



NEVADA DEPARTMENT OF
**CONSERVATION &
NATURAL RESOURCES**

July 26, 2012

Chair Norma Santiago and
Members of the Governing Board
Tahoe Regional Planning Agency
P.O. Box 5310
Stateline, NV 89449

Dear Chair Santiago and Members of the Governing Board:

The states of California and Nevada have closely examined the outstanding major issues of the TRPA Regional Plan Update (RPU). We are writing to share our recommendations for the Governing Board's consideration when finalizing policy in the RPU. The recommendations and language we have carefully provided is the product of consensus among the vast array of stakeholders in Lake Tahoe. We believe our recommendations offer the Governing Board an unprecedented opportunity to build upon environmental progress.

At the 15th Annual Tahoe Summit held in August 2011, Governor Brown and Governor Sandoval announced a renewed commitment by the states of California and Nevada to Lake Tahoe. Our states agreed¹ to work cooperatively with the shared goal of helping to complete the RPU by the end of 2012.

In the weeks and months since the summit, California and Nevada have remained focused on delivering this promise. The California Natural Resources Agency and the Nevada Department of Conservation and Natural Resources have dedicated hundreds of hours of time in an effort to come together as partners around policy solutions. We have met with, listened to, and solicited input from stakeholders within the Basin and have closely followed the work of the Governing Board's RPU Committee. Not unlike the Governing Board, we have heard from members of the conservation community, area business owners, civic leaders, local elected officials, technical experts, and – most importantly – residents and concerned citizens. Through this endeavor, we

¹ "The best way to do that is by working cooperatively with the State of Nevada to promote policies that ensure both the environment and the economy of Lake Tahoe are protected in perpetuity," said Gov. Brown.

"Gov. Brown and I agreed that while much has changed at Lake Tahoe since the Bi-State Compact was created in 1969, our two states' dedication to the resource remains unwavering. I look forward to working with Gov. Brown on updating the Regional Plan," said Gov. Sandoval.

July 26, 2012

Page 2

believe that we have a much greater appreciation for the history, the concerns, and the hopes of all who have a stake in the success of the updated TRPA Regional Plan.

As the broader community and the Governing Board knows, over the past few months we have also embarked in a more formal bi-state consultation process in an effort to bridge differences identified through the work of the RPU Committee. This process was initiated with the hope of offering additional areas of agreement for the Governing Board to consider as part of its planning effort. We have not sought to re-do the draft work product already started by the RPU Committee and the Governing Board. In fact, we have concluded through our process that there is more agreement among the stakeholders than there is disagreement.

However, despite the RPU Committee's diligent work, the fact remains that significant unresolved issues have emerged that threaten the successful completion of the RPU. We created our bi-state consultation process to see if our engagement could help drive resolution of these policy issues by finding consensus positions around four broad areas of discussion: delegation of authorities and establishment of an appeals process; water quality; land coverage questions; and air quality.

Throughout our stand-alone effort, our approach was to listen carefully to all parties and build consensus where possible. We set out committed to a well-represented, collaborative process that would further unify California and Nevada's shared responsibility for the protection and preservation of Lake Tahoe and the economic viability of the region. We invited individuals from each state to meet with us for five all-day meetings and convened breakout work sessions in the interim. We challenged each individual participant to think broadly, to be creative and to represent interests greater than their own. Each participant – one conservation, one business, and one local government representative from each state, in addition to two members of the Governing Board who conveyed the RPU Committee's perspectives – diligently joined us in this group problem-solving endeavor. We thank each of them for their hard work and commitment to this collaborative effort.

We believe our efforts have yielded results that demonstrate strong merit and deserve further consideration by the RPU Committee and the Governing Board as part of its public deliberation process. Through our partnership and teamwork, we have forged agreement on language that offers real progress on approximately 17 previously unsettled policies contained in the Regional Plan Update. These areas of agreement – and the attached policy language drafted as an entire package through our consultation process – include:

- Level of Local Delegation and Appeal Process
- Commodities
- TAU Transfer Policy

July 26, 2012

Page 3

- Site Specific Transfer Ratios
- New “Resort Recreation” Designation
- High Density Tourist District: Maximum Height
- Community Character: Community Design
- Community Character: Level of Service
- Land Coverage Transfers Across Hydrologic Zones: Excess Mitigation Fees
- Land Coverage Transfers Across Hydrologic Zones: Land Coverage Transfers
- Offsite Land Coverage Mitigation
- Land Coverage Allowances
- Areawide Coverage Management Plans
- TMDL
- Air Quality
- BMP Compliance
- Pilot Program for Drive-up Pharmacy Windows

The states of California and Nevada take seriously our unique, shared roles at Lake Tahoe. Through our personal engagement, we believe we have fostered a bi-state relationship that is healthier than in recent memory, is engendering stronger trust among other stakeholders, and represents a “new start.” We believe that our recommendations will protect the environment and will benefit the economy. We respectfully ask the RPU Committee and Governing Board to consider these consensus positions as it works to finalize the RPU in the coming months.

Sincerely,



John Laird
Secretary for Natural Resources
State of California



Leo M. Drozdoff, PE
Director of Conservation and Natural Resources
State of Nevada

cc: Governor Brown
Governor Sandoval
Senator Dianne Feinstein
Senator Harry Reid
Senator Dean Heller
California Legislative Delegation to Lake Tahoe
Nevada Legislative Delegation to Lake Tahoe
Joanne Marchetta

Attachment