

MORGAN'S TAHOE

By

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2nd Edition

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FOREWORD

The following is sort of a memoir, a series of articles about some of the experiences of the author while he lived and worked in the Lake Tahoe Basin of California and Nevada. During the period from the spring of 1965 to the fall of 1989, he was involved in a wide range of activities, some of which had considerable influence on the environment and the political situation in the Basin. As Forest Supervisor of the National Forest lands at Tahoe for nine years, followed by four and a half years as the Executive Director of the most controversial agency in existence at Tahoe during this period, he provides his unique perspective of happenings and accomplishments with which he was associated.

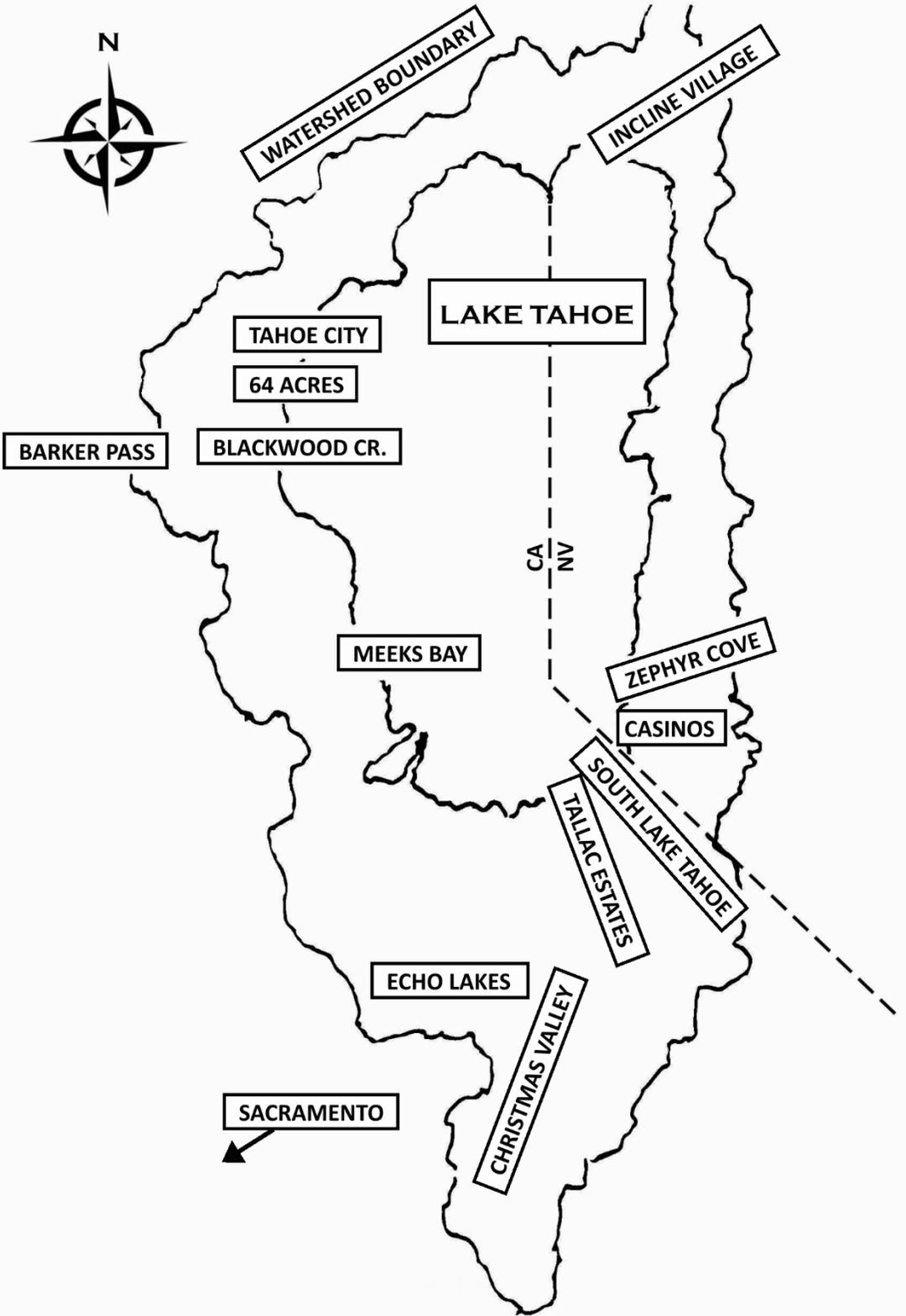
Some of these tales might satisfy the curiosity of residents of Tahoe as well as those who visit the area and wonder, "How did that come about?" Or "What's the story behind the 64 Acres?" Or "What happened to the Jennings Casino?" You can learn about those things in this book.

Some of you will come across familiar names, too. Maybe your own.

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MORGAN'S TAHOE

Lake Tahoe is a lake on the boundary between California and Nevada. It's a big lake, about twenty two miles long and twelve miles wide. For most people in the U.S. and around the world, that's more information about Lake Tahoe than they ever knew and probably all they care to know; but for the rest of us, we're interested in knowing a good deal more. You see, Lake Tahoe is a special lake, a high alpine lake that's the 16th deepest lake in the world and the 30th largest by surface area, and of that group of large lakes, a clarity that's rivaled only by Lake Baikal in Siberia. Oh, but you don't know anything about Lake Baikal? Maybe you should read about it.

Lake Tahoe is special partly because of the surpassing beauty of its multihued blue water as seen under a clear summer sky and for the majesty, winter or summer, of the forested mountains that ring the lake, rising as much as forty five hundred feet above the lake's surface. And just to give you some perspective, it's a thousand feet higher than Denver, the Mile High City. It's special also for its history as you will learn in this book.

The Lake Tahoe Basin is the name many call the lake and the surrounding land that drains into the lake. To the more familiar, we just call it Tahoe. The name Tahoe suggests a certain ambiance, a certain culture, and to some, controversy.

Since the 1890's, Tahoe has been home to conflicts between those with economic interests foremost in mind and those with protection of the natural environment at heart. Between these competing forces have been those who've struggled to reconcile the two. Those attempts at reconciliation have been complicated by two strongly held philosophies, one believing in a strong form of government to regulate things and one that believes in limited government with local interests having priority when it comes to governing.

For over twenty years in the 1960s through the 1980s I was heavily involved in many of the controversies as well as successes

in the public arena of the Lake Tahoe Basin. For nine of those years I was the Forest Supervisor of the Lake Tahoe Basin Management Unit (LTBMU) of the U.S. Forest Service, which today (2015) manages 78% of the land at Tahoe. While serving as the Supervisor, I was privileged to grapple with a range of issues unlike any in other units of the U.S. Forest Service.

Since 1970, Tahoe has had a planning and regulatory agency named the Tahoe Regional Planning Agency (TRPA) which has jurisdiction over all the lands at Tahoe, private and public. To say that the Agency has had a turbulent existence is an understatement.

For over two years I sat on the Governing Board of that agency as the field representative of the President's appointee to the TRPA. Though a non-voting member, I participated in deliberations on many issues. I also served as the Executive Director of the TRPA for four and a half years in the 1980s. In one role or the other, Forest Supervisor or Executive Director, I was deeply engaged in efforts that twice saved the TRPA from collapse. I'll write about that in the pages that follow, but there's a lot more I'd like to share with you first.

Now bear in mind, this book is not one of historical scholarship with references cited or footnotes elaborating on the contents. Some historical facts will be presented however. I've had to mention dates from time to time to keep things in context. As sort of a memoir, most of the stories I tell are based on my recollections and are intended for your reading enjoyment or to satisfy your curiosity. Some things said are simply facts. I've tried to keep my recollections consistent with the facts. To that end, I've tapped the memories of several people who were in the action in those days, some of whom were members of my staffs; and I've also combed through the pages of various publications and poked around on the internet to gather relevant information.

Before we get into telling those stories, let's start with some history about Tahoe, way back before the acronyms TRPA, USFS,

LTBMU, CTRPA, NTRPA, STPUD, TCPUD, NTPUD, LTSLT, TSPC, LRWQCB, ULI, EPA, NEPA, and CEQA came into being.

On February 14, 1844, John C. Fremont, the famous explorer of the West, sighted a large snowbound lake to the north of where he stood on a mountain peak near what would later be named Carson Pass. To quote Fremont, “We had a beautiful view of a mountain lake at our feet, about fifteen miles in length, and so entirely surrounded by mountains that we could not discover an outlet.”

Fremont, guided by two intrepid scouts, Kit Carson and Thomas Fitzpatrick, had been seeking to establish a passage west from the western desert of the Great Basin over the Sierra Nevada Mountains to the “Valley of the Sacramento”. On January 18 he had made a rather foolhardy decision to cross those mountains in mid-winter with a modest party of men, horses, and mules. So off they went. He and his party struggled for days, following river and creek valleys deep into the mountains, trudging up ridges, traversing steep mountain slopes and often having to break trails through the deep snow. They were short of food and nearing exhaustion. Fremont climbed a mountain peak along with his cartographer, Charles Pruess, to get a better view of what lie to the west. That direction appeared to be just as rugged as the route they had traveled; and, given the condition of his party, he gave no thought to detouring north to explore the lands around that lake. Like many explorers of his generation and before, it was “ever westward” for him. He descended the mountain; and he and his men, with their horses and mules, struggled on over the crest of the Sierras, down the forested slopes to the scrub oak studded foothills, into the Sacramento Valley, and on to Sutter’s Fort.

Here’s an interesting sidelight. As important as Fremont’s travels and explorations in the west were, his was not the first crossing of the Sierras by non-Indians. Various historians report several crossings prior to his: Jedidiah Smith, having skirted the Sierras by a southern route, led a party from California back over

the Sierras to the Great Basin in 1827, apparently crossing over what is now known as Ebbett's Pass; in 1833 Joseph P. Walker took a party from the east side of the Sierras to California over what is now called Walker Pass; in 1834 he crossed back over; and in 1843 he crossed over that pass again; a group of emigrants called the Bidwell-Bartleson party crossed over to California in 1841, apparently by way of the pass we call Sonora Pass.

Nevertheless, Fremont's was the first recorded sighting of Lake Tahoe, though its existence had been well known for thousands of years by the Native Americans that inhabited its shores during the snow free seasons. As things turned out, that lake has risen in importance equal to any of the great lakes of the world, important geologically, economically, environmentally, and politically.

Tahoe was formed when a relatively small piece of the earth's crust sank, forming a basin, while at the same time land forms around it rose up to become mountains. Later, volcanic action occurred, blocking the drainage outlet of the basin and causing a large lake to form behind the dam-like blockage. In time, water poured over the dam and resumed down the river now called the Truckee. That bit of natural dam building and spillway installation may have occurred more than once. Glaciation over eons of climate changes scoured the mountain ranges, leaving several smaller lakes which drain down and into Lake Tahoe and also created a spectacular bay on the west side of the lake. Over time, the land around the lake became heavily forested with towering pines, fir, and cedar. Mother Nature coaxed cutthroat trout up the Truckee River from the now long gone gigantic Lake Lahontan to the east. Those fish multiplied and by the time the Native Americans, the Washoe, arrived, the fish filled the lake.

Today, the lake itself, with a surface altitude of over 6200 feet, is, as I said earlier, twenty two miles long, twelve miles wide, and as much as 1644 feet deep. While that great depth would suggest the lake is like a very deep bread pan shaped vessel; when

viewed as a cross section, it's actually more like an oblong platter. At its deepest, it's over thirty times as wide as it is deep.

