

ENVIRONMENT AND PUBLIC RESOURCES COMMITTEE

March 24, 1975

The meeting was called to order in Room #213 at 5:20 p.m. on Monday, March 24, 1975. Senator Thomas Wilson was in the chair.

PRESENT: Senator Wilson
Senator Blakemore
Senator Neal
Senator Dodge
Senator Bryan
Senator Sheerin
Senator Gojack (arrived at 5:30).

The purpose of the meeting was for Mr. Elmo DeRicco, Director of Nevada Department of Conservation and Natural Resources and a member of the Tahoe Regional Planning Agency, by law, to testify.

Mr. DeRicco came forward at this time and identified himself and his agency. Before he started his testimony, Senator Dodge made the following remarks:

"As a result of a discussion we had last Friday afternoon, I was asked by the committee to contact Mr. DeRicco to see if he could come up with some information by 5:00 p.m. on the California members of the TRPA on any expansion of the membership. I contacted Mr. DeRicco to see what he could find out, and as far as I know, that is what his testimony will be directed to."

Mr. DeRicco said he would confine his remarks to membership only. He was able to contact every member except Mr. Henry. They are still trying to reach Mr. Henry.

Kenneth Woodward, Clair Deitrich's designee, his attitude is this on a seven man board: The State of California membership may not conform exactly with that of the state of Nevada, however, Mr. Woodward sees no objection to three governor's appointee's and the lieutenant governor of the State of Nevada and supports the seven man board function. Mr. DeRicco said that was the Resource Agency of California's answer to the seven man board. Senator Wilson asked why he supported that concept. Mr. DeRicco said Mr. Woodward did not indicate to him why he supported it. He did indicate that he would like to see a balance on the board, a balance of state versus county members.

John Winn, City of South Lake Tahoe, was the next person contacted by Mr. DeRicco. The City of South Lake Tahoe adopted a resolution three to twelve to have the TRPA board members elected. This was Mr. Winn's answer. Senator Wilson asked if that would be an elective board of five or seven members. Mr. DeRicco said it would just be an elected board and he had no answer as to number. This was by vote of the city council three to twelve. (It was later determined that the vote was actually three to two and the twelve was a typographical error.) Senator Sheerin asked Mr. DeRicco if the two members voted against election because they wanted to leave the board as it is presently constituted. Mr. DeRicco said he did not ask this of Mr. Winn.

Tom Stewart, representing Eldorado County and also Chairman of the Agency, was next contacted by Mr. DeRicco. Eldorado County passed a resolution asking for repeal of the agency. Mr. Stewart's personal thoughts on membership were to leave the membership as it is. As an option the membership could be changed to include the present three local government representatives plus one state senator and the governor or his designee. He

was thinking of one state senator, one state assemblyman, to be appointed by the legislature, plus a governor designee which would give equal balance in the agency. He felt in discussion over the phone, that by appointing a state senator and a state assemblyman from the state, you would have elected officials on it and would have broad representation.

Bob Van Allen, Governor Appointee of the State of California, was the last person to be contacted. Mr. Van Allen feels there should be a balance on the board of both in the basin and out of the basin representatives. The seventh member of the board should be selected by the other six members. He does not approve of the 30 day limitation on selection and the governor's appointment thereafter.

For the record, Mr. John Winn was in attendance.

Senator Dodge said his basic concern the other day was that Mr. Heikka indicated that the agency had never formally taken any action towards amending the compact. Senator Dodge went on to say that this indicated to him that they were divided in their thinking as they were in Nevada. He said the regional representatives want a balance and the counties don't. Senator Wilson asked Mr. DeRicco if that was a reasonable summary. Mr. DeRicco said he didn't really know if he could go along with that because Tom Stewart, in his personal thinking, feels that there should be a balance. Mr. Stewart also suggested an alternative. He feels that the five members from each state is fine, but as an option he suggested that you might want three representatives, but his approach to the representatives is that they be elected officials, one senator and two assemblyman. Senator Wilson asked if Mr. Stewart expressed an individual judgement to Mr. DeRicco, notwithstanding the resolution passed by his board of supervisors, to the effect that he did or did not think the balance needed improvement by expansion. Mr. DeRicco said he didn't put it that way. Mr. Stewart put it in this light. He said this was his minority report. He said these were his personal thoughts.

