Assembly

GOVERNMENT AFFAIRS COMMITTEE

MINUTES OF THE MEETING

April 21, 1975

MEMBERS PRESENT:

CHAIRMAN DINI
VICE-CHAIRMAN MURPHY
ASSEMBLYMAN CRADDOCK
ASSEMBLYMAN HARMON
ASSEMBLYMAN MAY
ASSEMBLYMAN MOODY
ASSEMBLYMAN SCHOFIELD
ASSEMBLYMAN FORD
ASSEMBLYMAN YOUNG

ALSO PRESENT:

Harold Dayton, Douglas County
Douglas Meneley, Douglas County
Roland Adams, Douglas County
Mr. Edwin Sarmaw
Mr. Jim Bruner
Mr. Dick Serdoz, Dept. of Human Resources
Mr. Ernie Gregory
Mr. Elmo DeRicco
George C. Finn
Dan J. Quinan
Roger Trounday
Lenore M. Kosso
Assemblyman Weise
Assemblyman Jacobsen
Senator Sheerin
William Swackhamer
Lt. Governor Rose
Senator Wilson
George Abbott

(The following bill was discussed by the committee: S.B. 254). Also discussed: A.B. 453, S.B. 107, BRD 54-1892 and BDR 23-13838).

Mr. Dini called the meeting to order at 7:00 P.M.

Mr. Dini announced that A.B. 648 and A.B. 653 would be heard on Friday morning by the Government affairs committee.

Mr. Dick Serdoz, Air Quality Officer, Bureau of Environmental Health testified. He presented a copy of his testimony to the committee, a copy of which is attached to the minutes of this meeting and made a part hereof. He then read his testimony to the committee.

Mr. Dini asked if he was saying that by adopting this bill with the Lt. Governor and Secretary of State on the Board that it will improve the ability of maintaining regulations.

Mr. Serdoz stated yes.

Mr. Gregory testified next. He presented his testimony to the committee, a copy of which is attached to the minutes of this meeting and made a part of these minutes. He then read his testimony to the committee.

Mr. Gregory stated that his concern was on page 3 of his testimony.

Mr. Roger Trounday testified next. Mr. Trounday had submitted a copy of his testimony to the committee, a copy of which is attached to the minutes of this meeting and made a part hereof. Mr. Trounday read his testimony to the committee.

Mrs. Ford informed Mr. Trounday that she had not as yet had a chance to look at the record which was developed in the Senate and asked Mr. Trounday if he supported the original bill.

Mr. Trounday replied yes.

Mrs. Ford asked with regard to the Advisory Board which Mr. Trounday would prefer.

Mr. Trounday informed the committee he would prefer the one in the original bill. He stated that his overall concerns were with the TRPA agency itself. He stated that the difference in the two bills is in the double majority aspect. He stated that with this gone, it weakens the bill considerably. He informed the committee that it was important that we have more effective state representation up there. He indicated that he would take this bill as second best. He would have preferred the first bill.

Ms. Lenore Kosso testified next. She stated that this bill as amended, does little to correct the situation. See attachment

Senator Wilson testified next. This bill was introduced and originally contained a number of provisions which are in the original. The major advantage was the voting structure. The compact operates on a double majority vote. The senate felt that this was not equitable. The burden should be on the agency. It contained a provision for the approval of public works projects. Senator Wilson indicated that there were two changes.

1. Double Majority
2. Expansion.

He indicated that with respect to the expansion of the membership the bill requires that the governor name an additional appointee. He stated that it is important that people are elected rather than appointed. He indicated that Nevada's investment is in excess of $10,000,000 in general fund monies.

Mr. Dini asked Senator Wilson to explain how they arrived at the Secretary of State and the Lt. Governor.

Senator Wilson indicated that they appeared available.

Senator Wilson stated that he discussed with with Lt. Governor Rose and he expressed no problem with it. He stated that he did not discuss it with Mr. Swackhamer but he had not indicated that he had any problem with it. What they were looking for were people with good judgment, common sense and some balance.

Mr. Elmo DeRicco testified next. Mr. DeRicco submitted his written testimony to the committee, a copy of which is attached hereto and made a part of these minutes. He read his testimony to the committee.

Lt. Governor Bob Rose testified next. He stated that the bill passed by the Senate has placed him on the TRPA. He stated that there may be a good argument made for adding additional representatives. He stated that the Lt. Governor's position is a part time position. He has two responsibilities. To be available to assist the governor and to be president of the Senate. The compensation is $6,000 per year. That cannot be changed by statute. He stated that he wants to be an active Lt. Governor. He indicated that the job of Lt. Governor comes close to being a full time job. By placing the Lt. Governor on the board of the TRPA you are placing another large responsibility on him. He stated that it was indicated that being on the TRPA board would take a week a month. He fears that he will have two part time jobs that add up to one full time job. He has argued about making the Lt. Governor's job a full time job.

Mr. Swackhamer testified next. He stated that he did not seek this appointment, but did not shun it either. He indicated that he would serve to the best of his ability. Mr. Dini asked if it would hurt his funct6on as Secretary of State.

Mr. Swackhamer stated that he did not think so.

Mr. James W. Bruner, Jr. of the League to Save Lake Tahoe testified next. Mr. Bruner presented a copy of his testimony to the committee, a copy of which is attached hereto and made a part of the minutes of this meeting. Mr. Bruner then read his testimony tl the committee.

Mrs. Ford asked Mr. Bruner if the bill, in its present form, better than no bill at all.

Mr. Bruner indicated that it was slightly better. He stated that there were deletions which will create problems.

Mrs. Ford asked what the status of the compact was as it relates to congress.

Mr. Bruner stated that Nevada and California pass identical legislation.

Mrs. Ford asked if he was in touch with people in California and asked what the attitude twoard the California legislature.

Mr. Bruner stated that in its present form some members of

the California legislature feel a little let down with Nevada in that Nevada is not taking the lead to protect their portion of the lake.

Mr. Dayton testified next. Mr. Dayton stated that the Senate realized that S.B. 254 was not good enough for Nevada. The addition of two new members would possibly help in decisions. There are 10 members now and it is hard now. He stated that the TRPA is funded by the counties.

He stated that the original bill in 1968 was careful to protect Nevada's soverignty. He stated that the budget is set by the compact and that it is $150,000 per year. The TRPA budget is 1-1/4 million.

Mr. Murphy questioned Mr. Dayton on property values and asked what has happened. Mr. Dayton stated that their proportion was $23,000. They are now down to 1/12 of the value.

Mr. May asked if Douglas County had suffered the loss.

Mr. Dayton said yes. He indicated that they did not object to that except for individual property owners.

Assemblyman Weise testified next. He stated that he represents districts in Southwest Reno and in Verdi. They have suffered the residual effects by decisions made in Lake Tahoe. This bill is a political issue. He is concerned about the restructuring of the political makeup. He did not see what the Lt. Governor and the Secretary of State can do. In his district there is a lot of disagreement as to what should happen with the Lake. It will be a political football. There is nothing to be gained by this bill.

Mr. Chuck Neeley, Douglas County Commissioner testified next. He stated that he was one of the original members of the TRPA. He believes that the people who wrote the original bill were wise to write it the way it was. This has become a political football. Douglas County has borne the brunt for ruining Lake Tahoe. He stated that California has decided that they want this changed. The legislature in California created the CTRPA. They are now not able to do anything over there. What they want to do is to get Nevada to change this. If they get this changed, the State of Nevada will drop the CTRPA. He does not feel that it is fair. There is also the possibility that the State of California will change the CTRPA. He did not object to Mr. Rose and Mr. Swackhamer being put on the board. Mr. Rose understands the amount of work. It is a full time job. If it is done right, that amount of time has to be spent. If Nevada does have two elected officials, he would like to see those same two officials in California on their own board.

