

Senate

Public Resources and Ecology

March 30, 1973

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Mr. Fran Breen, representing Oliver Cahill, submitted the following evidence to be made part of the record:

Exhibit "C" - newspaper clipping of 3-30-73

Exhibit "D" - newspaper clipping of 4-25-70

Exhibit "E" - newspaper clipping of 12-15-64

Exhibit "F" - letter to J. K. Smith of 1-22-71

Mr. Breen stated that he has gone over the proposed amendment very carefully and feels that the new Section 45 is more dangerous than before - NTRPA shall exercise only the authorities which are granted to it and not being exercised by that agency. NTRPA cannot do anything which is already being done by the Bi-state Agency. In addition, the NTRPA shall exercise all of the authorities granted to it by this Act which are not granted to the TRPA. This would not leave anything to the local agency in Tahoe Basin. Mr. Breen suggested that the act would grant to the Agency three men the authority to give away sovereignty of the State of Nevada which they retain on the Lake Tahoe side. This gives power to put in the TRPA every act which was not included in the original Bi-state Compact. Mr. Breen stated that this Legislature has no jurisdiction to amend or change the Bi-state Compact or ordinances or rules which the Bi-state Compact has adopted. Mr. Breen cited the following cases: 273 A (2d)10, 1969; 303 N.Y. Supp. (2d) 987. Mr. Breen stated that it would change the obligations or powers of the Bi-state Compact - it would take away from the Compact. In summary, Mr. Breen stated that this is an area where there are some serious doubts, and suggested that this is not a solution. It will give authority away from Nevada which it cannot get back.

Mr. Dick Hanna, TRPA, stated that this gives the power to the Nevada agency and then limits it's power to that which was not being performed in the State Compact. Gives NTRPA certain power and then says that they cannot exercise some of these powers. It limits operation to that which is not being done under Inter-state Compact. Mr. Hanna is satisfied that S.B. 490 does not amend anything in the Inter-state Compact. The State would be enacting Legislation covering subjects not covered by Inter-state Compact. Senator Blakemore asked if they have used all possibilities other than S.B. 490 in order to do what they want - stop growth. Mr. Hanna stated that they feel S.B. 490 will fill the purpose under which there is no control.

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Mr. Milt Manoukian stated that the problem is the traffic - he was informed that transportation plan has not been adopted. Mr. Manoukian stated that he thought it was the sole reason for S.B. 490. He asked if a transportation plan has been adopted.

Mr. Heikka stated that the TRPA plan takes 4 to 5 years to make the transportation plan. The decision was not made until the agency had an understanding of what limitations there would be on the Land Use Plan - it was impossible to come up with a transportation plan. Mr. Manoukian stated that this will have a disasterous effect on the little guy. Mr. Manoukian made further reference to the Grandfather Clause - those areas which were zoned by county commission for purpose of gaming cannot be rezoned by the TRPA to preclude industry on that property. There are adequate controls which have not been exhausted.

Mr. Ray Knisley made reference to the Defined Majority Vote and stated that California, by three votes, can approve that which we are unable to deny.

Mr. Hanna made reference to the Double Majority Rule; the compact provides that anything which it is to act upon must be approved or denied with conditions within 60 days or it will be deemed to have been approved. If you get three votes on California side and three on Nevada side, you come to a stalemate - automatic approval.

S.B. 549: Broadens power of public service commission to protect natural resources of state.

Mr. Wade Hall, Public Service Commission, stated that this would exempt certain facilities within the State from Environmental Protection Act. Mr. Hall further stated that he does not want the act tampered with - it is a good act. There is no need for the bill as it opens up the opportunity for abuse. Mr. Hall is also concerned about a generating plant being located within a town - this would be a State act exempting the necessity of obtaining a permit from them.

Bob McAdam spoke in support of S.B. 549, however, one area of concern is in establishing federal office. They must know 18 months in advance to know where utilities will be needed. Also this bill would increase the cost to the customer. Noel Clark stated that once this amendment has passed, they will lose jurisdiction within a city.

Senator Dodge moved "Do Kill", seconded by Senator Echols, unanimously carried.

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The discussion returned to S.B. 490 with the following members present: Senator Blakemore, Senator Dodge, Senator Echols and Chairman Wilson. Senators Dodge and Wilson spoke in favor of the bill, with Senators Blakemore and Echols opposed. Senator Wilson stated that this bill would be acted upon when all committee members are present.

Being no further business at this time, Chairman Wilson adjourned the meeting at 5:00 p.m.