Lake Tahoe is surrounded by over 300 square miles of land which drains into the 191 square mile lake. The effect of the relatively small drainage basin compared to the surface area of the lake, coupled with the nature of the rock, soil, and vegetation of the land has resulted in the outstanding clarity of the lake's water. In 1873 the clarity of the lake was such that a white dinner plate lowered from the surface could be seen as far down as 108 feet. If you're a scuba diver, you might say the vis was over a hundred feet.

At the time of Fremont's sighting, as it had been for tens of thousands of years, the scenery was spectacular, winter or summer, due to the crystal clear water, the surrounding forest, and the often snow covered peaks. Before Fremont's death in 1890, however, the scenery of the basin and the lives of those people that inhabited it for thousands of years had changed drastically.

The geopolitical history of the territory was a major factor in what came next after Fremont's sighting of Lake Tahoe. At the time of Fremont's expedition, the lake and the lands through which he had passed on his way to and over the mountains were part of Mexico. Starting with the 16th century exploration of the lands along the Pacific coast, the Spanish claimed to possess a huge area that extended north to and beyond the Columbia River and east at least as far as the Rocky Mountains, although there were no maps at that time establishing the limits to the east. The area became known as Alta California. The northern boundary was undefined until 1819 when Spain and the United States entered into a treaty that set the boundary as being on the 42nd parallel. But before that, in the 18th century, the Spanish commenced establishing missions north from the Baja Peninsula to San Francisco Bay. There was still no exploration or settlement by the Spanish of lands inland for more than a few miles from the coast. No other country had fixed a boundary in the east that would abut Alta California; so Spain's ownership of what is now California, the Tahoe area and the vast

expanse east to the Rockies was unchallenged by any European power or by the United States.

A change in dominion over Alta California came as a result of the Mexican War of Independence in 1821. The area then became part of the independent country of Mexico. Twenty seven years later, however, the territory was ceded to the United States by the Treaty of Guadalupe Hidalgo in exchange for \$15 million dollars, an outcome of the Mexican-American War of 1846 and 1847. A pretty good deal for the United States of America, I'd say. The area included what are the present day states of Nevada, Utah, Arizona, and parts of Colorado and Wyoming. Another important territory between the Sierras and the Pacific Ocean was included in the treaty. That was the California Republic, so called by a bunch of Americans who rebelled against Mexican rule in 1846. The uprising is known as the Bear Flag Revolt. The republic lasted only three weeks because the United States military moved into San Francisco then and effectively took possession. After that, it went to the United States along with the rest of Alta California in 1848.

Two years later, in September 1850, the erstwhile California Republic became the State of California with the eastern boundary defined partly by latitude and longitude lines meant to more or less include all the Sierra Nevada Mountains. The land east of those lines was called the Utah Territory.

I'll include here another interesting sidelight to the history of Tahoe. After the boundary lines of California were surveyed, several times as it were, the result was that the Tahoe Basin was apparently split between California and the Utah Territory. In 1861, the Congress took a part of the Utah Territory and called it the Nevada Territory. The Nevada people thought to establish a somewhat different description of the boundary between California and the Territory. Apparently they intended to include in Nevada Territory all the watersheds that fed streams leading east from the Sierra Crest and leaving the watershed areas that flow to the Pacific to California. That would place the entire Tahoe Basin in the Nevada Territory. California didn't buy that. Eventually the two entities

appointed representatives to jointly establish the boundary according to the description set for California in 1850.

Because of the lack of precision in cadastral surveying in those days as well as the fact that one end of the boundary line was tied to the Colorado River, which meandered some, the boundary could arguably be placed as far apart as a quarter mile from one survey line to another. This fact was raised as recently as the 1970s, but was ultimately settled in 1980 by the U.S. Supreme Court which determined that the line generally recognized for years was the correct one. If you wanted to see where it was back in 1980, you just went to the Cal Neva club at Tahoe's north shore. The line was painted on the bottom of the indoor swimming pool, slicing across, north to south.

(The tale of the movable state line is told with much good humor in an article in the periodical, *The Professional Surveyor*, *The Colorful History of the Nevada/California State Boundary* by John P. Wilusz.)

Back to Fremont's time when he had sighted Lake Tahoe in 1844. What happened next? Well, two years after he reached Sutter's Fort in Sacramento he participated in the Bear Flag Revolt. We don't know whether he thought much about that "mountain lake", though he or Pruess is said to have called it Lake Bonpland after a distinguished French botanist who had accompanied the famous explorer, Alexander von Humboldt, on his many explorations. However, Fremont's cartographer, Pruess, labeled it "Mountain Lake" on his maps; and Fremont, on his reports covering that expedition, called it "Mountain Lake" also. It would undergo some changes before the name Tahoe stuck. That name many believed came from a Washoe Indian word "Da-ow-a-ga", meaning "Big water" or "Water-in-a-high-place, though the exact meaning is not clear.

Soon after Mexico ceded Alta California, a few settlers started arriving in the Tahoe Basin, creating new travel routes and way stations serving the emigrants and the torrent of gold seekers

headed for the newly established state of California which had been carved out from Alta California. With the news in 1859 that silver and gold had been found in the hills several miles to the east, traffic grew rapidly in the opposite direction, from out of California. In no time at all, Virginia City, Gold Hill, Silver City and other towns sprang up; and mining activity proceeded at a furious pace. The precious metals in the Comstock Lode, as it was known, were bedded in underground veins and in mass deposits and were accessed by a honeycombed network of tunnels. Those miles of tunnels were supported by a system of timbers called square sets; and so grew a demand for strong, straight trees. The tall pines in the virgin forests of the Tahoe Basin were perfectly suited for that purpose. A logging industry was quickly built up. Ox teams dragged massive logs from the trees brought down by the sawyers to movable train track systems or landings by the lake or to wooden flumes that allowed logs from higher on the mountain sides to be set loose to rocket down to the lake. Loaded barges or huge rafts of logs were towed to sawmills where they were cut to size, taken up to the drainage divide to the east, and let loose again to slip down flumes to the valley floor. From there the timbers were hauled to the mining districts. Millions of board feet of lumber were installed in ever increasing stretches of tunnels, or became the material of which the new towns were built, or were used as fuel for stoves, donkey engines, and locomotives. By the middle 1880s, much of the great forests were gone and the basin was landscaped with stumps, the gravestones of ancient sentinels. Overfishing for commercial purposes and the introduction of non-native fish had undone Mother Nature's accomplishment of populating the lake with cutthroats many thousands of years earlier. Large scale logging eventually ceased, and Tahoe began to recover.

There was, however, considerable land on the west side of the lake that had escaped being logged; and in the 1890s many people, decrying the abuse that had occurred in the recent past elsewhere, sought protection of those lands that only the federal government could provide. A movement to establish a federal forest

preserve gained momentum with a man named Nathan Gilmore being one of the most prominent in the movement. He owned a resort at Glen Alpine Springs and offered to give his land to the government if it would include it in such a reserve. Such an idea is easier said than done; but in 1899 President William McKinley established the Lake Tahoe Forest Preserve of over 136,000 acres, of which about 37,000 acres were in the Tahoe Basin. In 1905 President Teddy Roosevelt added over 22,000 acres to the Preserve and also created the Forest Service which was to manage the Preserve and the many others that had been established up to that time. Two years later the Preserve was formally called a National Forest.

It would take years, but the forests were regenerating with thick stands of pine and fir, the lake waters had reclaimed some of its famous clarity, and efforts were being made to restore the fishery. The natural systems appeared to be healing. The beauty of the place was returning.

The Forest Service was managing nearly twenty percent of the lands in the Basin.

By the early twentieth century, Tahoe had become a tourist destination. Roads had been built, lodges and resorts had grown up along the shoreline, private land was subdivided and summer homes built in them. A few decades more saw the establishment of gambling casinos at either end of the lake on the Nevada side; improved roads allowed more year around use; and recreational skiing took hold. The Winter Olympics of 1960 were held in nearby Squaw Valley. Real estate development and sales became the major industry.

By then, the National Forest acreage had increased to about twenty five percent of the land area.

The landscape was changing once again, but a once quiet segment of the population, those concerned with the condition of the environment, was being heard from. Concerned citizens and

public officials were trying to bring about some order in the development of the Basin and to bring about some protection of the qualities of Tahoe that made it such a special place. The Lake Tahoe Area Council was formed, purporting to represent all area interests. It was followed by a Tahoe Regional Planning Commission. Neither had regulatory authority regarding development, but could and did make recommendations. The latter organization, composed of representatives of each of the five counties that had portions in the Basin, hired a consulting firm to make a master plan representing what Tahoe should look like in 1980. That plan was released in 1964 but wasn't well received. It died aborning, but the idea of a regional agency with powers to plan for and regulate development lived on.

In 1965 a Lake Tahoe Joint Study Committee was created by action of the legislatures of both California and Nevada. The purpose was to study and make recommendations regarding the best way to manage development at Tahoe on a regional basis. The Committee's report released in 1967 proposed a bi-state agency with planning and regulatory authority be formed by a compact between California and Nevada. After much spirited debate and intense negotiations, the Tahoe Regional Planning Agency came into being in December of 1969. (More about that later)

Now you can learn more about the history of Tahoe from several sources, including *The Saga of Lake Tahoe* by E.B. Scott; *Tahoe: An Environmental History* by D.H. Strong; *Saving Lake Tahoe* by my friend, Michael J. Makley; and various internet websites. That short digest of information I've provided in the past few pages is to sort of set the scene for the rest of this memoir. But you need to know that all those facts were unknown to me when I first drove up Highway 89 from Truckee, California, into the Lake Tahoe Basin in my green Forest Service sedan in the spring of 1965. I was clueless, but over the ensuing years I was to be drawn gradually into the center of what was to be a major-league controversy over regulation of land use in the Tahoe Basin.

You may be interested to know how I came to be driving into the Tahoe Basin that spring day. Here's how:

Upon graduating from Michigan State University as a civil engineer in 1959, and with two years' service in the U.S. Army behind me, I accepted a position with the U.S. Forest Service. I and my wife, Carole, with our baby daughter, Stacey, drove to Yreka, CA, the headquarters of the Klamath National Forest, my first assignment.

I reported to the headquarters office in a sport jacket and tie. While in the office of the chief engineer, Jim Pratley, getting an orientation, a man wearing slacks and an open necked shirt came into the room in his stocking feet. Jim introduced me to Charley Yates, the Forest Supervisor.

"Bill, this is Charley Yates. He's the Supervisor."

Thinking that the supervisor was something like the boss of the janitorial staff, I said, "What do you do around here, Charley?"

He chuckled and said, "Oh, not much."

Jim set me straight about who a Forest Supervisor is. That was my introduction to the culture of the Forest Service in those days. Oh, by the way; the reason he was in his stocking feet was that he had loaned the boots he was wearing that morning to one of his staff who had been called out on an urgent matter in the field.

After that introduction, with the informality I'd observed, I was thinking, *I believe I'm going to like this outfit!*

Five days later I was leading a crew of men recruited from the saloons in Klamath Falls, Oregon, to the head of a raging forest fire that was rolling south from Oregon. *Hey! A new adventure! Bring 'em on!* From then began my journey to Lake Tahoe in 1965 by way of the Angeles and Tahoe National Forests.

While on the Klamath National Forest, Carole and I made several friends, some of whom we would be close to for going on fifty five years. My work took me into the forests of the Siskiyou Mountains, winter and summer, involved in the layout, design, and construction of timber access roads, including several major stream

crossings, with occasional interruptions for combating forest fires up and down the State of California.