Mr. Neeley then read a resolution to the committee, which is attached to the minutes of this meeting a made a part hereof.

Mr. Neeley stated that if we do not pass this bill then we will have to live with it.

Mrs. Ford asked if there was legislation in California.

Mr. Denton answered no. They are waiting for Nevada. He indicated that he felt that California people helped to write this bill. Mr. Young asked if he agreed with Assemblyman Weise and Mr. Denton stated that he wanted elected people on the board.

Mr. Roland L. Adams testified next. He passed out his testimony to the committee, a copy of which is attached hereto and made a part hereof. He stated that he came to Douglas from the TRPA. He worked there for one year.

Mr. Finn testified next. He stated that he is in conflict with the TRPA. He stated that the members that are on the board now are not being handled. He stated that the legislature has delegated its authority to this apointed body.

He stated that the Lt. Governor cannot be appointed to that agency under the Constitution of the State of Nevada. He substitutes for the Governor. He then read from the statutes.

He suggested that the committee ask for a legal opinion from the counsel bureau. The Secretary of State can be assigned other duties. He stated that the TRPA has taken private property without due process of law.

Mr. George Abbott testified next. Mr. Abbott stated that he was special counsel to Douglas county. This bill would change the dual soverign provisions to dual veto. The Senate rejected that proposal. It would permit each state to veto each other's projects. He stated that this bill would not accomplish much. The testimony already given in the Senate indicated that it has been working. He stated that 30,000 acres have been set aside for greenbelt. Zoning is being used for a public purpose.

Mr. Terry Trupp testified next. He stated that at the present time in excess of 87% of the lake is zoned to be put into permanent greenbelt. 11% is presently developed. 4% remains to be developed. He stated that there is no need to increase the abuse of the people in the basin. $800,000,000 worth of damage has been done since the TRPA came into business. There is a great deal of confusion. We are dealing with 4% of the basin in private ownership. The people will not destroy it.

Assemblyman Jacobsen testified next. He opposes this legislation. He is a firm believer in local government. He stated that he is disturbed about the appointees. He stated that the private citizen should be considered. He asked the committee not to come to the point of recommending that we give up our dual majority. He feels that the TRPA has worked. This concluded testimony on this bill.

The committee then discussed A.B. 453. Mr. Craddock moved for a do pass which was seconded by Mr. Moody. The motion carried unanimously. Mrs. Ford voted no.

The next bill to be discussed was S.B. 107.

S.B. 107. Mr. May discussed the amendments on this bill with the committee. Mr. Murphy moved for an amend and do pass which was seconded by Mr. Harmon. The motion carried unanimously.

The committed next discussed BDR 54-1892. Mr. May moved for committee introduction which was seconded by Mr. Murphy. The motion carried unanimously.

The committee next discussed BDR 23-13838. Mr. May moved for committee introduction which was seconded by Mr. Moody. The vote for committee introduction was 6 to 3 and the motion carried.

There being no further business to come before the meeting, the meeting adjourned.

Respectfully submitted,

Barbara Gomez

Barbara Gomez
Committee Secretary

ASSEMBLY

AGENDA FOR COMMITTEE ON GOVERNMENT AFFAIRS

Date Monday, April 21, 1975 Time 7:00 PM Room 214

3 - 1067

Bills or Resolutions to be considered	Subject	Counsel requested*
S.B. 254	Makes various substantive and technical changes in the Tahoe Regional Planning Compact. NOTIFY: League to Save Lake Tahoe, Lt. Governor Robert Rose, Sec. of State Swackhammer	
A.B. 648	Prohibits county commissioner from accepting appointment as county manager within certain period of time. NOTIFY: Mr. Lowman, Mr. Broadbent	
A.B. 653	Requires local governing body to establish thermal design requirements. NOTIFY: Assemblyman Brookman, Mr. Broadbent, Mr. Bob Warren	

*Please do not ask for counsel unless necessary.

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GOVERNMENT AFFAIRS COMMITTEE

GUEST REGISTER

DATE: APRIL 21, 1925 7:00 PM

NAME PLEASE PRINT	BILL #	REPRESENTING	TESTIFYING
Harold Dayton (8)	SB 254	Douglas County	Yes
Charles Menely (9)	—	— —	Yes
Roland Adams (10)	—	— —	Yes
EDWIN SAAMAN X	—		No
Jim BRUNER X 3	—	LEAGUE TO SAVE LAKE TAHOE	Yes
DICK SERDOZ X1	254	DEP. Human Res. Air Quality	YES
Ernie Gregory X2	254	Dept. Human Res.	Yes
ELMO DERICCO X4	254	DEPT OF CONS.	YES
George C. Finn 11	254	League to Save Lake Tahoe from the League to Save Lake Tahoe	Yes
Dan J. Fuman X	~~653~~	State Fire Marshal	Yes
ROGER TRAUNDAY X3	SB 254	Dept. Human Resources	yes
Lenore M. Kosso X4	SB. 254		yes
Assemblyman Weis — X			
Assemblyman Jacobson. X			
Senator Sheerin. X			
Swackhamer X 5			

Senator Wilson X

Lt Gov Rose X

George Abbott. (12)

38254

3- 1088

STATEMENT
by
DICK SERDOZ
Air Quality Officer
Bureau of Environmental Health
April 28, 1975 - 7:00 p.m.

THE TAHOE REGIONAL PLANNING AGENCY HAS DEVELOPED AND ADOPTED A LAND USE PLAN BASED ON LAND CARRYING CAPACITY AS MANDATED BY THE BI-STATE COMPACT WHICH FORMS A SOLID BASE TO EXPAND INTO A TOTAL IN-DEPTH PLANNING EFFORT FOR THE LAKE TAHOE BASIN AND THIS IS A GOOD START. HOWEVER, OTHER AREAS OF THE ENVIRONMENT MUST BE CONSIDERED TO PROTECT THE LAKE TAHOE BASIN FROM FURTHER DETERIORATION, AND THUS PROTECT THE LONG RANGE ECONOMIC PRODUCTIVITY OF THIS UNIQUE AREA.

MY CONCERN, AIR QUALITY, IS DIRECTLY AFFECTED BY TRANSPORTATION, PEOPLE, AND CONSTRUCTION, WHICH ARE BASICALLY LAND USES. MY PRESENTATION WILL DEAL WITH THREE MATTERS THAT MUST BE ADDRESSED THROUGH A STRONG BI-STATE COMPACT IF AN ADEQUATE PLANNING AND IMPLEMENTATION IS TO BE DONE IN THE TAHOE BASIN ----- AMBIENT AIR QUALITY STANDARDS (THE AIR YOU BREATHE), EMISSION DISCHARGE STANDARDS, AND ENFORCEMENT OF THESE STANDARDS.

THE EXISTING AMBIENT AIR QUALITY IN THE BASIN MEETS OR EXCEEDS THE MINIMUM STANDARDS AS ESTABLISHED BY THE NEVADA ENVIRONMENTAL COMMISSION FOR THE PROTECTION OF THE HEALTH AND WELFARE OF BOTH RESIDENTS AND VISITORS. HOWEVER, IT IS BECOMING INCREASINGLY EVIDENT THAT THE BASIC STATE EMISSION DISCHARGE STANDARDS MAY NOT BE STRINGENT ENOUGH TO INSURE THE MAINTENANCE OF THE AMBIENT AIR QUALITY IN THE TAHOE BASIN, AND THAT ADDITIONAL PLANNING DIRECTED AT AIR QUALITY PRESERVATION OR IMPROVEMENT WILL BE NECESSARY. ONCE THE PLANNING PROCESS IS IMPLEMENTED AND A CONTROL STRATEGY IS DEVELOPED THROUGH THE PUBLIC HEARING PROCESS AND INTERFACED WITH OTHER COMPACT PLANS, A STRONG OVERSEEING AGENCY IS NECESSARY.

