

# Bill seeks Nevada withdrawal from TRPA

By Guy Clifton, Reno Gazette-Journal

Supporters of a bill that would pull Nevada out of the bi-state Tahoe Regional Planning Compact said the TRPA is mired in bureaucracy and litigation and its governing board controlled by environmental special interests on the California side.

Sen. John Lee, D-North Las Vegas, who sponsored SB271, said the bi-state compact with California has become overly restrictive, leaving the TRPA as an agency "hamstrung by heavy-handed legal tactics by our partner (California)" and other groups.

"Nevada residents, users of the region, and the natural resource itself are stuck bearing the burden of what has become broken government, a jeopardized partnership, and by edict of the compact, a failed agency," Lee told members of the Senate Government Affairs Committee on Friday.

Senate Bill 271 would have the state withdraw from the Tahoe Regional Planning Compact and shift its duties for the Tahoe basin on the Nevada side of the lake to the Nevada Tahoe Regional Planning Agency.

Sen. James Settelmeyer, R-Gardnerville, and Assemblymen Kelly Kite, R-Gardnerville; Pat Hickey, R-Reno and Randy Kirner, R-Reno, co-sponsored the bill and also spoke in support.

They said the restrictive regulations discourage businesses and frustrate property owners who sometimes wait for years to get permits.

"We have businesses up there that spend millions of dollars

and years of time to get projects going,” said Kite, who added that the TRPA was created with good intentions, but has since ‘run amuck’ and become ‘an obstruction organization.’”

David Fabrizio, a South Lake Tahoe resident who said he lost his home in the Angora fire, agreed:

“You rake up the needles around your house for fire protection and you’re told that you have to put them back,” he said, “I had the forestry department come out and I had trees that were dead in my yard and I wanted to be able to cut down and TRPA says I can’t cut them down.”

Opponents of the bill, however, said Nevada would be “throwing out the baby with the bath water” if they decided to set up their own regulatory agency.

“We don’t think this is the right way to go about the bill,” said Kyle Davis of the Nevada Conservation League. “Decisions that are made in Nevada do affect California and decisions in California do affect Nevada.”

Rochelle Nason, executive director of the League to Save Lake Tahoe, said Nevada pulling out of the compact would “make it impossible to keep Tahoe blue.”

“You can’t save one-third of a lake,” she said.

TRPA executive director Joanne Marchetta said her agency is caught in the middle of ‘two states with profoundly different philosophies.’

She said Nevada’s focus is on property rights, while California’s is on environmental protection, but she said despite these differences she believes the Compact should stay in place.

“We may have much more to lose (from Nevada leaving the compact), than what can be gained,” she said.

TRPA board member Tim Cashman said pulling out of the compact could create a number of unintended consequences.

“We’re likely to have more litigation than we have today,” he said.

TRPA’s Marchetta said the agency is anticipating \$1 million in legal fees over the next two years.

Leo Drozdoff, director of the Nevada Department of Conservation and Natural Resources, said the state is neutral on the bill, but urged consideration of several steps before ultimately making a decision to withdraw from the pact.

They include:

- o Allow Gov. Brian Sandoval and California Gov. Jerry Brown an opportunity to meet and discuss management of Lake Tahoe.
- o The Legislature should begin an outreach process to counterparts in the California Legislature.
- o The TRPA’s involvement in residential oversight should be shifted to local governments.

Opponents of the bill also supported those moves.

“We believe bi-state cooperation in Tahoe matters is essential to continue ongoing programs targeting such issues as runoff of soil and other elements that threaten the clarity of the lake, and we support the role of TRPA in implementing such programs,” said Jean Stoess, chair of the Toiyabe Chapter of the Sierra Club.

Lee said previous efforts to reach out to California’s Legislature have fallen on deaf ears.

## WHAT’S NEXT

Though no action was taken by the Senate Government Affairs Committee, Sen. John Lee, D-North Las Vegas, said it would be

discussed further in work sessions.