In October 1961 I was promoted to Assistant Forest Engineer on the Angeles National Forest with headquarters in Pasadena. That position was as far removed from the work involved in a very active timber producing program in the dense, forested mountains where Big Foot roamed as is the little logging town of Happy Camp from Hollywood; or as the roaring Klamath River is from the concrete channel of the Los Angeles River. The Angeles N.F. is definitely not a timber forest. Outdoor recreation and protecting the 1024 square miles of mostly steep, mainly brush covered land from fire and flood were the main activities in addition to managing the other resources on the forest.

After a few months on the Angeles N.F., my boss, John Mufich, the Forest Engineer, was transferred to Alaska. I succeeded him, though a big operation in that department which was engaged in building debris dams in the canyons and arroyos was split off into a separate unit. I was in charge of a large organization involved in the survey, design, construction, and maintenance of fire access roads; sometimes building check dams to help contain the highly erodible soils from spilling down into the subdivisions at the edge of the forest; maintaining fire stations; operating a large vehicle service department; and caring for and improving the communication systems for the forest. We had a wide range of skills in the engineering department, and we put them to good use. I learned a lot in that job. I had several good engineers, technicians, construction personnel, and an amiable and efficient clerical staff.

One day I heard that the Forest Engineer position on the Tahoe National Forest was coming vacant. The headquarters were in Nevada City, California, an old gold mining town that is just over the hill from Grass Valley. About 7500 people lived in the two towns, just the right size for a family with three small children. The 1,362 square miles of the forest spanned the Sierra Crest from the oak

uplands of the Sacramento Valley to the Nevada state line. There were trees on the forest and water in the rivers. I had missed that. There were high country lakes. There was a challenging workload in the engineering of timber access roads and an engineering staff that was in need of a leader. One major attraction for me was the fact that the Forest took in a part of Tahoe. Carole and I had never been there, but we knew of its allure as a recreation paradise. We were ready to leave the southland. I applied for the job and got it. We moved in April 1965. We were five then, our two boys, Craig and Eric, having been born while we were down south.

Nineteen sixty five. Let's take it from there. From December 19, 1964 to January 7, 1965, an historic storm and flood event devastated California and parts of Oregon, Washington, and Nevada. Trees, stumps, soil and gravel combined with the flood waters and roared down rivers and streams. Numerous bridges and culverts were destroyed. Roads and highways were rendered impassable. On the Angeles National Forest, where I was stationed at the time, there was a lot of damage that required fixing by my engineering people.

The Klamath Forest, where I had previously worked, sustained much more damage. I was asked to return to the Klamath to survey the effects on the Forest transportation system. The roads were impassable so I spent many hours over many days flying in a helicopter, filming damage with my little 8mm movie camera. Most of the culverts that I and others had designed, using the design parameters in use at that time, had been washed out, overwhelmed by the mind boggling flood flows. When I finished, I had a much greater appreciation of what big storms can do. When I returned to the Angeles, I was asked to write new design standards for stream crossings for the engineers to use in the California Region of the Forest Service. I did that, and shortly after, I was transferred to the Tahoe National Forest.

During my twenty-six years with the U.S. Forest Service, I collected a lot of experiences and underwent a lot of training and education provided by that agency. One category in that list of

training programs I received was the technique of resolving conflicts by achieving consensus among the parties at issue. That knowledge would serve me well a few years later when I went to work for the Tahoe Regional Planning Agency.

Okay, so much for background. Now I'll tell you some stories about Tahoe in which I played a part, and I'll be relating those more or less chronologically.

Now I know that many of you want to read stories about the TRPA, but I didn't get involved in matters regarding the TRPA until 1976. Right now we're still in the 1960s. Stay with me, we'll get into the TRPA later.

Average Annual Secchi Depth Value - 1968 - 102.3 feet

The Secchi Depth is the maximum depth in a lake for which a standard white disc is still visible.

In the following segments, I will refer to the Secchi Depth Value as Lake Clarity.

BLACKWOOD CREEK

As I said earlier, I had my first look at Lake Tahoe in the spring of 1965. It was May 6, a beautiful sunny day. I drove from Truckee past Squaw Valley, site of the Winter Olympics five years previously; skirted past Tahoe City as I crossed the Truckee River; continued down the west shore of the Lake past the various businesses and impressive homes that lined the lakeshore; skipped past a small Forest Service Campground; and drove on to the entrance to Blackwood Canyon. I was accompanied by one of my assistant engineers, Dick Eacobacci, and the District Ranger from Truckee, Dave Mohla.

The Blackwood Creek drainage had been hit hard by the previous winter's storm. Until just a few years prior, most of the land there had been privately owned until the Forest Service acquired quite a bit by exchanges of National Forest land elsewhere for land owned by the Denny Brothers, a timber operator. There had once been a sawmill there and a gravel extraction operation in the creek bed upstream of the sawmill. There were some dilapidated buildings on the north side of the canyon, remnants of the mill. Snow melt runoff was still flowing down to the creek and also in the ditch alongside the road on which we were traveling up the canyon. It must have been spawning season because a large rainbow trout was swimming up the roadside ditch seeking her spawning grounds from years past. She wouldn't find them. The stream bed had been devastated. Great amounts of gravel from the gravel workings and debris from the flooded stream sides had been sluiced down the

channel all the way to Lake Tahoe. Piers near the stream outlet were nearly buried by a large delta of material from the flood. I learned later that one of those piers was owned by a federal judge.

One purpose of our trip to Blackwood Creek was to size up the damage to the stream crossing for a road that went partway up the south side of the canyon. The crossing was washed out; but, strangely, the big culvert pipe was still resting in the middle of the channel with no road to either side.

Dick and Dave had been there several weeks before and a design for a new crossing had already been started. It would allow any water that couldn't be passed through the culvert to go over the top of the fill that would be replaced around the pipe. The fill would be protected by concrete facings and the roadway would be concrete also. Sad to say, it was overtopped and damaged later by another large storm that added to the delta on the lakeshore. The crossing had to be rebuilt. That replacement wouldn't be the last. There's a bridge there today.

The Forest Service's experience with the creek crossing and the judge's experience with his pier demonstrate how the usually tame Blackwood Creek can muscle up and be very destructive during flood flows. It appeared to me that the stream behaved like a freight train of cars loaded with gravel and sand. When the leading car ran off into the lake, another loaded car was added to the upper end, and on it would go, storm after storm.

The Forest Service thought it would be good if the streambed could be stabilized so as to limit the amount of material emptying into the lake; slowing down the freight train, so to speak.

The situation in those early years was compounded by the fact that a condition in the land exchange reserved the right for the gravel mining operator to extract gravel from the streambed above the crossing for quite some time. Therefore, the Forest Service couldn't do much to tame the creek. Until the operator gave up his rights and work could proceed to stabilize the streambed, every major storm carried gravel to the lake and deposited it on the delta, further diminishing the use of the judge's pier and adding silt and

nutrients to Lake Tahoe. At the time, though, it didn't occur to me that such could be harmful to the lake. I was mainly concerned with the road crossing of the creek. I'll write more about that road in the next segment.

Years later I was to learn that even after the gravel rights were terminated, major work by the Forest Service had not served to harness Blackwood very much. And the judge's pier was still buried by the delta.

Annual Average Lake Clarity - 1965 - ?

THE TRANS-SIERRA HIGHWAY THAT NEVER WAS

From its intersection with Highway 89 along the west shore of Lake Tahoe, a paved road, that same road I traveled that day in May 1965, makes its way up Blackwood Creek canyon. It passes through the silent woods of quaking aspens, pines, and fir, crosses a bridge over the creek, and snakes its way four and a half miles up the steep and timbered mountain side of the canyon to Barker Pass. The pavement ends there, but the road proceeds along a broad ridge a considerable distance and ends abruptly. Judging from the money and effort that is required to build such a road, it appears that it must have had a higher purpose than to just stop up there on the ridge with nothing to indicate that that was its final destination. Why was that?

In 1963 the Tahoe National Forest had updated its transportation system maps which showed both current and future roads. Included were two future major roads, one went north and south, from Soda Springs near Interstate 80 to Riverton on Highway 50. Sections of that road at either end existed at that time and between the ends a low standard dirt road traveled through much of the country from the north. Another major road was to be built going east and west, from Tahoe to Foresthill east of Auburn. That one would be the only trans-Sierra highway between Interstate 80

and Highway 50, some four forty highway miles. Several miles at the west end existed. The key piece to be constructed was that from Tahoe to a point east of Foresthill, and that segment was to come up Blackwood Creek Canyon, climb over Barker Pass, and continue through several miles of rough timber country. The idea was that the roads, regardless of who built them, would be taken over by the counties within which they passed. The piece out of Tahoe would be in Placer County.

I had gotten acquainted with the Public Works people of Placer County in 1965 while working with them to help them get some federal storm damage money. There was a program to help pay for the cost of fixing county roads that served the National Forest and that had been damaged by the storm of 1964-65. John Maccoun, the Public Works Director, and his principal assistant, John Shotwell, and I had been sizing up the job of fixing the McKinney Creek Road which traveled a little way west into the National Forest from Highway 89. That road was about four miles from Blackwood Creek. At that time and other times following, we talked about the east west route out of Blackwood Creek. The Forest Service had scheduled some funds to layout, survey, and build the road. Some of the cost would be borne by Southern Pacific Land Company (SP). Years ago the Southern Pacific Railroad had come into possession of alternate sections of land paralleling the route of the transcontinental railroad, but that's another story. Some of those sections were in Blackwood Canyon and also on the west side of Barker Pass. SP would benefit from the proposed road as access to its timberlands, so it was expected to contribute to its building.

I offered to take Maccoun and Shotwell on a reconnaissance trip over the planned route. Maccoun couldn't make it but Shotwell and another man from the County named Roger Imsdahl came in his stead. We were to be riding horses a few miles to Laddies Cove, a point along the route that offered a good place to camp. I don't think either had ridden before. My wrangler, Herb Granholm, one of my road maintenance crew and a savvy old horseman, saddled up

the horses and assigned the riders. I treasure an 8mm movie I took of the antics of the two county guys on their horses. I have a strong recollection of Roger laughing away as he tried to figure out how to stop his horse from running off with him. Nevertheless, we all made it safely to and from our destination. It was a fun time. We also got a good idea of how even the best route for the road was going to be tough going.

At a later time, with Joe Olson and Ken Von Ah of my engineering staff, I spent some time walking west from Barker Pass to narrow down the choice of routes. It became obvious that one barrier was a large rocky bluff that would either have to be tunneled through or a huge chunk of it blasted away. We reported back to the Regional Forester's office in San Francisco that the projected cost of the project was much higher than previously estimated.

You might ask why we would want to build such a road. Well, at that time "driving for pleasure" was a very popular form of recreation. Besides, the road would make a very good haul road for logging trucks.

In 1973, the Yom Kippur War led to an oil embargo by OPEC. (Organization of Petroleum Exporting Countries). President Nixon imposed several measures to reduce gasoline consumption and lowered the speed limit on federal highways to 55 miles per hour. Driving for pleasure was definitely out of favor. The road project was shelved indefinitely.

Building a satisfactory crossing of Blackwood Creek and finding a way to locate a route for a trans-sierra road were not the only reasons that caused me to travel to the north end of Lake Tahoe on Forest Service business. The next story explains why.