MAJOR NEEDED PLANNING SHOULD BE CONDUCTED AROUND AIR POLLUTION GENERATED BY AUTOMOBILES, ASSOCIATED WITH BOTH EXISTING AND PROJECTED BUSINESSES AND RESIDENCES. CURRENT PLANNING EFFORTS WHIGH HAVE BEEN CONDUCTED TODAY CAN PRESENTLY BE CIRCUMVENTED THROUGH THE VARIANCE PROCEDURE WHICH MAY PENALIZE OTHER AGENCIES WITHIN THE COMPACT OR OTHER OWNERS OF PROPERTY WITHIN THE BASIN.

AN EXAMPLE OF THE NEED FOR CLOSER CONSIDERATION OF AIR QUALITY WHILE PREPARING OTHER COMPACT PLANS FOR THE BASIN IS THE PRELIMINARY TRANSPORTATION CONTROL PLAN PREPARED BY TRPA TO MEET CALIFORNIA DEADLINES. THIS PLAN, THOUGH IN PUBLIC HEARINGS, IS NOT AS COMPLETE AS THE ADOPTED LAND USE PLAN, AND REQUIRES ADDITIONAL WORK BEFORE A FINAL LONG TERM SOLUTION IS ADOPTED. THE PLAN GENERALLY SPEAKS TO EXISTING CONDITIONS AND NOT THE PROJECTED TRAFFIC WHICH WILL RESULT FROM ADDITIONAL RESIDENCES AND COMMERCIAL DEVELOPMENT IN AREAS CURRENTLY ZONED FOR SUCH ADDITIONAL DEVELOPMENT. WHEN THE EXISTING ZONED LAND USE AND THE RELATED TIMETABLE OF CONSTRUCTION ARE INCLUDED, A REVIEW OF THE NECESSARY ALTERNATIVE TRANSPORTATION CONFIGURATIONS AND/OR SYSTEMS COULD BE MEANINGFULLY EVALUATED. THIS TYPE OF IN-DEPTH PLANNING IS NECESSARY IF THE COMPACT IS TO PROVIDE FOR THE TOTAL TRANSPORTATION NEEDS OF THE APPROVED LAND USE PLAN AND PRESERVE AIR QUALITY. A BASIN-WIDE TRANSPORTATION PLAN CANNOT BE APPROVED IF IT WOULD CAUSE A VIOLATION OF THE AMBIENT AIR QUALITY STANDARDS OR IF IT SOLVES A LOCAL PROBLEM AND CREATES AN EVEN GREATER PROBLEM IN ANOTHER POLITICAL JURISDICTION. TRANSPORTATION PLANNING AT HIGHER ELEVATIONS IS MORE IMPORTANT BECAUSE AUTOMOBILES, THE CURRENT MAJOR PEOPLE MOVER, EMIT MORE POLLUTANTS AT THESE HIGHER ALTITUDES, APPROXIMATELY 1.7 TIMES MORE THAN IN LAS VEGAS OR SAN FRANCISCO.

ANOTHER UNIQUE PROBLEM TO NEVADA IS THAT THE TOURIST INDUSTRY DOES NOT OPERATE ON THE TYPICAL EIGHT TO FIVE WORK DAY, BUT MAINTAINS CONTINUAL ACTIVITY OVER A LONGER TIME PERIOD WHICH PROHIBITS SUBSTANTIAL DIFFUSION OF THE AIR POLLUTION DURING THE SLACK PEOPLE-MOVING PERIODS TYPICAL IN OTHER URBAN AREAS. WITH THIS EXTENDED EMISSION PERIOD THE LONG TERM HEALTH RELATED AMBIENT AIR QUALITY STANDARDS ARE APPROACHED AND MAY ALREADY BY EXCEEDED AT CERTAIN TIMES AND IN CERTAIN AREAS OF THE BASIN. THIS PROBLEM LEADS TO THE CONCLUSION THAT A TOTAL BASIN TRANSPORTATION PLAN MUST BE ADOPTED TO PROTECT THE ECONOMIC BASE OF THE TAHOE BASIN.

SEVERAL POINTS SHOULD BE RAISED WITH RESPECT TO THE ESTABLISHMENT AND ENFORCEMENT OF REGULATIONS TO COMPLY WITH AMBIENT AIR QUALITY STANDARDS FOR THE BASIN:

1. PROVIDE EQUAL TREATMENT FOR ALL PERSONS AND DEVELOPMENTS WITHIN THE BASIN, IT IS IMPERATIVE THAT SUCH REGULATIONS BE DEVELOPED BY THE BI-STATE AGENCY AND UNIFORMLY APPLIED THROUGHOUT THE BASIN.

2. DATA DEVELOPED IN PAST YEARS HAS SHOWN THAT BECAUSE OF THE FRAGILE NATURE OF THE NATURAL LAND COVER, SUSPENDED PARTICULATES (DUST), WHICH IS A PREVALENT CONSTRUCTION RELATED POLLUTANT, CAN EXCEED THE ESTABLISHED HEALTH AND WELFARE RELATED STANDARDS UNLESS CONSTANT ON-SITE INSPECTIONS ARE CONDUCTED TO INSURE THAT REGULATIONS ARE MET.

3. BECAUSE OF THE UNIQUE NATURE OF THE LAKE TAHOE BASIN, AMBIENT AIR AND EMISSION STANDARDS WHICH ARE MORE STRINGENT THAN THOSE ADOPTED BY THE ENVIRONMENTAL COMMISSION MAY BE NECESSARY IN ORDER TO MAINTAIN THE AIR QUALITY OF THE BASIN. ONE AREA OF EMISSION STANDARD WHERE THIS MAY OCCUR WOULD BE IN THE TYPE OF ENERGY USED IN COMFORT HEATING OF PRIVATE AND COMMERCIAL BUILDINGS.

4. BASED ON THE LIMITED AMBIENT AIR QUALITY DATA FOR THE AUTO RELATED POLLUTANTS WITHOUT SUBSTANTIAL PLANNING HEALTH RELATED AMBIENT AIR QUALITY STANDARDS WILL BE VIOLATED. THIS CAN BE HEADED OFF WITH THE ADOPTION BY THE BI-STATE AGENCY OF A SCHEDULE FOR THE COMPLETION OF THE NECESSARY PUBLIC AND PRIVATE SERVICES AND THEIR OVERSEEING THE ALLOWABLE GROWTH RATE WHICH WILL NOT OUTSTRIP THESE CONSIDERATIONS.

I BELIEVE THAT ENFORCEMENT OF THE ESTABLISHED REGULATIONS SHOULD BE LEFT UP TO LOCAL GENERAL PURPOSE UNITS OF GOVERNMENT. PROVISION SHOULD ALSO BE MADE FOR THE RESPECTIVE STATES TO INTERCEDE IF IT IS DEMONSTRATED THAT LOCAL GOVERNMENTS ARE NOT DOING AN ADEQUATE JOB OF ENFORCEMENT AND FINALLY ANY VARIANCE FROM THE ADOPTED BI-STATE PLANS OR REGULATIONS SHOULD REMAIN WITH THE BI-STATE AGENCY BECAUSE IF A VARIANCE IS GRANTED THE LEAD AGENCY MAY HAVE TO REDUCE OR MODIFY OTHER APPROVED ACTIVITIES TO MAINTAIN THE ENVIRONMENT.