Respectfully submitted,

Sharon W. Maher

Sharon W. Maher, Secretary

Thomas R.C. Wilson
Chairman

5-30-73

Public Resources + Ecology

Name	Who Representing
David R. Goy	Oliver Kahle
Mike Menard	DESID #1
BHN C. A. ...	HARRIS
John McManus	Ted Jennings
George Allison	Harvey's
Dennis Small	Harvey's
Ray Knisley	TRPA
Dick Heikka	T.R.P.A.
Diet Hansen	TRPA
Don Carano	
Elmo Pericco	TRPA Cons.
Herald Dayton	Co. Comm. Douglas
Oliver Kahle	E. Delf
Roland Westergard	State Engineer
John Meder	TRPA CC
FRAN Breen	Oliver Kahle (Cahill)
George Finn	Citizen
JOHN MEDER	
PAUL MALOUKIAN	REDO

DOUGLAS COUNTY - - STATE OF NEVADA

BOARD OF COUNTY COMMISSIONERS

COURT HOUSE, MINDEN, NEVADA 89423

PHONE: (702) 782-2214

CHARLES C. MENELEY, JR., CHAIRMAN
HAROLD P. DAYTON, JR., MEMBER
ROY GODECKE, MEMBER

HOWARD D. MCKIBBEN, DISTRICT ATTORNEY
EARNHART W. THIRAN, CLERK
JUDY BLADES, SECRETARY

March 30, 1973

Senator Thomas Wilson, Chairman
Committee on Ecology and Public Resources
Nevada State Senate
Carson City, Nevada

Dear Senator Wilson:

As a result of your committee's consideration of Senate Bill No. 490 to establish a Nevada Tahoe Regional Planning Agency, a number of the members of the Nevada Legislature have asked the Douglas County Commissioners about the position of the Douglas County Commission on matters relating to the traffic, growth and related problems at South Lake Tahoe. Accordingly, we would like to express to you and the members of your committee that the Board of County Commissioners of Douglas County is confident that continued close cooperation between the Board of County Commissioners and existing agencies, including the T.R.P.A., the City of South Lake Tahoe, El Dorado County, the Highway Departments of California and Nevada and all other concerned and responsible agencies, can and will provide for the orderly development of the Lake Tahoe Basin as provided for in the Bi-State Compact and the T.R.P.A.

The Board is acutely aware of the growth conditions at South Lake Tahoe and is committed to doing all things necessary in cooperating with other responsible governmental agencies to provide adequate, proper and early solutions to the traffic and growth conditions presently being experienced at South Lake Tahoe. In this connection the Board has recently hired Roland Adams, formerly a staff member of the T.R.P.A. as the Douglas County Planner. In addition the Board has been and will continue to carefully study and evaluate all proposals for new construction in the Lake Tahoe Basin as the same relates to the impact of such construction on traffic and growth conditions at Lake Tahoe, and the members of your committee can be assured that no new construction, other than single family dwellings, will be permitted in the Lake Tahoe Basin, until we as members of the Board are convinced that such construction is consistent with the orderly development of

EXHIBIT "B" 326

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of the Lake Tahoe Basin.

We hope that the foregoing expression of policy will be of assistance to you and the members of your committee during your deliberations.

Yours truly,



CHARLES C. MENELEY, JR.



ROY E. GODECKE



HAROLD P. DAYTON, JR.

Borrowed Time Cited for North Tahoe Residents

Special to the Journal

CRYSTAL BAY — All people living in the North Tahoe area are occupying their homes on borrowed time, according to Richard Heikka, executive officer of the Tahoe Regional Planning Agency (TRPA), which concluded a two-day meeting here at Cal-Neva Thursday.

Heikka explained that the two North Tahoe public utility districts are now using a temporary sewage disposal site which could be banned from further use at any time, regardless of the fact that reports from the Lahontan Regional Water Quality Control Board show that Truckee River water quality is not being harmed significantly at the present time and may last without serious threat until a new regional project is completed.

Land development proposals in Crystal Bay, Placer County and the Northern part of El Dorado County, all in the basin, are now under a virtual moratorium, while the U.S. Forest Service and EPA study current monitoring reports of springs at the base of the cinder cone sewage disposal site.

A \$4.5 million sewage bond issue will be voted on April 17. If approved, it will cut lose available 87.5 per cent federal and state grants to build a proposed \$28.4 million regional sewerage project that would relieve the cinder cone, an extinct volcano that is now having up to two million gallons per day of sewage poured into it.

Ray Knisley, Gov. Mike O'Callaghan's appointee to TRPA, said Nevada is in the process of mandating needed land planning in the Truckee watershed to prevent overdevelopment. Terry Eagean, TRPA board member representing Ike Live-more, California resources secretary, said land planning in the Martis Valley and Truckee watershed area was going ahead full blast and should be ready for public review before September.

