

SENATE PUBLIC RESOURCES AND ECOLOGY COMMITTEE

MINUTES OF MEETING

WEDNESDAY, MARCH 21, 1973

The meeting was called to order at 7:00 p.m.

Senator Wilson in the Chair.

PRESENT: Senator Dodge
Senator Young
Senator Echols
Senator Blakemore
Senator Bryan

S. B. 395 - Requires variances for certain types of logging operations.

Motion Blakemore, Do Pass as amended, Seconded Young, carried.

S. B. 333 - Designates state land use planning agency and requires development of statewide land use planning process and land use program.

Elmo DeRicco, Director of Conservation, was present to discuss certain aspects of this bill, among which would be the authoritative commission to which Mr. DeRicco's office would make recommendation as far as naming certain critical areas.

Mr. DeRicco stated that when this body is injected between his office and the Governor's office, they are each on a part time basis. He feels there should be a full time, paid director if there is to be efficiency and action.

Senator Dodge suggested language such as giving authority to Mr. DeRicco's office regarding designating critical areas, with the approval of the Governor.

Recommendation by the advisory committee could be made to the Governor regarding these critical.

The problem of how to define areas of critical concern was brought up. Language such as "irreversible environmental degradation" was discussed as being perhaps adequate language, together with the words, "remedial action."

Ray Knisely suggested there was not enough teeth in the bill for the director to take action concerning these critical areas.

Senator Blakemore suggested that we are not trying to legislate for all big developers - he further suggested that the bill is getting too complicated and thereby would be lost if it came to the floor.

Senator Dodge stated that the responsibilities which the commission will be charged with in the next two years are spelled out in section 11 and are as follows: 1, the creation of a land use planning process, development of land; 2, the identifying of areas of critical concern and the third one is development of state land planning district. Now, we are going to take out section 11 and put in some plain, simple language about those three things.

Mr. DeRicco suggested that in areas of land developing, the burden should be on the developer to come in with the information and then the plans could either be approved or disapproved.

The matter of public notice as to the land planning process was generally discussed. It was decided that publishing in newspapers throughout the state once a week for three weeks was too expensive.

Senator Wilson was to take the suggested amendments to the printer then the bill would be brought before the committee for further study.

S. B. 490 - Establishes Nevada Tahoe Regional Planning Agency.

Richard Hanna, Attorney for TRPA, appeared and spoke in favor of this bill.

He addressed himself first to Mr. Manoukian's theory as to the interstate compact being Federally controlled, he feels that it arises out of a recent case wherein an action was brought naming as plaintiffs, a party in Douglas County, a party in Carson City and a party in Washoe County, each of whom owned land within the political subdivision within the Tahoe Basin. The suit asked for declaratory relief and asked that it be declared a class action brought in behalf of all owners of property within the Nevada portion of the Tahoe Basin. The action was brought against the State of Nevada, the three counties and the Tahoe Regional Planning Agency. The case was finally remanded to the Federal Court.

The position of Mr. Hanna is that the Bi-State agency has no authority over the control of gambling and the State agency would have.

Senator Dodge suggested that the language in Section 26 should come out of the bill.

Mr. Hanna felt that lines 6 to 10 could be deleted without having great effect, this is on page 6.

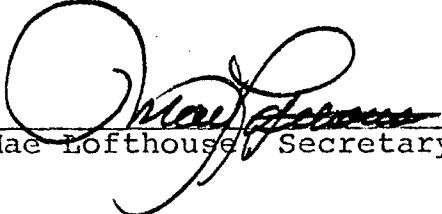
It was decided to clarify the language in the bill that where ever regional planning agency is mentioned, the words, Nevada Tahoe Regional Planning Agency should be inserted. This would give Nevada a governing body to exert some controls on growth, gaming, etc in the Lake Tahoe Basin.

Senator Blakemore went on record as feeling there was not an existing

problem at the Lake. The matter was heard Wednesday as an emergency measure wherein both sides of the question was discussed. He opposes the bill.

The meeting was adjourned at 9:45 p.m.

Respectfully submitted,


Mae Lofthouse Secretary

APPROVED:

Senator Wilson, Chairman