SB254

3-1092

STATEMENT
by
E. G. Gregory
Bureau of Environmental Health
April 21, 1975

I would like to present a short statement, giving a brief setting of where we are in water pollution control in the Tahoe Basin, and discuss the problems remaining.

The 1966 'Conference in the Matter of Pollution of the Interstate Waters of Lake Tahoe and its Tributaries', a conference called by the Federal Water Pollution Control Administration as an enforcement action under the provisions of the then existing Federal Water Pollution Control Act, determined there were three principal sources of pollution threatening the clarity of the waters of Lake Tahoe. These were, in order of importance, sewage, siltation and urban runoff and garbage, being disposed of in the Basin. The findings of this Conference provide the objectives for both Nevada's and California's water pollution control programs.

One finding of the Conference required all garbage to be exported from the Basin. This is being done on the Nevada side and to the best of my knowledge on the California side.

A second finding required the export of all sewage from the Basin by 1970. While the 1970 goal has not been met mainly because there was not a strong lead agency initially, virtually all sewage within a short period of time, will be intercepted, treated, and exported. Five major wastewater systems are or will soon be in operation to serve this purpose.

This program has not been accomplished without creating additional problems. The exported effluent has and will continue to impose additional pollution burdens in the Truckee and Carson Rivers. Export of sewage from the Basin with discharge to the upper reaches of the Truckee along with control of siltation and urban runoff resulting from the development occurring in the Martis Valley area will require extensive detailed water quality planning and management by California and Nevada to protect this drinking water source for downstream users.

Addressing the problem of siltation and urban runoff, further findings of the Conference were:

1. Basin-wide objectives and standards for development and use of the lands and waters must be established within a framework which includes positive enforcement provisions covering not only the waters of Lake Tahoe, but its shoreline developments, and the total complex of lands and waters that make up the Basin; and

2. A basin-wide agency be estabished with adequate powers to prohibit development that would have an adverse effect on the quality of the waters of Lake Tahoe.

Growth in the Basin has continued to outstrip our technical and jurisdictional capability to cope with problems resulting from land development. Existing systems for managing surface runoff are inadequate. Detailed plans must be developed to resolve existing surface runoff and to assure against problems from future development.

3- 1091

Recognizing TRPA has the authority to develop and implement necessary land use controls and require implementation of management principles for surface runoff control, Nevada and California, as provided for under Section 208 of the Federal Water Pollution Control Act, jointly identified the Lake Tahoe Basin as an area of substantial water quality control problems and designated TRPA as the agency responsible for developing an effective areawide waste management plan for the area. The U.S. Environmental Protection Agency has approved this designation and recently awarded a grant of $650,000 to TRPA to develop the plan.

In the process TRPA will have to develop a plan which will result in:

1. A regional program for management of erosion and urban runoff.
2. A definition of all physical improvements which may be needed.
3. Recommended general plan amendments if needed to assure protection of water quality.

and establish priorities based upon:

1. Those problems which exert the greatest influence on water quality; and
2. The cost-effectiveness of alternative solutions.

Implementation of the plan will be difficult principally due to jurisdictional factors. One problem is the diversity of land ownership and enforcement responsibilities. Properties are owned by private individuals, county and state governments and the U.S. Forest Service. Recognizing watershed boundaries are not consistent with land ownership and regulatory responsibilities we do not currently have a uniform approach to water quality management.

Another problem is the reluctance of political or quasi-political jurisdictions to assume the responsibility for implementation. We are faced now with this problem in the casino core at South Tahoe.

Our reliance on TRPA will be heavy for:

1. The development of an innovative, effective, areawide waste management plan; and

2. For a substantially improved system for plan implementation - a system that is based on informed decision making in accordance with that plan.

MY NAME IS ROGER TROUNDAY, DIRECTOR OF THE DEPARMENT OF HUMAN RESOURCES AND THE ENVIRONMENTAL CONTROL OFFICER FOR THE STATE OF NEVADA AND SO I AM SPEAKING TO THE ENVIRONMENTAL CONCERNS IN THE TAHOE BASIN. I AM SPEAKING TODAY IN SUPPORT OF S.B. 254.

LAKE TAHOE CANNOT BE TREATED AS AN ISOLATED POCKET WHICH HAS NO EFFECT ON THE REST OF NEVADA OR CALIFORNIA. WHAT HAPPENS IN THE TAHOE BASIN HAS AN IMPACT NOT ONLY THERE, BUT ALSO ON THE OTHER CITIZENS IN CALIFORNIA AND NEVADA AND EVEN THE NATION, AS LAKE TAHOE IS ONE OF AMERICA'S GREAT SCENIC AND NATURAL RESOURCES. CONTINUED GROWTH WITHOUT SERIOUS CONSIDERATION OF THE [redacted] ENVIRONMENT ON EITHER SIDE OF THE LAKE COULD CAUSE IRREPARABLE DAMAGE. TO PRESERVE NOT ONLY THE LAND BUT ALSO THE AIR AND WATER QUALITY OF THE BASIN, A STRONG BI-STATE AGENCY MUST BE IN A POSITION TO CONTROL THE TOTAL ENVIRONMENT. THE PROBLEM IS GETTING AWAY FROM US. PRESERVATION OF THE ENVIRONMENT CANNOT BE ACHIEVED BY INDEPENDENT ACTION. WHAT ONE COUNTY DOES EFFECTS OTHERS, AND WHAT ONE STATE DOES EFFECTS THE OTHER. THE PRESENT STRUCTURE OF THE COMPACT IS NOT THE MOST EFFICIENT ONE TO PROMOTE TOTAL CONCERN. CERTAINLY THE AGENCY SHOULD HAVE LOCAL INPUT, BUT IN ORDER TO PLAN OBJECTIVELY FOR THE TOTAL ENVIRONMENT IMPACT OF THEIR ACTIONS, THERE SHOULD BE BROAD REGIONAL CONCERNS RATHER THAN ONLY THOSE OF LOCAL SPECIAL INTEREST. WITH LOCAL DOMINATION OF THE BOARD, THERE IS NOT ADEQUATE CONCERN FOR THE STATE'S INTEREST SUCH AS AIR AND WATER QUALITY WHICH ARE THE STATE'S RESPONSIBILITY, THEREFORE, THERE SHOULD BE MORE STATE REPRESENTATION.

AS HAS BEEN PREVIOUSLY STATED, THE CONTROL OF THE QUALITY OF THE WATER AT THE LAKE IS IMPORTANT TO TWO RIVERS, THE TRUCKEE BECAUSE THE LAKE DRAINS INTO IT, AND THE CARSON SINCE IT RECEIVES SEWAGE EFFLUENT. BOTH RIVERS RUN THROUGH SEVERAL COUNTIES IN NEVADA. AIR QUALITY IS IMPORTANT SINCE THE QUALITY OF AIR OUTSIDE OF THE BASIN CAN BE AFFECTED BY THE QUALITY OF THE AIR IN THE BASIN. AT PRESENT, THE COMPACT IS ALLOWED SOLIDARITY IN WHAT IT PLANS FOR. FOR EXAMPLE; THE COURT ORDINANCE PROHIBITS INDUSTRIES WHICH EMIT DUST, ODOR, SMOKE OR NOISE OUTSIDE THE IMMEDIATE BOUNDARIES OF THE PLANT. THUS MOST SUPPORT INDUSTRIES SUCH AS SLAUGHTER HOUSES AND LUMBER MILLS ARE NOT ALLOWED IN THE BASIN. CONSEQUENTLY, THEY LOCATE IN NEARBY AREAS AND THE BURDEN OF THEIR MAINTENANCE IS PLACED ON NEIGHBORING COMMUNITIES OUTSIDE THE BASIN WITH THE RESULTANT WASTE DISPOSAL PROBLEMS. WHILE LOCAL GOVERNMENTS HAVE SAID THEY NEED TO GIVE UP SOME OF THEIR SOVEREIGNTY BY BELONGING TO THIS AGENCY, THE STATE ALSO MUST GIVE UP SOME OF THEIR SOVEREIGHNTY. THIS IS TRUE ALSO FOR THE COUNTIES IN CALIFORNIA AS WELL AS FOR THE STATE OF CALIFORNIA. THIS IS A SMALL PRICE TO PAY FOR THE ABILITY TO LIMIT DEVELOPMENT OF THE TAHOE BASIN TO A PACE THE ENVIRONMENT CAN ABSORB. PLANNING MUST BE BASED ON THE PRINCIPLES THAT THE TAHOE BASIN IS UNIQUE, ITS ENVIRONMENT IS FRAGILE, AND THE PROTECTION OF ITS RESOURCES IS NOT LIMITED BY GEOGRAPHICAL BOUNDARIES.