Jim Henry, new Placer County supervisor, now on TRPA, said he also has a planning task force going and has invited Nevada Sen. Thomas "Spike" Wilson, Gov. O'Callaghan and Knisley to attend the next meeting.

Knisley said, "We do not wish to interfere with, or slow up, the process of getting this regional sewage treatment project completed. If the cinder cone plugs up, many people at the lake will lose the right to use their homes and properties."

In other action, TRPA turned down, without prejudice, a major shopping center proposed by Raley's for the Tahoe Vista area. It was turned down largely because of doubts about the cinder cone's capacity.

Kingswood Village, an 83-unit project in California, was approved because it had "gotten in under the wire on a sewer hookup permit."

A proposal for building new summer camp units at Fallen Leaf Lake, by Stanford alumni, was approved, based on trucking out all sewage.

A proposal to change the zoning of the Rabe estate property, located in Douglas County on Nevada's south shore, was tabled for 30 days. The change would put the property in a "conservation reserve" zone which could allow some future development. The site has been considered for a hotel and possible golf course development.

Judge Orders Tahoe High

County Officials Exceeded Power Gabrielli Says

Washoe District Judge John Gabrielli said Friday the Washoe County commissioners exceeded their authority in denying plans for the King's Castle condominium and Sierra Tahoe apartment house at Incline Village.

He issued separate orders that the commission must approve the plans or appear May 26 and 28 to show cause why they have not complied.

The judge said the county rejected the King's Castle condominium plans March 5 although Nathan Jacobson, owner of the nearby Kings Castle Hotel-Casino, had conformed in all respects with the existing county ordinance.

"Denial was arbitrary and in excess of your jurisdiction," he said in the order.

The commission denied the plan upon recommendation of planning agencies which are drawing up a master development plan at Lake Tahoe. One restriction would limit the height of new buildings. Jacobson said his planned high rise would cover limited acreage and serve more persons than allowable low - height buildings which would sprawl over a large area.

Jacobson called North Shore businessmen together Thursday night to form the Lake Tahoe Business Association. He said it would be dedicated to conservation with planned design, and would offer a position of strength for individual businessmen to deal with various planning agencies and conservation groups.

Rise Be Approved

Round Hill Sewer District Plan Hangs on Casino Zone

Developer S. H. Bourne Says Project Endangered

Journal Tahoe News Service

ROUND HILL — The death knell may be sounded for a sewage treatment plant to serve all of Nevada's South Shore area, together with an export system to carry treated effluent out of the basin, if the Douglas County Planning Commission denies a plea for rezoning in the Round Hill area to permit casino gambling.

That seemed to be the essence of a statement by Stephen H. Bourne, head of the B-Neva Corp., developer of the Round Hill Village Shopping Center. At a press conference Monday, Bourne said, however, that he would not state flatly plans for the treatment plant and participation in the export system's construction would be scrapped if the rezoning plea were rejected.

Bourne did say B-Neva Corp. has "\$3.5-million available in a bonding firm and they want to know if we are going to build a sewage treatment plant with it. How can we support \$3.5-million in bonds on a few homes?"

"If we cannot build the hotel-casino we will have to take a long, long look at the sewer plant," he added.

The key to the entire development of the 700-acre tract purchased by Bourne's father, philanthropist A. K. Bourne, in the 1930's is a proposed \$8-million, 200-room hotel, according to the builder of Round Hill Village, which opened in June of this year.

"We have proven what we can do for the community and are setting a precedent of quality and beauty, as can be seen from what already has been accomplished," Bourne said.

A proposed golf course also would be sacrificed if the hotel project fails to win the planners' approval, it was explained, and Bourne added rejection would mean "we will be forced to dispose of our holdings and you know what that will mean."

Plans for the proposed hotel on the site of the Round Hill Pines Resort, now closed and once the A. K. Bourne family

residence, call for a hexagonal main lobby structure with corridors stretching out finger-like, to guest accommodations, a coffee shop, bar and 20,000-square foot casino area.

The guest rooms would be constructed in separate units, each recessed into the slopes fronting on Lake Tahoe.

The complex also would have a combined showroom and convention hall, according to plans shown at the press conference. Along the shore would be installations for bathing, water sports and a boat harbor.

Very little except the roof of the main structure would be visible from U.S. Highway 50, which bisects the 700-acre Bourne property on which B-Neva Corp. has planned a self-contained community.