Annual Average Lake Clarity - 1973 - 85.6 feet

THE CINDER CONE

In February 1978 the Tahoe-Truckee Sanitation Agency sewage treatment plant near Truckee went into operation. The collective sighs of relief of the staffs and board members of the Tahoe City Public Utility District (TCPUD) and the North Tahoe Public Utility District (NTPUD) could almost be heard in Sacramento.

In 1965 the Federal Water Pollution Control Act was passed, and California and Nevada got approval from the federal government to take responsibility for water quality of their respective portions of interstate waters. That would include Lake Tahoe and the Truckee River. In 1969 the State of California passed the Porter-Cologne Act which, among other important provisions, directed that all sewage generated on the California side of the Tahoe Basin was to be exported to somewhere outside the watershed of the Basin by January 1, 1972. Governor O'Callaghan of Nevada issued an executive order having similar requirements on the Nevada side.

The two utility districts in California at the north end of the lake had been discharging their treated sewage on land in the Basin. Their sewer pipes leaked and sometimes, particularly in the spring, melting snow saturated the ground and water leaked into the pipes, overwhelming the capacity of their treatment systems. Occasionally, overflows made it to the lake.

Even before 1969, the utility districts knew that the state was working on legislation to require exporting and that soon they'd have to find a solution. So they started early, before the Act was passed, to look for a place to discharge their sewage effluent outside the Basin. Eventually, they found a place with attractive features that they thought might solve their problem.

That place was a piece of land on the Tahoe National Forest on a plateau high above the Truckee River. Long, long ago, volcanic action had resulted in the formation of a cinder cone at that location and over time the cone had worn down leaving a large, fairly flat area of cinders (also called scoria). The cinder deposit was quite porous and very deep: perfect for soaking up all the water flushed down the toilets in the two utility districts. Or so it seemed.

In 1969 the Forest Service issued a permit for use of the site. It was a temporary permit because there was concern that the effluent would percolate down through the cinder formation, eventually seep out of the springs in the mountainside, and enter the river. Nevertheless it was assumed, hopefully, that it would do the job until a permanent solution for handling the waste water could be arranged. Over time the site would be known as the infamous "Cinder Cone", and the utility districts' use of the site would occupy much of my time for several years.

California's Porter Cologne Act had updated its structure for enforcing water quality standards. The Act set policies that applied to the existing regional water quality control boards which had jurisdiction over the discharge of waste water in the respective regions. The Cinder Cone was in the territory of the Lahontan Regional Water Quality Control Board. In the case of the Cinder Cone, the state office took the lead in monitoring the nature of the spring waters and shared the results with the Forest Service.

At the time, I was the Forest Engineer on the Tahoe National Forest and my boss, Forest Supervisor Hank Branagh, assigned me to provide the technical support for Dave Mohla, the District Ranger for that area. Over the next nine years, including the first three years I was on the Lake Tahoe Basin Management Unit, I spent all or parts

of over forty days on Cinder Cone issues. I became well acquainted with the General Managers of the districts, Bill Layton of the Tahoe City PUD and John Hassenplug of the North Tahoe PUD. Those guys were pleasant by nature, but they were under considerable stress over their waste water issues. We, the Forest Service, and The California State Water Resources Control Board as well as the Lahontan Regional Water Quality Control Board were on their necks much of the time during those nine years. Bill Layton, particularly, felt the heat from those agencies. And why was that? Read on.

It wasn't long after operation began that monitoring of the springs below the Cinder Cone was showing high concentrations of elements contained in the treated sewage effluent that was being discharged into the hundreds of feet of trench that had been constructed at the Cone. The polluted water made its way into the Truckee River from the springs, and the downstream users of the river waters were not happy about that. There were also a couple of occasions when the trenches filled up, and some of the spill-over went down the slope above the river. TCPUD and NTPUD jointly used the Cinder Cone, and they got hit with cease and desist orders from the state. Financial penalties were considered.

Besides that, the Federal Housing Administration (FHA), that backed certain building loans for new homes, had suspended business in the areas served by the two districts because of the inadequacy of their sewage disposal operation at the Cinder Cone. It wasn't long after the spill-overs that Bill Layton asked to expand the number and length of the trenches. His request came after the National Environmental Policy Act came into effect in January 1970. Before the Forest Service could act on his request, it had to comply with the Act which required some kind of environmental document. Layton had to jump through several hoops before he was able to get approval of the environmental evaluation so the Forest Service would approve more trenches.

The trenches were built, but while inspecting the work I concluded that they had not been properly constructed. Some were

not level, resulting in hundreds of feet of trench not receiving any effluent. To be sure of that, one of my engineers, Steph Johnson, and I took our surveying instruments up to the site and surveyed the grades and elevations of the trenches. I was right; they had been built wrong. We told Layton to fix them. Now that was easier said than done, because when they were built the machines doing the digging operated on solid ground, backing away from the end of a trench to dig an extension . The problem was that there wasn't much, if any, room between the ditches for the machines to operate. But a way was found and the problem was corrected.

Before that happened, Layton's young District Engineer grumbled that we "Foresters" ought to leave the surveying to engineers and that he wasn't sure we knew what we were doing. Steph and I were both civil engineers with a lot of surveying experience. Somebody passed that information on to the young fellow.

Well, Bill Layton and John Hassenplug soldiered through those nine years until a sewage export line was built down alongside the Truckee River, using the old railway right-of-way, and then connected to the new treatment plant at Truckee in February 1978.

During those years there were times I genuinely felt sorry for Layton. He was a good man. There's a small museum near the bridge at Tahoe City. It's named after him. I think of him and the Cinder Cone every time I see it.

John Hassenplug retired from the North Tahoe PUD in 2004 after 30 years as General Manager. He was a good man, too.

The Porter-Cologne Act wasn't the only piece of legislation that brought about significant changes to the Tahoe Basin. Another in December 1969 was more consequential. That was the Tahoe Regional Planning Compact.

Annual Average Clarity - 1969 - 93.8 feet

THE TAHOE REGIONAL PLANNING AGENCY 1970 VERSION

During the late 1960s I was becoming aware that the word “environment” was beginning to be used as often in newspapers and television broadcasts as the reports of “body counts” emanating from our military in Vietnam; and because of my frequent visits to Tahoe, I found that the word was as commonly used there as the term “water quality”. There was talk about some kind of legal arrangement there that would have the states of Nevada and California working together for the protection of the Tahoe “environment”. To act as forerunners, the two states had established agencies in 1968 to have some limited jurisdiction over the lands in their respective states. One was the California Tahoe Regional Planning Agency, and the other was the Nevada Tahoe Regional Planning Agency.

I had a feeling that there was a movement afoot that would have a bearing on the work that I was doing with the Forest Service. The passage of the National Environmental Quality Act by the 91st Congress in January of 1970 made that clear. That same Congress had ratified a compact between the states of California and Nevada called The Tahoe Regional Planning Compact only weeks earlier. The compact was the culmination of over thirty years of effort to create an entity with jurisdiction over land use and development at Tahoe. It was an ambitious undertaking.

On March 19, 1970, then Governors Reagan of California and Laxalt of Nevada signed a proclamation to activate the Tahoe Regional Planning Agency (TRPA).

Before the Compact was ratified by the Congress, the Forest Service’s role had been one of providing moral support and

encouragement to those negotiating over the provisions to be incorporated in it. I was not part of that, however. Such activity, as they say, was beyond my pay grade at the time.

The Congress, in considering ratification and recognizing the presence of the Forest Service in the Basin, thought to include some additional conditions. One was that the President could appoint a non-voting representative of the United States to the Governing Board of the TRPA. Though the Compact did not specify who that might be, the President appointed Jack Deinema, the Regional Forester of the Forest Service's California Region. The Compact also authorized the Forest Service to cooperate with the TRPA. Now the Forest Service was into the planning and politics of regional government with both feet and at times with both hands, too.

In March 1970, the same month that Reagan and Laxalt activated the Compact, Deinema got together with Floyd Iverson, Regional Forester of the Intermountain Region which included the National Forest Lands on the Nevada side of the lake. The two of them announced the formation of a team of Forest Service planners. The planners were to develop a management plan for the parts of the three National Forests that were in the Tahoe Basin. At the same time, they were to work with the TRPA staff so as to integrate that plan, as needed, in the development of the TRPA's regional plan. The first member selected was Bob Rice, the savvy District Ranger of the unit that surrounded the City of South Lake Tahoe. The second to come on board, in late May 1970, was Andy Schmidt, a highly experienced man who had worked at the upper levels of several regions in the Forest Service as well as in the Washington Office. The next was Harry Siebert, a Forest Engineer with multistate experience. In January 1971 came a fourth team member, Dr. Robert Bailey, a geomorphologist. The planning team also had the part time services of Dr. Robert Twiss, an environmental planning professor from UC Berkeley, as well as Charles Schwarz, a grad student from Berkeley.

The planning team chose an office building on Tata Lane in South Lake Tahoe as its headquarters and made space for the TRPA staff. The magnitude of the work in crafting a regional plan would have overwhelmed the small TRPA staff without the help of the Forest Service's people and the large numbers of experts from various offices of the Forest Service as well as several other agencies.

A provision in the Compact called for the TRPA to have a completed regional plan by May 1971. There was urgency in getting a good plan in place, particularly because the outstanding clarity of the lake was deteriorating. That fact had been well established by Dr. Charles Goldman, a noted limnologist from the University of California at Davis, who had founded the Tahoe Research Group in 1967. The Research Group was monitoring conditions in the Lake and continues to do so today.

Goldman is a heck of a guy and today is internationally recognized as a preeminent limnologist. His name is synonymous with research and monitoring of water quality in lakes, including Lake Baikal which you probably still don't know anything about yet. Just kidding.

The Governing Board of the TRPA had appointed an Executive Director named J.K. Smith who had been the executive director of the Denver Regional Council of Governments. He was faced with the formidable task of forming a staff, finding office space, and gathering information that would be fundamental to the development of the regional plan, then producing that plan, all in a very short period of time. His efforts were further complicated because both Placer and Eldorado Counties refused to give TRPA their shares of operating funds, even though they were obligated to according to the terms of the Compact.

Smith began assembling a staff of just five individuals because of cost considerations, even though he felt he needed at least ten. By June 1970 the two groups, TRPA and Forest Service, were in the office in South Lake Tahoe. Several months were consumed in setting up technical committees to assist in gathering

information needed to build a plan. Over two hundred people from Federal and state agencies, universities, and private individuals participated in putting together and publishing twenty-four planning guides and reports in several categories, such as recreation, water quality, vegetation, wildlife and soils. The two teams, working together, seized upon a concept to guide the land use element of the regional plan. That concept was one provided by the Forest Service's geomorphologist, Robert Bailey. Based on a recent soils survey done by the Soil Conservation Service, he had prepared a set of maps for the Tahoe Basin that delineated the territory into seven capability classes based on erosion potential, high water tables, flood potential, vegetation types, and other land characteristics. The maps were overlaid onto planimetric maps which showed the streets, streams, political boundaries, etc. Each capability class was assigned a scientifically based, but arbitrary number indicating what percent of the land surface could be covered with impervious surface beyond which harmful effects on the watershed would occur. The maximum percent tolerable on any piece of land was set at 30%. The lowest at 1%. This concept is now known as the Bailey System. As ultimately applied by the TRPA and that sometime California agency, the California Tahoe Regional Planning Agency (CTRPA), which was in the business of regulating land use itself, it became an oversimplified system of containing the water quality impacts of development to acceptable levels. It also led to unending controversies. The lines separating one capability class from another were done with a "broad brush" or at least a thick pen point and the capability levels were not expected to apply to every parcel within any particular area. It should have been obvious that the capability class for a parcel of land needed to be verified on the ground. It was to be a long time before an accurate system for doing so was implemented. Regardless, whatever method is used to determine the capability of land to withstand development impacts, the idea of limiting impervious coverage on parcels of land is in use in several jurisdictions in the USA; though the TRPA was one of the first, if not the first to do so.