4/21/75

MY NAME IS ROGER TROUNDAY, DIRECTOR OF THE DEPARMENT OF HUMAN RESOURCES AND THE ENVIRONMENTAL CONTROL OFFICER FOR THE STATE OF NEVADA AND SO I AM SPEAKING TO THE ENVIRONMENTAL CONCERNS IN THE TAHOE BASIN. I AM SPEAKING TODAY IN SUPPORT OF S.B. 254.

LAKE TAHOE CANNOT BE TREATED AS AN ISOLATED POCKET WHICH HAS NO EFFECT ON THE REST OF NEVADA OR CALIFORNIA. WHAT HAPPENS IN THE TAHOE BASIN HAS AN IMPACT NOT ONLY THERE, BUT ALSO ON THE OTHER CITIZENS IN CALIFORNIA AND NEVADA AND EVEN THE NATION, AS LAKE TAHOE IS ONE OF AMERICA'S GREAT SCENIC AND NATURAL RESOURCES. CONTINUED GROWTH WITHOUT SERIOUS CONSIDERATION OF THE [redacted] ENVIRONMENT ON EITHER SIDE OF THE LAKE COULD CAUSE IRREPARABLE DAMAGE. TO PRESERVE NOT ONLY THE LAND BUT ALSO THE AIR AND WATER QUALITY OF THE BASIN, A STRONG BI-STATE AGENCY MUST BE IN A POSITION TO CONTROL THE TOTAL ENVIRONMENT. THE PROBLEM IS GETTING AWAY FROM US. PRESERVATION OF THE ENVIRONMENT CANNOT BE ACHIEVED BY INDEPENDENT ACTION. WHAT ONE COUNTY DOES EFFECTS OTHERS, AND WHAT ONE STATE DOES EFFECTS THE OTHER. THE PRESENT STRUCTURE OF THE COMPACT IS NOT THE MOST EFFICIENT ONE TO PROMOTE TOTAL CONCERN. CERTAINLY THE AGENCY SHOULD HAVE LOCAL INPUT, BUT IN ORDER TO PLAN OBJECTIVELY FOR THE TOTAL ENVIRONMENT IMPACT OF THEIR ACTIONS, THERE SHOULD BE BROAD REGIONAL CONCERNS RATHER THAN ONLY THOSE OF LOCAL SPECIAL INTEREST. WITH LOCAL DOMINATION OF THE BOARD, THERE IS NOT ADEQUATE CONCERN FOR THE STATE'S INTEREST SUCH AS AIR AND WATER QUALITY WHICH ARE THE STATE'S RESPONSIBILITY, THEREFORE, THERE SHOULD BE MORE STATE REPRESENTATION.

AS HAS BEEN PREVIOUSLY STATED, THE CONTROL OF THE QUALITY OF THE WATER AT THE LAKE IS IMPORTANT TO TWO RIVERS, THE TRUCKEE BECAUSE THE LAKE DRAINS INTO IT, AND THE CARSON SINCE IT RECEIVES SEWAGE EFFLUENT. BOTH RIVERS RUN THROUGH SEVERAL COUNTIES IN NEVADA. AIR QUALITY IS IMPORTANT SINCE THE QUALITY OF AIR OUTSIDE OF THE BASIN CAN BE AFFECTED BY THE QUALITY OF THE AIR IN THE BASIN. AT PRESENT, THE COMPACT IS ALLOWED SOLIDARITY IN WHAT IT PLANS FOR. FOR EXAMPLE; THE COURT ORDINANCE PROHIBITS INDUSTRIES WHICH EMIT DUST, ODOR, SMOKE OR NOISE OUTSIDE THE IMMEDIATE BOUNDARIES OF THE PLANT. THUS MOST SUPPORT INDUSTRIES SUCH AS SLAUGHTER HOUSES AND LUMBER MILLS ARE NOT ALLOWED IN THE BASIN. CONSEQUENTLY, THEY LOCATE IN NEARBY AREAS AND THE BURDEN OF THEIR MAINTENANCE IS PLACED ON NEIGHBORING COMMUNITIES OUTSIDE THE BASIN WITH THE RESULTANT WASTE DISPOSAL PROBLEMS. WHILE LOCAL GOVERNMENTS HAVE SAID THEY NEED TO GIVE UP SOME OF THEIR SOVEREIGNTY BY BELONGING TO THIS AGENCY, THE STATE ALSO MUST GIVE UP SOME OF THEIR SOVEREIGHNTY. THIS IS TRUE ALSO FOR THE COUNTIES IN CALIFORNIA AS WELL AS FOR THE STATE OF CALIFORNIA. THIS IS A SMALL PRICE TO PAY FOR THE ABILITY TO LIMIT DEVELOPMENT OF THE TAHOE BASIN TO A PACE THE ENVIRONMENT CAN ABSORB. PLANNING MUST BE BASED ON THE PRINCIPLES THAT THE TAHOE BASIN IS UNIQUE, ITS ENVIRONMENT IS FRAGILE, AND THE PROTECTION OF ITS RESOURCES IS NOT LIMITED BY GEOGRAPHICAL BOUNDARIES.

4/21/75

SB254

3-1100

April 21, 1975

My purpose in speaking today is to ask you to do what the Senate refused to do, correct the weaknesses in the Tahoe Regional Planning Agency to make it a viable body for the preservation of the natural quality of Lake Tahoe.

S.B. 254, in its original form, would substantially improve the agency by broadening member representation and by insuring a true majority rule. Presently the T.R.P.A. can be controlled by the local counties surrounding the Lake whose economic interests invariably take precedence over concern for the quality and beauty of Lake Tahoe. S.B. 254, as amended, does little to correct the situation.

Increasingly, Lake Tahoe is being recognized as a unique national treasure, indeed, there are only three such lakes in the entire world. We, in Nevada, are fortunate to have part of this beautiful scenic area in our state, but a region such as the Tahoe Basin should be for all appreciative people to enjoy and its fragile eco-system should be maintained. A few Nevadans or Californians should not be privileged to destroy it. S.B. 254 would be a step in insuring that both states would hold a check on over development.

The urbanization of Lake Tahoe is becoming a national issue as indicated by the growing number of articles in national magazines. Concern for the increasing air and water pollution in the Tahoe Basin. is beginning to disturb more than

a few environmentalists. Newly created agencies and federal laws may indeed take the matter of preserving the Lake out of regional hands unless the states directly involved act soon. I urge you to allow Nevada to take the first step by restoring S.B. 254.

