and \$282,000 for the management of the Fuel Break Parcel and Project Database and the Defensible Space Risk Database for a combined yearly total of \$532,000. Nevada's one-third share of the yearly cost would be \$177,333.**

(Recommendation to be proposed by TRPA at the Committee meeting on August 15, 2008.)

E. WILDFIRES

9. **Include a statement in the final report in support of Nevada's local fire districts within the Tahoe Basin increasing efforts to enforce the building standards and defensible space requirements.**

(Mentioned by Allen Biaggi, Director, SDCNR, at the Committee meeting on November 5, 2007.)

Background: The fire chiefs within the Tahoe Basin jointly developed nine recommendations for the California-Nevada Tahoe Basin Fire

Commission to make the Basin more fire safe, and the eighth recommendation was to clarify that all enforcement of the building standards and defensible space requirements shall be the responsibility of the local fire agency.

10. **Send a committee letter to the United States Forest Service (USFS), of the U.S. Department of Agriculture and Nevada's Division of State Parks, and/or include a statement in the final report** in support of encouraging prosecution to the fullest extent of the law for illegal campfires in the Tahoe Basin.

(Recommended for discussion purposes by Chair Pierce.)

11. **Include a statement in the final report** supporting increased resources for volunteer firefighters who are often the first responders to wildfires.

(Vice Chair Dean A. Rhoads commented on the importance of volunteer firefighters at the Committee meeting on November 5, 2007.)

12. **Include a statement in the final report** in support of increasing the number of burn days available in the Tahoe Basin for the purpose of understory burning. The Committee supports finding alternatives to open air pile burning by encouraging the removal of biomass to biomass facilities.

(Recommended, in part, by Michael N. Donahoe, Tahoe Area Sierra Club, Zephyr Cove, at the Committee meeting on April 18, 2008.)

13. **Include a statement in the final report** commending all participating agencies and individuals for their collaborative work on the *Emergency California-Nevada Tahoe Basin Fire Commission Report* presented to the Committee on April 18, 2008. The numerous meetings held by the Commission were well-attended and served to open the long-term solutions. The Committee encourages participating parties to continue the collaborative work that began during the Commission process.

(Report presented by the co-chairs of the Commission: Kate Dargan, State of California Fire Marshal, and Sig Rogich, Former U.S. Ambassador and Government Affairs Specialist, at the Committee meeting on April 18, 2008.)

14. **Include a statement in the final report** in support of the *Lake Tahoe Basin Multi-Jurisdictional Fuel Reduction and Wildfire Prevention Strategy 10-Year Plan*. This document was developed to comply with the White Pine County Conservation, Recreation, and Development Act of 2006 (Public Law 109-432) under the direction of the USFS's Lake Tahoe Basin Management Unit in cooperation with 17 other fire and land management agencies in

the Tahoe Basin. This plan proposes to treat approximately 68,000 acres over the next 10 to 15 years across many jurisdictions. The priority for fuels reduction should be the Wildland Urban Interface (WUI), particularly the non-stream environment zones (SEZs) and the non-steep slopes leaving these sensitive areas until the scientific community has identified methods to remove fuels while also protecting the lake and improving water clarity.

(Recommended for discussion purposes by Chair Pierce.)

- 15. Include a statement in the final report** in support of continued State funding of the Nevada Fire Safe Council for community-based wildfire threat reduction programs.

(Suggested by Allen Biaggi, Director, SDCNR at the Committee meeting on April 18, 2008.)

- 16. Include a statement in the final report** recognizing that people living in a forest environment have a personal responsibility to keep their properties fire safe.

(Discussed by both Jennifer Quashnick, Conservation and Community Protection Advocate, Consultant to Tahoe Area Sierra Club, Sierra Forest Legacy, South Lake Tahoe, California, and Rochelle Nason, Executive Director, League to Save Lake Tahoe, at the Committee meeting on April 18, 2008.)

- 17. Include a statement in the final report** in support of: (1) encouraging programs to retrofit existing homes and other structures with ignition resistant roofs, windows, siding, and decking; and (2) implementing defensible space around structures throughout the Basin in conjunction with the implementation and/or maintenance of Best Management Practices (BMPs).

(Recommended, in part, by Rochelle Nason, Executive Director, League to Save Lake Tahoe at the Committee meeting on April 18, 2008.)

- 18. Include a statement in the final report** in support of: (1) comprehensive watershed-scale restoration of SEZs that includes a holistic approach for a healthy forest restoration which benefits from the results of scientifically-based demonstration projects; and (2) a forest restoration plan for the rest of the forest.

(Recommended, in part, by Rochelle Nason, Executive Director, League to Save Lake Tahoe, at the Committee meeting on April 18, 2008.)

- 19. Include a statement in the final report** recognizing that fire protection and lake restoration are compatible goals and need to be pursued concurrently and that all efforts to reach these goals should be based on proven scientific methods.

(Recommended for discussion purposes by Chair Pierce.)