Senator Bryan asked if there was a unanimitive opinion on the AD-HOC Report. Mr. De Ricco said it was unanimous. Senator Blakemore said that AD-HOC report was like the weasel sent to watch the hen house. He said he had seen the report and he wasn't too impressed. He said he could make an AD-HOC report of the legislature and make it look good.

Senator Neal asked about having a balanced committee and what they meant when they spoke of this. Mr. DeRicco explained this to Senator Neal. Senator Neal asked what abuses the TRPA suffered as a result of not having this balanced view. Mr. DeRicco said the voting at times has been interpreted as a local decision versus a regional decision or a state decision. Senator Blakemore asked Mr. DeRicco if the AD-HOC Committee wasn't the same group that came here two years ago with the great emergency for the NTRPA. Mr. DeRicco said no, he didn't think so. The AD-HOC Committee was composed of both members from Nevada and California. He said he knew all of the members and thought they would be objective and work for the best interests of Lake Tahoe.

Senator Sheerin said that Mr. DeRicco spoke of a balance. He said if you want a balance of three local people and three state people, why throw it in imbalance the other way by adding a seventh member who will represent the state, not the local agency. That's going to throw it just as much in imbalance in the other direction as the present three-two composition. Mr. DeRicco said as he saw it, the seventh member is to prevent a deadlock and that seventh member would be selected by the other six. He said that every member would get their fair share of consideration for that seventh member. Senator Sheerin asked if that AD-HOC report was adopted by the governing board. Mr. DeRicco said it was not. Senator Sheerin asked Mr. DeRicco how many meetings he had attended in the last twelve months versus the meetings his designee has attended. Mr. DeRicco said he would have

to look at the minutes. He said whether he attended or not, he still kept informed of what was happening. Senator Sheerin asked if it was a fair statement that the rules and regulations of the CTRPA go beyond and are more restrictive than the bi-state agency. Mr. DeRicco said he thought that generally the CTRPA was structured for making conditions very restrictive in California. He said they were not stricter all the way down the line.

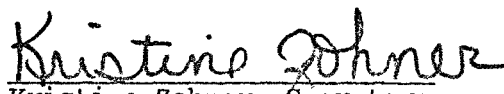
Senator Blakemore asked what Mr. DeRicco would think of a totally elective board. Mr. DeRicco said when you speak of a totally elective board, you speak of where the members are going to be elected from. He said he wouldn't know where to draw the line because the lake is a unique resource and is important to the world. Again, where would you draw the line. Senator Blakemore rephrased the question and asked if the members of the board were elected to the office, would they work any better. Mr. DeRicco said he didn't know if they would work any better and again asked where you would elect from.

Senator Sheerin reported to the committee that he contacted Claire Barryhill, who is a state senator in California representing Eldorado and Placer County. Mr. Barryhill indicated that he was not in favor of any change in TRPA. Senator Dodge asked Senator Sheerin if Mr. Barryhill indicated that would be the position of the California Legislature. Senator Sheerin said no, this was Mr. Barryhill's personal opinion. Senator Dodge asked Senator Sheerin if he had asked Mr. Barryhill what the opinion of the California legislature was going to be. Senator Sheerin said no. Senator Wilson said if that was the question Edmond Zeeburg, chairman of the Environment Committee of that body, indicated to him that that body was in favor of change along the lines this committee has been discussing. Senator Wilson also said that this committee shouldn't be influenced by what one man's opinion is.

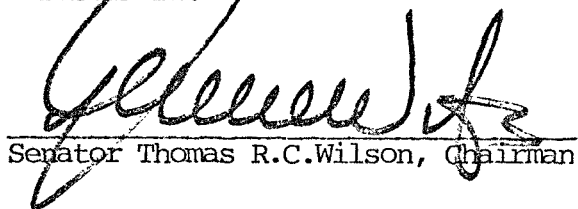
Senator Neal asked when the committee was going to vote. Senator Wilson said that when all the minutes were completed and everyone on the committee had a chance to study them, they would vote.

There being no further business, the meeting adjourned at 5:50.

Respectfully submitted:


Kristine Zohner, Secretary

APPROVED BY:


Senator Thomas R.C. Wilson, Chairman