Lenore M. Kosso

Lenore M. Kosso

TAHOE REGIONAL PLANNING AGENCY

I am Elmo J. DeRicco, Director of the Department of Conservation and Natural Resources.

During the past four years I have served as a member of the Tahoe Regional Planning Agency (TRPA) Governing Board. As one of the two who has served continuously as a member of TRPA since its inception, I believe that I have a unique perspective of both the positive and the negative aspects of TRPA's progress toward realization of its compact goals.

Positive steps by TRPA include a Regional General Plan which establishes land uses and development intensities according to the capacity of the land for development. The stronger the land the more intense the permitted development. The other positive accomplishments of TRPA include its adoption of six ordinances implementing the regional plan and the commencement of studies to develop plans to deal with the continuing threats to the environment of the Tahoe Basin.

However, these positive aspects have been achieved only after long, grudging, arduous effort. That effort has been characterized by compromise after compromise - each compromise watering down and softening the environmental objectives in favor of what is, I believe, erroneously seen as the local county interest.

The principal environmental dangers facing the Lake Tahoe Basin have been detailed by previous speakers. The only

existing body that can address those dangers is one that transcends local boundaries. TRPA is the best available vehicle. But as long as local county interests, with goals of increasing the tax base, continue to be permitted a dominant voice on the TRPA Governing Board, those environmental dangers will remain, and grow.

In short [redacted] you have in TRPA the vehicle to solve those environmental risks. But, the present mechanics of TRPA are inadequate to meet the goals of TRPA's compact.

A substantial part of the problem with the present mechanics of TRPA is the overbalance of the TRPA Governing Board membership in favor of local county rather than regional representation.

The preservation and orderly development of the Lake Tahoe Basin are not merely matters of local concern. Nor is the future of TRPA and the Tahoe Basin merely a matter of county concern. The Basin and the Agency responsible for its environmental preservation are matters of regional, state and federal interest.

In the past decade the State of Nevada has invested $11,393,967 in State funds to preserve the delicate balance of Lake Tahoe's environment. That $11 million did not come from the Basin or the counties. It came from the general fund of the State of Nevada. That means $11 million from the citizens of Las Vegas, Elko, Tonopah, Yerington -- in short,

from all parts of this State. The citizen of Clark County has as great an interest in the preservation of the Lake Tahoe Basin as does the resident of Carson City. Indeed, in terms of a purely financial interest, the Las Vegan's interest is even greater.

But even that $11 million does not adequately reflect the interest of the State in the Basin. Countless expenditures of time and money by departments of the State have been made and continue to be made in implementing state mandated programs in the Basin, and in working with other Basin public agencies.

Figures on the interest of the public at large in the Tahoe Region are even more impressive. In the past decade the federal government has invested approximately $86 million in the Lake Tahoe area. Of that $86 million, nearly $65 million has gone toward the acquisition of park lands and in sewer export facilities. The federal government has become by far the largest property owner in the Tahoe area. Nearly two-thirds of the property in the Basin is now in state and federal ownership, yet minority county interests are permitted a majority vote on TRPA.

State, federal and tourism expenditures at Tahoe are many, many times greater than what the counties have invested. Yet, the TRPA compact preserves an antiquated 6 to 4 imbalance in favor of local government.

Lake Tahoe is at least as much an asset of the State of Nevada as it is of the two counties and one city, a portion

whose boundaries happen to form a portion of the Basin. At the bare minimum, Nevada's interest at Tahoe should be equal with the local jurisdictions. It is time that the TRPA compact recognize that fact by increasing state representation on TRPA as recommended in S.B. 254.

COUNTY OF PLACER

OFFICE OF
BOARD OF SUPERVISORS
RICHARD ANDREWS, County Executive

BOARD MEMBERS
RAY S. THOMPSON, Chairman
District 3
ROBERT P. MAHAN
District 1
ALEX FERREIRA
District 2
MICHAEL LEE
District 4
JIM HENRY
District 5

County Administrative Center / Auburn, CA. 95603 / Telephone 823-4641

3-1105

April 14, 1975

RECEIVED
APR 17 1975
DOUGLAS CO. MANAGER

To: Interested Parties

From: County of Placer, Board of Supervisors

Re: Tahoe Regional Planning Agency

Attached you will find a copy of Resolution No. 75-204 of the Placer County Board of Supervisors adopted on April 8, 1975, urging that the composition of the TRPA governing body be modified and that the dual-voting system be abolished.

The Resolution also urges elimination of the CTRPA in favor of strengthening the TRPA. An additional attachment sets forth in detail the reasons why the County of Placer believes that the CTRPA serves only to duplicate, in an inefficient manner, the functions and duties already being discharged through the TRPA.

If you wish us to present testimony or evidence in support of the positions taken in the Resolution, we will be happy to do so at your convenience.

Ray S. Thompson, Chairman
Placer County Board of Supervisors

Attachments: Resolution
Reasons to Abolish CTRPA

3 - 1106

Before the Board of Supervisors
County of Placer, State of California

In the matter of: A RESOLUTION RELATING TO COMPOSITION OF THE GOVERNING BOARD OF TAHOE REGIONAL PLANNING AGENCY.

Resol. No: 75-204

Ord. No:

Min. Bk: Pg.

First Reading:

The following Resolution was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held April 8, 1975, by the following vote on roll call:

Ayes: Mahan, Ferreira, Thompson and Henry

Noes: None

Absent: Lee

Signed and approved by me after its passage.

Chairman, Board of Supervisors

Attest: MAURINE I. DOBBAS
Clerk of said Board

By: Phyllis Harris
Deputy.

WHEREAS, the County of Placer has heretofore urged that the Legislature enact appropriate legislation repealing the legislation which authorizes the California Tahoe Regional Planning Agency and, if warranted by the circumstances, also enact appropriate legislation which strengthens the Tahoe Regional Planning Agency and the roles therein of local government to the end that it will have a full range of powers to establish comprehensive plans which will protect and preserve the environmental assets of the Lake Tahoe Basin; and

WHEREAS, the respective Legislatures of California and Nevada are considering, among other matters, possible amendments relating to the composition of the governing board of the Tahoe Regional Planning Agency;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Placer, State of California, urges that the composition of the governing board of the Tahoe Regional Planning

Agency be changed to consist of three (3) locally elected representatives from the local entities in each state and three (3) state-appointed representatives from each state, for a total of six (6) representatives from California and six (6) representatives from Nevada, and that, in order to make the organization more effective, the dual-majority provision be repealed.

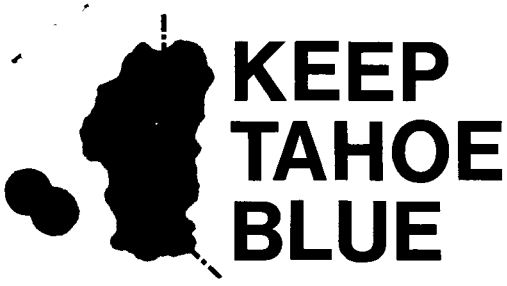
BE IT FURTHER RESOLVED that copies of this Resolution be sent to each Governor, each governing body of each city and/or county within the Basin, each Congressman representing the Basin, CSAC, the League of Cities, each State Legislator representing the County within the Basin, and Assemblyman Z'Berg.

THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE
ATTEST- 4-16-75

MAURINE I. DOBBAS
County Clerk and ex-officio Clerk of the Board of Supervisors of the County of Placer, State of California.