After weeks of furious activity, J.K. Smith presented the plan on the due date, May 17, 1971.

It failed to gain acceptance by the Governing Board and its Advisory Planning Commission, (APC), an entity set up in the Compact. The Board instead handed the job of developing a regional plan to a committee composed of the planning directors of the two California counties and the City of South Lake Tahoe. Dick Heikka, the pragmatic and politically astute planning director for Placer County, was the chair of the committee. By August the "Heikka Plan" was presented to the APC and a long drawn out debate involving the many interested parties transpired. The "Heikka Plan" was a more conventional plan than the J.K. Smith plan. It showed the types of allowable land uses and densities in various zones but also applied the land capability constraints. It also was met with opposition from several quarters, particularly from some in the Nevada side of the Governing Board. After a private talk between Deinema, the President's appointee, and Gov. O'Callaghan of Nevada, the Governor instructed his own appointee to the Board to vote for approval. The rest went along. As a result, the first TRPA Regional Plan was adopted unanimously, December 22, 1971. The expectation was that the TRPA would be up to the job of saving Lake Tahoe. As a result CTRPA became moribund, only to be reconstituted a couple of years later when California had second thoughts about the effectiveness of the Compact itself.

I owe Andy Schmidt, the Forest Service's Planning Team Leader, all the credit for the foregoing tale regarding the planning activity between March 1970 and December 1971.

Average Annual Lake Clarity

1970 - 99.0 feet

1971 - 94.1 feet

THE 1970s

It wasn't long after the adoption of the Regional Plan, that things began to break down. Over the course of the next few years, from March 1970 through 1976 the situation went from bad to worse. TRPA was battling to stay upright in a blizzard of lawsuits. With the environmentalists on one side and economic interests on the other, both sides hacking away at the young sapling as it fought to get rooted, there were serious doubts it would survive.

TRPA had stumbled along for several months after its establishment, fending off lawsuits as best it could. Then four major casino projects in the Basin got approved by the Agency due to an odd quirk in the provisions of the Compact. When a project was brought before the Governing Board, if a majority of each state's members on the Board did not vote to deny it, the project was "deemed approved" unless some reconsideration during the following 60 days changed the voting outcome. The Governing Board at that time had five members from each state. Three of each contingent were representing local government, Placer and Eldorado Counties plus South Lake Tahoe were on the California contingent, while Washoe and Douglas plus Carson City were on the Nevada contingent.

In the summer of 1973, a new casino, now called The Mont Bleu, and an expansion of Harvey's casino were "deemed approved" because the majority of the Nevada members voted to approve the projects, even though all of the California members and the remaining two Nevada members voted to deny them.

The League to Save Lake Tahoe joined forces with the Sierra Club and together they sued the TRPA in an attempt to stop the two casino projects.

Because of the same odd voting rules, in 1974 two new casinos near the Kingsbury intersection with Highway 50, not far from Harrah's and Harvey's casinos, were approved. Immediately the State of California sued. Those suits and others bounced around between state and federal courts and wouldn't be resolved for years. Support for the Compact evaporated. Alternative proposals for managing development at Tahoe emerged while major players at the state and federal level worked to salvage the gains made earlier toward the goal of protecting the outstanding environment. The odds of the Tahoe Regional Planning Compact surviving seemed impossibly long, and those four casino projects that slipped by the Governing Board were the crux of the problem.

So how did all that turn out, you ask? I'll try to answer that later.

Now what was the role of the Forest Service in those early years? It went like this: In 1973 the Forest Service had decided to formally consolidate the parts of the Eldorado, Tahoe, and Toiyabe National Forests that lie in the Tahoe Basin into a single unit and call it the Lake Tahoe Basin Management Unit (LTBMU). Doing so simplified management and planning for those National Forest lands. Regional Forester Douglas (Doug) Leisz's direction to the LTBMU was for it to do its best to coordinate the Unit's management plans with the regional plan of the TRPA. Having a single unit of the Forest Service under his direction also was a more efficient setup to support him in his role as the Presidential Appointee to the TRPA Governing Board.

At that time Leisz had succeeded Jack Deinema both as Regional Forester and as the President's Appointee. Leisz was, and is, an outstanding individual. Trusted and admired by all, he had excellent credibility with the other members of the Governing Board as well as the political leaders of the two states.

The job of Regional Forester for the California Region of the U. S. Forest Service is a monumental challenge. Directing and supporting the managers of eighteen National Forests as well as

overseeing the Forest Service's relationships with the states and with other federal agencies, even with a very capable staff, is very demanding. Doug made it look easy. Even with his regional responsibilities, he devoted considerable time to work on TRPA matters.

Doug had a solid background on Tahoe matters, having been the Forest Supervisor of the Eldorado National Forest during a time when part of the National Forest land in the Basin was under his jurisdiction. The later consolidation of the parts of the three Forests in the Basin was due largely to his efforts. Whether as Supervisor of the Eldorado or Regional Forester of the California Region or Associate Chief of the Forest Service in Washington, he had a major influence on matters leading to the outcome of the Tahoe we have today.

During my career with the Forest Service I got to know Doug pretty well. He's a very smart man. When faced with an issue, he weighs the options, then decides. There's no dithering about which path to follow. He's both bold and decisive. I liked that.

By the time I came to the LTBMU in 1975, other agencies of the federal government had gotten heavily involved in Tahoe matters. TRPA had come under fire for its actions and for its inactions. Meetings and hearings had been held. The Bureau of Outdoor Recreation of the Department of Interior had been charged by Congress to study the feasibility of establishing a National Lakeshore at Tahoe. There was considerable disagreement within the Department over the content of the draft study. Two years after the draft was issued, the Department had issued the final report that was far different from the draft. That study was called *Lake Tahoe - A Special Place* and concluded that TRPA was the best approach to protecting the environment and that a National Lakeshore was not recommended. (The idea of a designated federal entity having control of development to take the place of TRPA did not die, however, and was resurrected a couple of times in the years ahead.)

Another study had been done by the Environment Protection Agency (EPA) as a result of Congressional legislation in 1972. The resulting product was called The Lake Tahoe Study and was presented in 1975. John Wise of the EPA was the principal author and was the originator of the concept of “environmental thresholds” which applied to various elements in the environment of Tahoe. The term “environmental threshold” was said to include the rate of negative change of certain environmental factors such as nutrient input to Lake Tahoe. Approaching a threshold would alert decision makers of the need to alter plans before a legally established standard was exceeded. The term “environmental threshold” ended up in the next version of the Tahoe Regional Planning Compact, but did not have the same meaning as John Wise had suggested.

The study also recommended the TRPA as being “the most appropriate institution to plan for and regulate the use of private lands in the Tahoe Region.”

Other agencies involved in Tahoe matters were the Federal Housing Administration which had suspended its home loan program in 1971 and the Corps of Engineers that had suspended the issuance of permits for docks and piers on the lake in 1970, pending a shoreline plan. The Environmental Protection Agency also had leaned heavily on the local utility districts to force them to get busy with programs to export their sewage from the Tahoe Basin.

In January 1974 California’s legislature reactivated the California Tahoe Regional Planning Agency to plan and control development on the California side of the lake. This was done because of that state’s belief that TRPA’s Regional Plan and its overall performance was inadequate for the protection of the environment. The CTRPA was even more controversial than the TRPA.

That was the situation when the Bill Morgan family arrived in Tahoe in September 1975 as a result of my being transferred to the Lake Tahoe Basin Management Unit (LTBMU) as Deputy

Administrator. (Later the title of Administrator was changed to Forest Supervisor.)

That September, my wife, Carole, and I, with our daughter, Stacey, and two sons, Craig and Eric, had left Grass Valley and moved to Tahoe. We rented a place in South Lake Tahoe, an older place intended for use as a summer vacation home. No insulation. In December, having been properly acclimated, we bought a house in Christmas Valley, near the community of Meyers.

Christmas Valley might be better called Christmas Canyon with its steep mountainsides rising little more than three blocks in either direction from our home. The Upper Truckee River, about a hundred fifty yards away and more a stream than a river, flowed north toward Lake Tahoe. Tall pines around the house, deep snow in the winter, a good dog for company; it was a great place for our two young boys to grow up. Not so much for a high school age daughter who had no car, however she thrived in South Lake Tahoe High School; and by the time she graduated, she had picked out the boy she would marry three years later.

.My boss at the time I was transferred to the LTBMU was Bob Sharp, the Administrator. A veteran of the Marine Corps, the U. S. Park Service, and Doug Leisz's staff in San Francisco, Bob was a powerfully built bundle of energy. He skied hard and played basketball hard. He attacked every problem the same way. He had reflux disease and often had to down a slug of Maalox to soothe his stomach. He probably had what we now call PTSD from his time fighting the Japanese during WWII. The worst was on one of those Pacific Islands that was a slaughterhouse for friend and foe alike. I was told that, typically, Bob was determined to knock out a pill box that housed machine guns pinning down his buddies. He crept up just below the firing slot and threw in a satchel charge. The explosion destroyed everyone inside and took him out of the fighting as well. He lost his hearing for weeks and spent eighteen months in a military hospital making himself whole again.

Six months or so after my assignment as his Deputy, the pressures of his job combined with vestiges of his combat

experiences and his reflux disease forced him to retire from the Forest Service. He moved to Oregon. Several years later he succumbed to throat cancer. Before he died he sent me a letter letting me know we wouldn't be able to exchange Christmas cards anymore; so I called him on the phone and we said our last farewells. I admired him greatly.

Another man on the LTBMU that I admired was Glenn Smith. Glenn was formerly a District Ranger and joined the unit shortly after its establishment. He had been considered for the position of Deputy. Glenn is a deeply religious man and Sharp wasn't comfortable with Glenn bringing religion to the office. Another man on the Unit, Neil Hunsaker, apparently hoped he'd be named the Deputy, too. I, an outsider, was chosen instead. Neil transferred a few months later.

Later when I succeeded Bob Sharp, I found Glenn to be invaluable. A tall and courtly man, he had many talents. Over the years he took on a range of issues involving other federal agencies as well as keeping track of the Tahoe political situation. He also served on TRPA's Advisory Planning Commission in my stead.

As field representative for Doug Leisz, the Presidential Appointee to the TRPA, one of my responsibilities was to prepare a summary for Doug every month on the status of the several goings on regarding the TRPA. Those reports would eventually go to the President's people. Glenn is an excellent writer, and he and I worked together on those summaries. I also could depend on Glenn to run our unit during times when I was travelling or on vacation. Glenn's assignment didn't allow him to spend much time in the field, so he kept a small bottle of pine scent in his office to spray from time to time to remind himself that he was still a forester.

From 1975 to 1985, when I retired from the Forest Service, the Lake Tahoe Basin Management Unit was engaged in a wide variety of programs and challenges, some of which are told about in newspaper archives. I have strong recollections of what happened during that decade. I'll tell you about some of them now. We'll catch up with the TRPA later.

Before I get on with my story telling though, I think it's about time I told you about my other staff officers when I was with the LTBMU, in addition to Glenn Smith. I was lucky to have had several outstanding individuals handling the various programs that most Forests have as well as some no other National Forest had.

