

Opinion: Nevada fails to protect Lake Tahoe

By David von Seggern and Laurel Ames

Nevada Gov. Brian Sandoval on Thursday signed SB229, which repeals the 2011 legislative effort (SB271) to withdraw Nevada from the Lake Tahoe bi-state Compact. Environmental groups are calling the new law a major setback in protecting Lake Tahoe from development.

The Compact is the federally approved agreement between California and Nevada that was enacted to protect Lake Tahoe's famed blue waters from runoff and other pollution caused by excessive development. The repeal would become null if California fails by January 2014 to meet conditions similar to what SB271 had required to prevent Nevada's pull-out from the Compact.

The conditions include amending the Compact to require the Tahoe Regional Planning Agency to consider economic factors in land-use planning, e.g., "changing economic conditions."

They also include California's declaration of its support for "full implementation" of the Regional Plan Update approved by TRPA in December 2012. If California does not meet the conditions, SB271 will go back into effect.

The Sierra Club is disappointed in the new law.

While keeping Nevada in the Compact is commendable, this new legislation does not guarantee that the lake will get the protection it needs. The new law still presents California the choice of either ending the Compact or "saving" a much weakened version that places development on a par with environmental protection of the lake.

The desires of Tahoe's developers and large corporations to keep up with the glitz of other areas, in order to compete for additional tourists, has nothing to do with assuring restoration of the lake – it's all about increasing their bottom lines while local governments count the increased tax revenues. And those desires require reducing existing standards that are the hallmark of the TRPA – protecting the lake's clarity, protecting the natural areas around the lake, protecting the beautiful scenery, protecting open spaces, and controlling air pollution.

Environmentalists also object to SB229's call for California's support for the Regional Plan update, "This new plan puts forth flawed approaches for Lake Tahoe that seriously reduce protections for the treasured mountain lake. The new plan shifts authority over future development decisions to local jurisdictions which do not have a mandate to protect the lake. The new plan also allows those towns and counties to adopt weaker pollution and development controls than otherwise required by TRPA. This would undermine the very idea behind the agency's creation—that protecting the water quality, clean air, and natural beauty that make Tahoe so popular is a top priority, and one that must be handled at the regional level," Earthjustice attorney Wendy Park explained.

On Feb. 11, 2013, the Sierra Club and Friends of the West Shore filed suit in federal court to block the implementation of this flawed Regional Plan Update.

The Sierra Club has a long history of activist interest in Tahoe, starting in 1969, when the TRPA was created. We are disappointed at the state of the TRPA today, and will work to undo the worst of the Regional Plan update that the Nevada governor has endorsed through SB229.

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