DEPUTY CLERK

SB254



LEAGUE TO SAVE LAKE TAHOE

2197 Lake Tahoe Boulevard, Post Office Box 10110
South Lake Tahoe, California 95731
Telephone: (916) 541-5388

3-1108

Statement by James W. Bruner, Jr.
Assembly Government Affairs Committee
Nevada State Legislature
April 21,1975

My name is Jim Bruner and I am executive director of the League to Save Lake Tahoe, a non-profit, public-benefit membership corporation incorporated in 1957.

I am testifying before you this evening in order to ventilate the need for restructuring the bi-state Agency for the purposes of providing effective regional planning for Lake Tahoe.

We have heard testimony in the Senate that the present structure and organization of the Tahoe Regional Planning Agency is not equal to the task of controlling development in a manner necessary to live within the environmental limitations inherent in the Lake Tahoe Basin. The Senate has compromised the original legislation in an effort to please those who believe the extension of sovereignty in partnership with California is at the expense of Nevadans. It is our belief that the revised draft is not practical, does not address the problem squarely or honestly, and in all probability will not be acceptable to California or the United States Congress.

The League to Save Lake Tahoe is of the firm belief that the preservation of the recreational and scenic opportunities of the Lake Tahoe Basin is no longer a provincial project. It is recognized that Lake Tahoe is not merely a possession of the States of Nevada and California or of the basin residents any more than the Grand Canyon belongs to those of Arizona or the redwoods to those residents of California. Evidence of this is the fact that in 1975 approximately 16 million people from every state and many foreign countries will visit Lake Tahoe. Lake Tahoe is here for the enjoyment of each generation, a heritage of beauty and recreational opportunity unmatched anywhere in the world.

The burden of addressing the true problems squarely now rests with this Assembly committee on behalf of all those interested in preserving the environmental balance of Lake Tahoe. Clearly, we must restructure the bi-state Agency in order to give it the tools with which to get the job done.

Without the provisions of Senate Bill 254 <u>as introduced</u>, the problems

Statement by James W. Bruner, Jr.

3 1109

facing the basin as well as the differences between the two States will increase. Those extensions of sovereignty granted by the original legislation previously enacted and ratified by Congress in December of 1969 must now be reviewed within the context of realistic problems which know no political boundries.

Without the modifications provided for in the introduced version of S.B. 254 such as revisions to the dual majority requirements, 60 day interpretations, and increased public representation provisions, we will not be able to firmly meet our obligation to provide regional planning which does not allow despoliation of one of our greatest assets. We must not bow to the pressures of continued exploitation of what some feel is a provincial resource which should not be influenced by state and/or national interests. The plight of Lake Tahoe and the struggle over her control is receiving greater and greater national attention. I believe it fair to forecast the day, when absent of a greater working relationship between California and Nevada such as provided for in S.B. 254 as introduced, the federal government will organize to uphold their mandate and act on behalf of the massive holdings of public land and public investment in the basin.

The choices are clear and concise. Do we continue the compromising direction towards Lake Tahoe? Do we continue to shirk our responsibilities to the public who own some 70 percent of the basin? Do we continue to ask the public to finance the program of "playing catch-up" with accelerating private land-uses while recreational and scenic opportunities dwindle? Or, do we analyze the problems as the original language in S.B. 254 appears to do and reverse the exploitation of Lake Tahoe in recognition of critical resource and fiscal problems to benefit all Nevadans, Californians, and other users seeking its attributes?

I believe the public has made that choice and further believe they have the tools to implement the policy in this Assembly committee. If we insist on the realistic approach taken by S.B. 254 as introduced, we will be accepting the responsibility the public believes we have. To do so will be facing a reality which is difficult to grasp for those viewing Lake Tahoe as their lake, their empire, a more narrow, provincial resource benefiting special interests.

SB254

1110

3-

Office Of The County Manager

Douglas County · State of Nevada

Courthouse · Minden, Nevada 89423

County Manager
Roland L. Adams
(702) 782-5176 Ext. 238

April 21,1975

Assembly Committee on Governmental Affairs
Carson City, Nv. 89701

Subject: Redraft of SB 254

This Bill, as you probably know, has undergone considerable testimony before the Senate Committee on Environment and Public Resources, most of which was directed toward overloading the T.R.P.A. Governing Body with a majority of state oriented representatives; to the dislike of Local Government Officials.

For your review and consideration, I have attached copies of information which was introduced at or is relative to SB 254. I urge that you weigh the time and effort which went into the original Bi-State Compact against the hap-hazard effort to place two additional state officials on the Board as is before you now. All of the testimony from Douglas County has, in essence, requested the T.R.P.A. Compact be left alone, which we still maintain is the most workable situation. Keep in mind that the testimony received by the Senate from the people within the T.R.P.A. has been basically that the Agency has been functioning with no problems or partisanships except for one issue, the "Casino-Hotels".

Respectfully submitted,

Roland L. Adams

RLA:jh
ATT.

Office Of The County Manager

Douglas County · State of Nevada

Courthouse · Minden, Nevada 89423

County Manager
Roland L. Adams
(702) 782-5176 Ext. 238

3 1111

March 13, 1975

COMMENTS PERTINENT TO SB 254

BY: ROLAND L. ADAMS, DOUGLAS COUNTY MANAGER

In order to shed some light as to my direct involvement with the Tahoe Regional Planning Agency, it should be noted that my previous title was "Assistant Executive Director, Tahoe Regional Planning Agency", with specific charge of development control and coordination. Further, I had a responsible role in the development of the "General Plan" and "Ordinances" now in effect.

The Douglas County Commissioners appointed me as their first county manager with full knowledge of my background and I share their concerns relative to this proposed amendment. My comments are directed specifically to the amendment proposing an increase of Governing Board Members on the T.R.P.A. The assumption one must make from the calculated increase of appointed members is dissatisfaction with the elected member representation as a majority group.

The following questions and answers are supplied by me for your further consideration.

QUESTION: 1. What problems are sited to be the cause for increased appointed Governing Board Members?

ANSWER: My guess would be primarily the hotel-casinos.

QUESTION: 2. Can the Agency say that any project or development has been processed by the Agency without regard to their General Plan, Ordinances or environmental controls?

ANSWER: None that would be considered major (including applications at Stateline).

QUESTION: 3. Can the Agency say that the respective local governments administrative or enforcement personnel have not reasonably cooperated with them?

ANSWER: I would say sure "some stones have been thrown", but nothing that hasn't been resolved.

3- 1112

QUESTION: 4. Were there any significant state-local partisanship votes recorded prior to the casino-hotel "dual majority" automatic approvals?

ANSWER: The record says no.

QUESTION: 5. Are "high-rise" hotels or motels in urban areas encouraged by the applications of land coverage regulations of the Agency?

ANSWER: On countless occasions, it has been said, "height is preferable to bulk in considering land coverage, particularly in Tahoe". Example: South Tahoe motel sprall compared to Stateline high-rise hotels.

QUESTION: 6. What about "transportation" in the South Tahoe Area?

ANSWER: The endless planning and hearing on traffic and transportation is a great example of "bureaucratic red tape".

QUESTION: 7. Were the Agency basic regulations and standards applied by Douglas County on the casino-hotels?

ANSWER: Absolutely; the record so reflects.

QUESTION: How can one rationalize that legislative authority is proposed to be left with the majority of state appointed officials, yet leaving local governments with such services as garbage, police protection, fire protection, etc.?

ANSWER: I have no answer, but it does seem like the "death sentence" to local governments with respect to the T.R.P.A.

I would conclude that the greatest threat to the Agency has been and still is finding reasonable compensation for devalued lands and that such be considered by all local, state and federal officials as the major "missing link" to the success of the Bi-State Compact, not this amendment.