Stan Fitzgerald, our Fire Management Officer was a very versatile and experienced fireman, His name will pop up later.

John Shilling was on board as the Resources Staff when the LTBMU was formed in 1973 and shortly after my arrival became the Special Uses Staff Officer, handling the wide range of activities under permit on the Forest, like the one for Camp Richardson. He was promoted to the Washington Office in 1978. After a few years, he went on to be the Director of Recreation, Heritage, and Wilderness in the Regional Office in San Francisco. He came back to live at Tahoe when he retired. He's a very sharp individual.

Jon Hoefler handled the development of our Forest Management Plan and took on a number of other assignments such as preparing Environmental Impact Statements. He had been a District Ranger from down Bishop way and came to the LTBMU in 1977. Jon is a man who handled tough issues with confidence and equanimity. He was invaluable. He's also a very good sailor and a friend. I've sailed with him a few times.

Glenn Hampton was in charge of our recreation program, which was possibly the largest and most complex in the California Region of the Forest Service at the time. He succeeded Mike Goggins who was in the position when I first arrived. Glenn also was a former District Ranger. He was a bold and imaginative guy. Later I'll tell you about some of his ideas that stand as outstanding accomplishments today.

Gary Cooper handled some of the most complicated land acquisitions for the LTBMU in the 1970s. You'd be amazed at some of the projects we did together. I'll tell you about them later.

Tom Neenan, another former District Ranger, handled our large and complex land acquisition program after Gary was

promoted to the Forest Service's Regional Office in Portland. Tom later took his talents to the Washington Office of the Forest Service.

Bob McDowell was working on the Forest Management Plan when I arrived. Later he handled the timber, range, and wildlife programs and then the recreation program after Hampton retired. Sometime in the 1980s he became the Special Uses Officer. Dedicated. Versatile. Ex-Navy officer.

Bill Johnson was the Watershed Staff Officer and a bit of a rascal. He once hung a dead duck in my office closet, the odor of which was supposed to set me off in an angry and fruitless search to identify the culprit. Bill and others waited and waited for me to discover the stink and react. I never did smell it. I suspect it dried too quickly.

Bill had great energy and imagination. I couldn't keep up with him. Later I'll give you some examples of his talent.

Don Breitinger succeeded John Shilling when John moved on. Don's lovely wife, Judy, was overtaken by a cold rain when cross country skiing with Don high up in Ward Valley in March 1985. Chilled and hypothermic, she eventually lost consciousness. He could neither carry her out nor keep a fire going in the rain. She died in his arms. One of his sons called me at midnight asking if I knew where his parents were. He told me they were going skiing somewhere near the north end of the lake, so I called Stan Fitzgerald, who lived near Tahoe City. He, with the Placer County Sheriff Department, started a search which ended the following morning when they found Don and Judy huddled in a tree well about a quarter mile from their car.

Beryl Clark was our Administrative Officer for most of the time I was Supervisor. He was in charge of our office operation. Beryl was somewhat of a cowboy. Once when he and I were in Blackwood Canyon cutting down trees for firewood, he dropped a tree, the top of which came down on his horse trailer. He got quite a ribbing over that, but took it with a smile.

There were others that came for a while and then went on to other places during the nine years I was Forest Supervisor. There

were several excellent sub-staff as well as technicians who helped to keep the Unit running smoothly.

If you're still with me, I'll continue.

Land management programs of the Forest Service in the west in those days emphasized timber production, watershed protection, providing for grazing, protecting wildlife and fish habitat, and providing recreation opportunities. The LTBMU was engaged in all of those programs.

Timber production occurred primarily as a result of thinning of overstocked stands and creating areas suitable for wildlife habitat, and it was minimal. Selling wood cutting permits for firewood helped accomplish those objectives. Historical use of National Forest Lands for grazing continued subject to the areas, seasons of use, and the number of grazing animals allowed and spelled out in grazing permits. Watershed and habitat protection included fighting forest fires and restoring lands disturbed by logging activities of the Comstock era.

Except for fire engine crews and fire prevention personnel, recreation programs involved the largest number of employees and accounted for a very large share of our annual budget.

As anyone who had come to Tahoe seeking outdoor recreation opportunities on the National Forest lands during that period would know, there were several campgrounds, beaches, picnic areas, and trails to be enjoyed during the spring, summer, and fall months. In the winter there were several first class ski areas in the Tahoe vicinity as well as thousands of acres of land on which to cross-country ski or snowshoe. The Desolation Wilderness, covering 63,930 acres of high mountain land and numerous lakes, was so popular that we had to establish a permit system to protect the area from over use as well as to maintain some sense of the wilderness experience.

In the old days, say pre-1960, those programs were quite enough to occupy the relatively small number of employees working in the Tahoe Basin. Then, from the sixties through the eighties,

other programs, such as interpretive programs and the Youth Conservation Corps (YCC) were initiated, and the land acquisition program and watershed restoration program increased substantially. By adding enough well qualified people those programs were well managed and offered an increasing sense of satisfaction to the staff of the LTBMU. Assignments to the LTBMU were highly sought after.

I always thought I had the best job in the Forest Service, no matter where I was assigned; and that's the way I felt while on the LTBMU. One drawback, however, was that the job required a high level and time consuming involvement with the various federal, state, regional, and local entities due to our managing the majority of the land in one of the most contentious but highly valued regions in the country.

Part of the job I didn't enjoy particularly was the inordinate amount of time spent on frequent trips to San Francisco for meetings, putting together annual work plans, doing annual employee evaluations, and having to work my magic on keeping our budget balanced. Those matters "came with the territory" and had to be done. Nevertheless, I couldn't get out in the Forest with my guys as often as I would have liked.

Let's move on to some more of the interesting things I was involved with while I was at Tahoe.

Annual Average Lake Clarity

1970 - 99.0 feet
1971 - 94.1 feet
1972 - 89.9 feet
1973 - 85.6 feet
1974 - 89.2 feet
1975 - 85.6 feet
1976 - 89.9 feet



LTBMU STAFF - 1980

**Top: Jon Hoefer, Tom Neenan, Beryl Clark, Glenn Hampton,
Bob McDowell, Don Breitinger**

Bottom: Stan Fitzgerald, Bill Morgan (myself), Bill Johnson

FORTY SEVEN THOUSAND FOOTBALL FIELDS

In 1965, when I first entered the Lake Tahoe Basin, the Forest Service managed about 94,650 acres of National Forest land in the Basin, about 47%. By the time the current Tahoe Regional Planning Compact was ratified by Congress in 1980, about 65% of the land in the Basin, about 130,650 acres, was National Forest land. At present (2015) about 78% or 156,780 acres is National Forest land. That's an increase of about 62,310 acres since 1965. That's as much as 47,205 football fields.

You may wonder how the Forest Service came to accumulate all those football fields. I'll try to explain how.

Before getting into that, however, you need to know that the policy of the federal government dating back to Teddy Roosevelt's time, whether you agree with it or not, was to acquire undeveloped land in the Tahoe Basin. That policy was expanded to include lakefront property, even if there were buildings on those properties. For over one hundred years the Forest Service has followed that policy, supported by the various Congresses and Administrations.

The policy was formalized twice during my time at Tahoe. The first was by means of policy guidelines issued by the Western Federal Regional Council in 1978 as part of the Federal Policy for the Lake Tahoe Basin. Those policies stated that the Forest Service is directed to "expand its holdings in and adjacent to the Lake Tahoe Basin through direct purchase, transfer, donation, and exchange."

The second time was when the new Tahoe Regional Planning Compact was ratified by the Congress in 1980 at which time these words were included in the Compact. "In recognition of

the public investment and multistate and national significance of the recreation values, the Federal Government has an interest in the acquisition of recreational property.....to preserve environmental and recreational values...”.

While I was Forest Supervisor at Tahoe, land acquisitions were a major part of our program as can be learned in reading the following pages. It's important to know that in following the aforementioned policies, the Forest Service never used the power of condemnation. We dealt only with willing sellers.

Incidentally, with land owned by the states of California and Nevada, along with some land owned by local governments, the total of publicly owned land at Tahoe in 2015 was about 85%.

Much of what follows was gleaned from a Forest Service publication that was printed in 1979, written by Andrew Schmidt of the Forest Service. Many of the more significant purchases took place during my tenure at the LTBMU.

Considerable National Forest land in the Basin was purchased with funds made available as a result of the passage of the Land and Water Conservation Act in 1965. But for years before, the Forest Service had been carrying out a widely supported program of acquiring land at Tahoe to protect it from the sometime ravages of reckless logging operations and to maximize the extent of recreation land for public use. As I said earlier, President McKinley, by executive action, set aside 136,000 acres as a Forest Reserve from the public domain, 37,000 acres of which were in the Tahoe Basin.

Even as McKinley was being urged to set aside a Forest Reserve, others, including Senator William M. Stewart of Nevada were proposing to make those lands a National Park. It didn't happen. Instead they were renamed National Forest lands. The idea of making all or part of Tahoe a National Park never died, however, and was resurrected in various forms up to and including 1980. The last proposal getting serious attention was by Congressman Vic Fazio from California, who introduced a bill to

create a National Scenic Area at Tahoe in early 1980. It failed to gain traction but probably helped persuade Nevada Governor List and the reluctant legislature of Nevada to go ahead and approve the revised Tahoe Regional Planning Compact in late 1980. We'll get into that later, but for now, let's go back to expanding the National Forest.

Some of the more significant acquisitions of land to become part of the National Forest before 1965 were by means of exchange, meaning the Forest Service traded some of its isolated land, or the rights to harvest timber from certain other lands, for privately owned land. An example of another kind of exchange under the General Exchange Act was for 7776 acres of land in the Upper Truckee River drainage from the Carson & Tahoe Lumber and Flume Company and the Eldorado Wood and Flume Company in 1936 which was paid for by the Forest Service using receipts from the sale of timber elsewhere. That was known as a tri-partite exchange.

Other exchanges were the Camp Richardson and the Pope and Baldwin exchanges. The latter two were handled as a single action. Those two along with the purchase of the neighboring Heller Estate are now known as The Tallac Estates. Together those acquisitions totaled more than 3600 acres and added thousands of feet of beach for public use.

After 1965 and the passage of the Land and Water Conservation Fund Act, the Forest Service turned to outright purchase of properties. The first major purchase was for 4,752 acres from the George M. Whittell Estate in 1970. Whittell had owned nearly all the land on the east shore of Lake Tahoe, including what is now Incline Village. He had acquired that property around 1936 from the Hobart Lumber Company and that same Carson & Tahoe Lumber and Flume Company. The Forest Service had had the opportunity to acquire that property, but couldn't find the money for it even though Senator McCarran of Nevada had managed to get legislation passed to authorize the Forest Service to purchase the two companies' Nevada lands. Instead Whittell bought it and

later sold 9,000 acres of it in 1959 to some investors who sold it to a company that then developed the land into Incline Village.

Whittell sold off other pieces of his holdings from time to time and in 1942 sold to the Forest Service what is now the Nevada Beach Campground and Day Use Area near South Stateline. The Forest Service didn't have the funds to operate that area then, so Nevada operated it for a while as a state park. The State of Nevada also acquired 5300 acres from Whittell by means of a condemnation suit in 1967, the beginning of the Lake Tahoe Nevada State Park. Nevada later expanded the park to 13,000 acres.