Opposition to the 10-acre hotel-casino project is based on the Lake Tahoe Area Council's stand that all Tahoe gaming should be confined to within one mile of the state line. The Round Hill property lies about one-half mile outside that deadline.

As Bourne's press conference was being held it was learned that directors of the Maria Bay Protective Association had urged all property owners in that subdivision, which adjoins the Bourne property, to either appear or write the planning commission expressing opposition to the requested rezoning.

Members of the board of directors all have vacation homes at Maria Bay and are not year-around residents, it was admitted by C. L. Emerson of Piedmont, Calif., president of the association. He said the board was unanimous in endorsing the stand against the extension of gaming to Round Hill, although one of the seven members could not be reached.

DEPARTMENT OF PUBLIC WORKS

DIVISION OF HIGHWAYS

DISTRICT 3

P.O. BOX 911, MARYSVILLE

January 22, 1971

03-ED-50

Mr. J. K. Smith, Executive Director
Bistate Tahoe Regional Planning Agency
1051 Tata Street
South Lake Tahoe, California 95703

RECEIVED
JAN 26 1971
TAHOE REGIONAL
PLANNING AGENCY

Dear Mr. Smith:

Your letter of January 15, 1971, requested a review of the traffic operations on Highway 50 within one mile each way of the California-Nevada State Line. This review was in connection with a pending request for a high-rise construction of a hotel facility on the south side of the highway just east of the State Line.

We have received a brochure showing the proposed positioning of the building and a traffic circulation system indicated by colored bands on a photograph. No other information concerning traffic volumes emanating from the proposed development was enclosed, and we have assumed that its traffic operating characteristics will be similar to the other resort hotels and large motels in the immediate area.

Although the major congestion and traffic delay do occur on U. S. 50 between Pioneer Trail and a point easterly of the State Line in Nevada, it does not appear that the addition of a 550-room motel or hotel would have any significant effect on the present problem. During the peak month of travel in the Tahoe Basin, traffic at the foot of Meyers Grade on U. S. 50 is approximately 11,000. During the same period, traffic on U. S. 50 near the State Line approaches 44,000 vehicles per day. Since a hotel type of installation does not provide extreme peak hour volume, it is not considered that this additional traffic could be identified in the main traffic problem; and, correspondingly, that it would not lend itself to any sub-solution of the major traffic congestion on U. S. 50.

An example of the distribution of traffic over the day rather than in concentrated volumes is provided by the adjacent similar installations. The Tahoe Inn nearby has more rooms at present than is proposed for the new installation. In spite of the fact that virtually no provision at all is made for storage of incoming or outgoing vehicles, there is little or no traffic

disturbance because of the traffic entering or leaving the motel. The main entrance does not warrant a traffic signal installation or other special devices to introduce the slight hourly traffic into the extremely heavy traffic on U. S. 50.

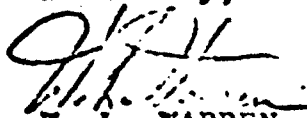
I am sure that you are familiar with the traffic operation in the major cities where major hostelrys operate on the city streets in extremely heavy traffic and the problem of traffic is handled by a few curb spacings for guest parking and baggage loading. The Biltmore, the Statler-Hilton, and the Alexander hotels are examples in Los Angeles. The Sheraton-Palace, the St. Francis, and Mark Hopkins are good examples in San Francisco. Because people check in and check out over a period of many hours, the volume in any given hour is so slight as to be lost in the overall traffic pattern of the area and special provisions have not been found necessary.

The thought occurs that, for each room, this type of installation may lead to only one vehicular trip entering the area and one vehicular trip leaving the area. On the other hand, for each room, a hotel or motel beyond walking distance of the main attraction could lead to several of the intra-area trips that are now causing 4 times as much traffic at State Line as found at the perimeter near Meyers. (In short, considering the overall congestion on U. S. 50, it is possible that this type of installation represented by Harvey's Resort Hotel, the Tahoe-Sahara Hotel, and the proposed development on the south may represent very good community planning when the traffic problems are considered.

We will have some technical suggestions regarding the flow bands for traffic around the proposed installation and we will be pleased to work with the City of South Lake Tahoe and the State of Nevada on any type of traffic improvement.

It is our belief that the agencies in the Basin should undertake some type of traffic relief at the State Line to complement the highway planning represented by Route 50 between Meyers and the Nevada State Line. The addition of new streets between present U. S. 50 and Lake Tahoe to the north of the present building complex might afford temporary improvement. No real solution will be found until U. S. 50 is constructed to divert through traffic from the State Line area and unload a significant amount of the traffic burden from present U. S. 50.

Sincerely,



W. L. WARREN
DISTRICT ENGINEER