I think the records will reflect the current Governing Body met their respective responsibilities in applying the rules and regulations and environmental controls which were adopted in 1971. It should also be noted, neither the existing Agency structure or the amendment proposed will satisfy the strong minded environmental interests or the development interests. I urge that you consider the questions which are asked and seek your own independent answers. My guess is, you will conclude, as I, that the existing compact under NRS 277.200 was drafted and adopted with reasonable consideration to all local, state and federal interests.

Office Of The County Manager

Douglas County · State of Nevada
Courthouse · Minden, Nevada 89423

County Manager
Roland L. Adams
(702) 782-5176 Ext. 238

March 18, 1975

Honorable Senator Wilson
State Legislature Building
Carson City, Nv. 89701

Regarding: Senate Bill 254

Dear Spike:

I have listened very carefully to the tapes of the testimony presented to the Senate Committee on Environment and Natural Resources. I consider myself rather open minded about the issue of the proposed amendments and feel strongly that the increase of state appointments will have a detrimental effect on the "Agency" as well as the "Local Governments", to this end; in testimony, reference was made to "game playing"; several deals were made, which I am sure you are aware of in the 1973 Legislature, regarding the N.T.R.P.A. Issue, by several "State Appointees". The subsequent hearings of N.T.R.P.A. reflected many of the compromises made on the N.T.R.P.A. issue in 1973, to the frustration of Local Government Officials (in particular Douglas County because of the location of applications), obviously you are being exposed to that frustration.

The N.T.R.P.A. was besieged by environmental "flack", in my opinion (not particularly in the book), when reviewing the applications of "Kahle" & "Jennings". The main point raised against the applications was, at that time, inadequate transportation-traffic solutions.

Spike, believe me when I say the transportation plan for Nevada is totally reliant on California's action to proceed, which at this point, is "bogged down" with the intent to "lock out" additional development in the Stateline Area. This tactic (or game) is not the figment of my imagination. It is not necessarily the fault of the T.R.P.A., but when it appeared to those interests in opposition that the "counties were going to vote in a block" to support the pending casino-hotel applications, they raised the unanswerable question of transportation.

There is no way to unscramble the mess the T.R.P.A. Transportation Plan is in today, even those who are working on it are discouraged over its status.

I am one of those "dummies" who Mr. Breen referred to in his testimony; who helped on the Agency's Plan and Ordinances and for whatever it is worth, "I am damm proud to have been a part of that effort".

In any case, my point is nothing has really happened in the short history

of T.R.P.A. that has not been predicted particularly - the bickering between the Feds., the state and the counties. The problems which I point out herein are (to me) a game of "one-upsmanship" and not the fault of the Bi-State Compact.

I urge you to "look through" the surface and see that knowone will best be served by the changing of Governing Board Members, it is merely a proliferation of the "game playing", which I predict will backfire and cause an even greater strain on the essential relationship between all Local Governments and the Agency.

Should the predictable happen after passage of this bill, a bitter struggle between the three state appointees and the three elected officials will result in the seventh appointment. Next, after thirty days the Governor will appoint the state representatives' choice, thus state control. I think we could both agree some or all of the following might ensue:

1. Local Government withdrawal from all T.R.P.A. Governing Board Meetings with Governor appointments after three consecutive meetings of absence.

2. An accelleration of major and minor project violations by developers and small land owners which would be enspired by obstructionists.

3. Over reation by the state controlled Agency to control violations.

4. Rapid acceleration of litigation on all fronts.

5. Enforcement and inspection support by Local Government staff declines or ceases.

6. Agency staff enlargement in legal, administrative and especially enforcement areas.

In closing, I hate to cry "the sky is falling"(ref: Henny Penny), but I think these issues are sufficient enough to point out that they should be weighed very carefully "before changing the rules of the ballgame before it is over".

Respectfully,

Roland L. Adams

RLA:jh

SB254

3-1115

STATE OF CALIFORNIA

EDMUND G. BROWN JR., Governor
RONALD REAGAN, Governor

BUSINESS AND TRANSPORTATION AGENCY

OFFICE OF THE SECRETARY
1120 N STREET, P.O. BOX 1139
SACRAMENTO, CALIFORNIA 95805 (916) 445-1331

RECEIVED
MAR 27 1975
DOUGLAS CO. MANAGER

March 20, 1975

MAR 24 1975
TAHOE REGIONAL
PLANNING AGENCY

Tahoe Regional Planning Agency
P. O. Box 8896
South Lake Tahoe, CA 95705

Gentlemen:

From all indications available to this Administration, the Tahoe Regional Planning Agency is proposing to adopt a transportation plan element at its meeting on March 26, 1975. A review of the proposed transportation element reveals that it is little more than a series of individual project evaluations, maps, and issue papers bearing little resemblance to a comprehensive transportation plan. In view of the nearness of the April 1 deadline for adoption of the regional transportation plans required by California statute, I feel compelled to share with you some of this Administration's concerns.

California statutes require that the transportation plan reflect the land use, economic, social and environmental needs and concerns of the region. California statutes also require that the California Tahoe Regional Planning Agency adopt a plan which adequately reflects those overriding comprehensive planning objectives.

The Administration has yet to view any transportation plan drafts produced by the bi-state Tahoe Regional Planning Agency which conform to the statutory requirements of California law. We view with alarm proposals to single out and endorse growth inducing projects which our state has no capacity to fund, when those projects have not been reviewed within the comprehensive context of Lake Tahoe's future. We intend to critically review any proposals for the future which are contingent on the construction of a four-lane Highway 50, or proposed casino loop, when we know that our statewide transportation needs prohibit us from ever providing such facilities.

California's transportation program has become the victim of inflation. Fuel tax revenues, levied on a per-gallon basis, do not increase as the cost of living increases. Additionally,

recent increases in the price of fuel have resulted in a substantial weakening of historical gasoline consumption growth trends. Consequently, we find ourselves with less revenue than we anticipated and with less purchasing power per dollar than any prophet of doom could have ever predicted.

The resulting actions taken by California's Department of Transportation to cope with this greatly constrained financial outlook have been very straightforward. The Administration is drastically reducing its capital construction program. We are faced with the necessity of abandoning many projects which have been on the drawing boards for the last twenty years. There simply is not going to be enough money to continue to build new and improved highways at the flourishing rates popular in the past.

This message should be very important to the Agencies in the Tahoe Basin. For the signals are clear, there will be no major commitment of California dollars to the construction of more highways leading into, or around Lake Tahoe in the foreseeable future.

Certainly, we will attempt to improve the safety on existing facilities, but we will not be embarking on any major new projects.

Since you serve an area where severe congestion occurs during busy summer months, you should be very sensitive to the importance of my comments on the outlook for future highway improvements in the basin.

I must also advise you that it is our intent to review the proposals for improvement of Highway 50. I anticipate that by early 1976, we will recommend that certain necessary safety improvements be undertaken on the existing right-of-way and that plans for a future freeway in the corridor be abandoned due to the total unlikelihood that sufficient funds for the project could ever be budgeted.

We are of the belief that your staff recommended the construction of a Highway 50 parkway and a casino loop at South Lake Tahoe. We strongly urge that you reject these staff recommendations.

I urge you to carefully consider the future of Lake Tahoe in the most realistic terms possible. You must not assume that transportation resources are limitless. You must not assume that the State of California will build all the roads as proposed in the Plan. You must balance your plan by controlling

your development of the land to conform to the capacity limits of the existing transportation network.

This Administration will urge the California Tahoe Regional Planning Agency to reject the so-called plan being offered by the bi-state agency as inadequate, and unrealistic.

It is time to introduce some common sense into the planning process.

Sincerely,

Donald E. Burns

DONALD E. BURNS
Secretary