Upon Whittell's death, his estate began to sell off many more of his holdings, including the 4,752 acres mentioned above. In January 1972 the Forest Service was working with the First National Bank of Nevada, the trustee of the estate, to buy over 10,000 acres from the estate when Jack J. Dreyfus, Jr., a financier from the East (ever hear of the Dreyfus Fund?) jumped into the mix and bought it for less money than the Forest Service was prepared to offer. Believing Dreyfus was intent on developing the land, the Forest Service leaned heavily on him and persuaded him to sell most of the 10,000 acres, which included 8,190 acres in the Basin. Dreyfus held onto 6.5 acres upon which is the famous Thunderbird Lodge, a mostly rock walled collection of buildings that George Whittell had built. Stories about Whittell abound. You ought to seek them out.

I have another story about purchasing some land and beach from the Whittell Estate, but I'll save it for later.

Other especially significant land acquisitions that happened before my becoming Forest Supervisor in 1976 were:

Denny Brothers - 1970s - several hundred acres

Fiberboard Corporation - 1974 - 10,121 acres

The Meeks Bay Resort -1974 - 645 acres

The Camp Richardson Resort - 1965 - 112 acres

The Pope - Baldwin Estates - 1950/51 - 3,523 acres

The stories about those latter three are particularly interesting, so I'll address them individually, starting with the next article.

After my arrival on the LTBMU in 1975, the Forest Service made many more significant acquisitions:

S P Lands Co. - varies - 3000+ acres

Harrah's Beach - 1976 - 5 acres

Bliss/Shakespeare Pt. - 1980 - 1240 acres

Redfield - 1979 - 1500+ acres

Fay Cannon's lands in McKinney Creek -1978 - 3520 acres

Rabe Meadows -1978 - 236 acres

Glen Alpine Springs - 1978 - 79 acres

Zephyr Cove - 1979 - 450 acres

Round Hill Pines -1984 - 125 acres

The 64 Acres -1984 - how many acres do you think this was?

I'll tell you about the latter five in the pages ahead.

Annual Average Lake Clarity

1968 - 102.3 feet

1969 - 93.8 feet

MEEKS BAY RESORT

At Meeks Bay, about half way up the west shore of Lake Tahoe from South Lake Tahoe, is a nice little resort named after that picturesque bay. As of this writing it's operated by the Washoe Indian Tribe under the terms of a permit from the Forest Service.

The resort has a long history dating back to 1919 when the Kehlet family bought the land from the Carson and Tahoe Lumber and Fluming Company and went to work to develop the area surrounding the bay. Eager vacationers were flocking to Lake Tahoe in those days and many found this beautiful setting to be their favorite destination. Over time the resort grew from a simple campground to a family oriented vacation gem. The Kehlets built several cabins, a motel-like building, a store, a marina at the mouth of Meeks Creek, a gas station, a post office, and a number of other buildings, even a movie theater. There were well over 150 buildings altogether. One of the buildings, a falling down log cabin, may have been there before the Kehlets arrived; but it's long gone now as are most of the buildings that the Kehlets built. All told, the Kehlets' holdings amounted to 645 acres including over 3300 feet of shoreline of which 1800 feet was sandy beach,

After many years of operation, which provided countless rich and memorable experiences for their customers, the Kehlets put the place up for sale. It was snapped up by the Macco Corporation in

1968. Macco had plans to upgrade the resort and add 1700 condo units. In addition, the corporation wanted to “round out” their holdings by swapping some of their land for adjacent National Forest land, but the Forest Service wasn’t agreeable to that.

Shortly after Macco acquired the resort property, its parent corporation, Penn Central, fell into financial trouble and Macco lost its source of funds for developing the property. The company let it be known that the resort and surrounding lands were available for sale. The Forest Service was interested but didn’t have the funds to buy the place. Fortunately, Don Ellis and Steve Brandt of the League to Save Lake Tahoe were in close touch with men in the Forest Service, so offered to find someone to buy it and hold it until the Forest Service could get the money.

In March of 1971, Doug Leisz, while Regional Forester for the California National Forests, wrote a letter to Ellis confirming the Forest Service’s interest in doing as he had suggested. With that letter in hand, the League went looking for someone who would be willing to buy the 645 acres, then hold it to sell later to the Forest Service.

William R. Hewlett of the giant Hewlett- Packard Corporation stepped forward and bought the property a few months later. It took a few years, but in 1974 federal funds became available and Hewlett sold it to the Forest Service. By mutual agreement, Hewlett sold it for the same amount he had paid three years earlier, plus the cost of sewerage the complex, as the Forest Service had asked, and which he had done while holding the property.

Knowing the conditions of the buildings, which for the most part were well below the standards of the 1970s, the Forest Service planned to burn nearly all buildings and convert the place to a campground, beach, and day use area. The Forest Service “didn’t do resorts” in those days. Many of the public protested, and Bob Sharp, newly in charge of the LTBMU, squelched the idea. The new plan was to keep the better buildings and find someone to operate the resort.

I was the Forest Engineer of the Tahoe National Forest at the time and I provided my construction and maintenance crew to the LTBMU for a while to clean up the place. Later, this work was done mainly by contract. The resort had been dormant for six years and the old buildings were in sad shape. The buildings, some of which were over fifty years old, had not been seen as candidates for inclusion on the National Registry of Historic Places, though in retrospect, the old log cabin might have been. Nevertheless, after two summer seasons, almost all the buildings had been taken down except for a few of the cabins, the motel building, a large residence on a point on the north end of the bay, the office building, and a couple of utility buildings. Two residences used as homes for the Kehlets and their staff up above the resort proper were also retained.

Shortly after acquiring the resort, the Forest Service issued a permit to a small company, B and N Enterprises, to operate the place on a temporary basis from 1975 through 1977. Buildings were still being removed during that period. In 1977 John Shilling of my staff went to work preparing a prospectus to find someone to operate the resort for twenty years. Because of the existence of the marina, a money maker, we felt we'd find someone to take it on. However, we separated the old campground which was south of the marina. We chose to renovate and operate that campground ourselves.

Before we could expect to award a long term permit, we had a big problem to resolve. In 1977, the depth of the water in the marina was so low that it wasn't usable for many boats.

Several marinas around the lake were having to dredge. All those in California, including the Meeks Bay marina, were subject to conditions imposed by the Lahontan Regional Water Quality Control Board as well as the Corps of Engineers. Causing turbidity in Lake Tahoe was a no-no, and the effects of dredging had to be contained within the marinas.

The Meeks Bay marina is located in Meeks Creek and the creek flow would make it very difficult to isolate turbid waters from the lake. That posed a real challenge.

What to do? John Shilling sized up the situation and went to work. He put together contracts to isolate the marina from the lake by installing a special curtain across the mouth of the marina and to divert the creek waters around the marina to the lake. Following that, the dredging would proceed. Because of the importance of protecting Lake Tahoe's water quality from this operation, Bill Johnson, our water guy, needed to be brought in on the project also. I'll let him tell you about how things went:

“Dredging of the marina occurred around June that year. In order to dredge the marina without putting silt into the lake, the entire creek flow needed to be diverted around the marina. That was accomplished by putting two 8 to 10 inch submersible pumps upstream of the marina and pumping the stream around the dredging project in two large pipes. The entrance to the marina from Lake Tahoe was blocked with an impervious sediment screen and boom to keep the silt out of the lake. Two drag lines were brought in to do the dredging. One was on a floating barge and one worked from shore.

There was a rush to finish the dredging before the Fourth of July. The dredging was finished before then, but the silt and clay were not settling out of the water. The marina couldn't be opened until the water was clear so no sediment would enter the lake.”

You get the picture? A marina full of muddy water and therefore closed off from the lake, the customers of the Meeks Bay Resort loading their boats on trailers and heading away to find navigable marinas, and the summer's income from the marina dwindling by the day. On top of that, we were preparing a prospectus to get a new operator for the resort and needed to

demonstrate that the marina would be in service when the boating season arrived. We needed another brainstorm, a way to eliminate the turbidity. Johnson had the answer.

“To clean up the water, I used a polymer flocculent I had previously used on a 4 lane road construction project over Vail Pass in Colorado. I had used it to settle out clay in the sediment basins during construction of the highway.”

I drove out to Meeks Bay to see what he had in mind. Shilling and Johnson were there, and they set out to apply the flocculent to the muddy waters of the marina. It wouldn't do much good, however, if it wasn't mixed well with the water.

I have a hazy picture in my mind of Bill in a small aluminum boat with an outboard motor, pouring out the flocculent and buzzing back and forth to mix the stuff with the turbid water. At the end of the day, the water was still very murky, too murky to release into the lake.

The next morning, Shilling and Johnson returned to the marina. Lo and behold! The flocculent had done as we hoped! The water was clear! The screen could be removed from the marina entrance!

But there was one small problem. The depth of water over the sandbar that was outside the marina was too shallow to allow most boats to pass into the lake. Shilling made some quick calculations and we awarded a contract to deepen a channel through the sand bar. The marina was ready for use by the Fourth of July.

Bill and his crew weren't done, though.

“A buffer of vegetation was planted between the campground and the marina. Rock lined ditches and infiltration trenches and sediment ponds were installed to treat runoff from the roads and the campground.”

After circulating a request for bids and considering responses, the Dewitt-Clinton Growth Corp. was selected and was given a 20 year permit in 1978. A man named Duke Hubbard became the manager. Duke had an emotional attachment to Meeks Bay, having spent many summers there; but he may not have taken it on with eyes wide open. He was undercapitalized and inexperienced in running a resort. The cost of supplying and equipping a resort was greater than he expected. Some customers didn't behave as he'd like them to. And there were the chronic complainers that every resort and hotel has to contend with.

Those weren't the only problems Duke had at Meeks Bay. One Sunday evening in October 1978, the old office and curio shop building caught fire. Even though there was a volunteer fire department station only a block away, the building was too far gone to save. Several other fire departments had responded as well, but they were too far away to change the outcome.

I got a phone call about the fire while eating dinner. My son Eric and I grabbed some gear and headed to Meeks Bay, about twenty miles away. When we arrived, the building and another nearby were still burning. Earlier, the fire had thrown embers across the highway, igniting the dry fuel. That had been suppressed and considered out, but while looking around the area, Eric and I spotted a flame flickering in the woods there. The two of us were able to put it out without difficulty.

Besides losing the old building, which incidentally belonged to the government and was not insured, another feature of the resort was lost, a very old and massive cedar tree that grew only a few feet from the building. There wasn't much keeping it alive in the first place, so we had it felled. There was quite a bit of value to the tree for the logger who took it down, but I don't recall whether the Forest Service received anything for it.

Duke had a new office built; but, sad to say, he didn't recoup anything for his investment when his lease was up. As an asset built to replace a government owned building that was destroyed while

in his care, the replacement was government property. I've learned since the loss of the buildings that the cause was arson and a seventeen year old boy had caused it. Apparently Duke did not receive any compensation from the boy's family.

At this time, the Meeks Bay Resort is operated by the Washoe Indian Tribe under a permit issued after Duke's permit expired in 1998.

Annual Average Lake Clarity - 1977 - 91.5 feet



This is the office that replaced the one that burned down in 1978



In the 1960s the Meeks Bay Resort had this movie theater.

Photo courtesy of U.S. Forest Service



Above - Dredging underway in Meeks Bay marina in 1977

Photo courtesy of Bill Johnson

Below – Meeks Bay marina in 2015. Water level was also low that year.



CAMP RICHARDSON RESORT

The Camp Richardson Resort was established in 1926 by the Richardson family; but now the hotel, the stores, the many cabins, the campgrounds, and the popular Beacon restaurant, which overlooks one of the most heavily used patches of sand at Tahoe, are owned by the federal government.

After eight years of negotiations, the Forest Service had acquired the property in 1965. That case was one of the most complicated affairs the Forest Service ever entered into. Cora Richardson, the owner, was agreeable to selling to the Forest Service in 1957; and at that time the Forest Service was anxious to acquire land that abutted the lakeshore, but didn't have the money to do that. What it did have were men with imagination and resourcefulness.

There were two tracts of land at the lake that the Forest Service would have been happy to get rid of because they were encumbered by a variety of non-government buildings. One tract was in the area known as Cedar Flat at the north end of the lake, and the other was the Al Tahoe tract in South Lake Tahoe. That tract held schools, a church, a fire station and 255 homes; all of which occupied the land by means of permits from the Forest Service. The permittees had to be convinced to form associations to pay for title to their lots; the counties within which the tracts were located, (Eldorado and Placer counties) had to agree to accept the housing tracts as subdivisions, even though they didn't comply with their standards; and a title company had to be convinced to represent the permittees' associations. The title company received the funds from the associations and paid Mrs. Richardson approximately one million dollars, the permittees received title to their lots, and the Forest Service received several hundred feet of beach front and dozens of campsites on the grounds. It also

received a couple dozen aged buildings. This was essentially a land for land exchange. The whole process took eight years. One problem remained. When the Forest Service finally obtained the resort, it was not sure what to do with it.

Because of the pending sale of the resort, very little maintenance had been done during the previous eight years. Most of the buildings were decrepit. In order to buy some time to decide on the use of the land and buildings, the Forest Service issued a temporary permit to operate the resort to a man named Charles Orwick. Orwick lived in the Red Bluff area and had other businesses to manage, so wasn't on site most of the time. There was no expectation for upgrading the buildings, so the place was operated with minimal maintenance. During the time when Camp Richardson was operated by Orwick, it continued to be very popular, though there were occasional complaints about the condition of the cabins. The building that now houses the Beacon Restaurant was used for storage of the canoes and kayaks that Orwick had available for rent in the summer.

Don Breitinger and Virgil Anderson of the Special Uses Department and in charge of administering the permit, Jon Hoefler, the Unit's land management planner, and myself got our heads together to determine what to do with Camp Richardson after December 1982, when Orwick's permit expired.

Before we decided what the next course of action should be, we did an economic feasibility study of several alternatives as well as an environmental assessment. The seven alternatives were 1) continue the use as is 2) use the area for day use, such as picnicking and beach use 3) use the area for camping for RVs only, 4) continue the use as a resort, but renovate the facilities 5) use the place for the Forest Service headquarters and employee housing 6) use it primarily for public recreation with some Forest Service use. 7) a variation of 6, with the use primarily Forest Service administrative use. Some people at higher levels than us thought that the place should be used only for the conventional kinds of

recreation that were carried on throughout the Forest Service system, like campgrounds, picnic grounds, and beaches. That meant that most, if not all, the buildings would be torn down. We chose alternative 4.

Mother Nature helped precipitate things in that direction by loading the roofs of the buildings with several feet of snow shortly after Orwick's permit expired. A big barnlike structure next to the lodge and used as a restaurant, collapsed. One of our guys was driving by the resort and witnessed the event. "Karump! And a cloud of snow" is the way he described it. We cleaned up the debris and checked it off our property records.

Regardless of the loss of the restaurant, we felt that the place could still operate successfully as a resort, though a new permittee would have to invest considerable funds for renovation of the buildings. The campgrounds, which had been operated for years, even before the Forest Service took over, would provide a good source of income during the summer months while renovation took place.

We put forth a plan and a draft prospectus for the people up the line to consider. The proposal went from the Regional Office in San Francisco to the Washington Office. In that office, the man who passed judgment on such ideas said that it wouldn't work, that it wouldn't pencil out.

Well, the decision to advertise a prospectus for operation of the resort wasn't his to make. We went ahead, and in 1983 we issued an invitation to bid. Lo and behold! We got responses! A permit was issued in 1985 and renovation began. Some have suggested that some of the funds that went into the restoration came from questionable sources. Maybe. Who knows? Over time, the operation of the resort changed hands and further upgrades continued. Camp Richardson was and still is a popular place. Visit there sometime. If you do, see if you can tell where that big restaurant building was.

Annual Average Lake Clarity - 1985 - 79.4 feet



Camp Richardson restaurant before it collapsed
Photo courtesy of the U.S. Forest Service



Camp Richardson without the restaurant in 2015

THE TALLAC ESTATES

When I came to the LTBMU in 1975, I was introduced to three elderly groups of Forest Service owned buildings known as the Estates that were crying out for attention. These estates occupied a third of a mile of a beautiful stretch of lake shore between Camp Richardson and the Forest Service's Visitor Center, a short distance west of South Lake Tahoe on Highway 89. Today they are known, collectively, as The Tallac Historic Estates and are comprised of the Anita Baldwin Estate, the George Pope Estate and the Heller Estate. Most of those buildings in 1975 were being treated by the Forest Service like ancestors whose time had passed and should be accorded a proper interment. A few of them, however, still had enough life in them to be useful.

The Pope and Baldwin Estates had been acquired together in 1950 and 1951 as the Pope-Baldwin Exchange in which the receipts of government timber sales were used to pay for the land. The two properties comprised over 3500 acres, which included considerable land around Fallen Leaf Lake. Some acres of the Pope and Baldwin Estates on the lakeshore, including all of the buildings, were withheld by the owners for several years, then transferred to the Forest Service. The Heller Estate, on which is the grand hall called Valhalla, was purchased in 1971 from the South Tahoe Valhalla Corporation, a private club, which had acquired the property from Walter Heller in 1965.

On these three properties was a fascinating collection of buildings built in the late 1890's through the 1920s, and most hadn't aged well.

The Forest Service had done a retention and removal plan in 1972, but the plan had not really been implemented. The

buildings had not actually been abandoned, though. Some of the buildings were being used by the Forest Service.

An annex to Valhalla was being used to house some seasonal employees; the main building of the Baldwin Estate, also called the McGonagle house, was being used as a headquarters for a Youth Conservation Corps program; and a caretaker's house on that estate housed a fire engine crew. An old barn was used for storage of various implements and supplies. Those uses were essentially temporary because sometime, someone up the organizational ladder had fully expected to subject the place to a comprehensive analysis of the collection so as to result in a revised plan of what to do with them. There was no evidence of such a plan when I arrived. But I admit that when I became Forest Supervisor of the LTBMU, doing something about the Estates was not high on my priority list. However, today most of the buildings have been restored to one degree or another; and the site is beautifully landscaped and maintained by a group of dedicated volunteers supported by the Forest Service which oversees the area. Tours of the buildings and grounds, led by guides knowledgeable of the era and the people who once lived there, are offered throughout the summer by the Tahoe Heritage Foundation. Gatsby festivals, theater productions, musical concerts, art exhibits, and education programs for children all take place there. The Estates are among the most popular attractions at Tahoe. How did all that happen?

In May 1977, Glenn Hampton, a veteran of the outfit who had a gift for involving the public in important issues, came to the LTBMU as Recreation Staff Officer, replacing Mike Goggins who had moved on. I gave Glenn the assignment to come up with a plan for the Estates. That job was right up his alley.

He immediately saw the possibilities. Even though the usual approach of the Forest Service, once acquiring such lake shore property, might be to clear out all the old buildings and develop a campground or beach, the historic nature of the estates suggested

to him that here was a rare opportunity to provide visitors to their National Forest with an enjoyable and educational experience.

So an analysis began and was finished in March 1980. Here are descriptions of the Estates as they were in 1980.

The McGonagle Estate

The buildings on this estate are of special interest. Lucky Baldwin's granddaughter, Dextra Baldwin McGonagle, built the main house in 1920-1921, and through five marriages continued to maintain control of the property.

The main house is a stout log structure. Contrary to the practices prevailing in resort architecture of the time, it was built to last. Substance was valued as highly as ornament. It is built of unpeeled cedar half-logs in a "U" shape that encloses a courtyard, and has six bedrooms and five baths. The interior is unvarnished rustic, the walls in the main hall are wide adzed boards, and open log trusses support the roof. Bedroom walls are batten-and-board and are similarly adze textured. Architectural integrity has been maintained through the years, with the exception of some of the later plumbing conveniences added by Mrs. McGonagle.

Of the three estates, McGonagle is currently in the best repair. Little would have to be spent on restoring the basic structure if it is turned to public use.

The Pope Estate

The Pope complex is the largest of the estates. The main house is the most elaborate and least rustic of the three. Construction practices at Tahoe during the 1890s favored the cultivation of lavish effects and often ignored structural soundness. Labor then was cheap, both for construction and maintenance. The house was built without adequate foundation, wiring or plumbing. It required constant maintenance, even when new. The building is over eighty years old (as of 1980) and showing its age badly. One

factor in the decision of the Pope family to transfer to the Forest Service the portion of land and the buildings that had been withheld at the time of the exchange was the rapidly increasing cost of keeping the buildings together and habitable. That transfer happened in 1965.

(At the time of the analysis,) there are nineteen buildings. The estate is virtually a small village. The list of the buildings is impressive:

The Main House

Kitchen building

Cooler shed

Four servants' cabins

Caretaker's house

Three guest houses

Laundry building

Tool room

Workshop

Barn

Three-car garage

Boathouse (Mr. Pope has a vintage speedboat housed in it.)

Pump house

Gazebo and octagon building.

Nine utility buildings have been taken down.

The Heller Estate

The main building, known as Valhalla, was built in 1924 by Walter Heller, then a young San Francisco investment broker. Its name is well chosen. The main hall is vast in scale, heavily timbered, and has a heroically proportioned rock masonry fireplace and hearth. The rest of the house is more conventional; the gambrel roof, shingle siding, and deep porches were not unusual in vacation homes of the period. The house has larger rooms than any of the other estate buildings. The main hall, ballroom, and

dining room account for most of the space in the building. There are three bedrooms, two of them small, and 2-1/2 baths. Interior walls are simple batten-and-board. Details are rustic and unpretentious, materials and workmanship are adequate and unexceptional.

Before the estate was purchased by the Forest Service in 1971, it had been a private club for a short time. The character of the downstairs baths, the ballroom, and the main entry reflects the 1960's remodeling.

Valhalla has withstood its fifty-odd winters with remarkable grace. Although the foundation is inadequate, the building is still level and plum. On less stable soil, the mass of stone comprising the fireplace, the chimney, and hearth might have parted company from the house, but it still stands monolithic and straight. The porch requires extensive structural work.

The very large boathouse is rather decayed, but salvageable. It has a servant's apartment in its second story. The two guest cabins, connected by a covered walkway, are in very poor condition.

Glenn and his staff, particularly Keith Thurlkill, created a plan for public involvement, seeking to learn what people thought about the estates and what the Forest Service should do.

One source of information was from a Forest Service visitor information program (VIS) that had begun in 1972 called The Lake of the Sky Walk. That program involved leading small groups from the Visitor Center next to Taylor Creek, east along the shoreline, through the remnants of the old Lucky Baldwin resort called Tallac, which had a grand hotel, a casino, boathouse, cottages, and other accessory buildings. His daughter, Anita, had torn down all of those buildings in 1927, eighteen years after Lucky died. The Walk continued onto the Estates, with our personnel telling stories associated with those three collections of old buildings. Thousands

of people had seen the Estates during those tours, and our VIS people heard many suggestions of what we should do there.

During the last three weekends of May 1979, Glenn and his staff held open houses during which the public was free to wander around and in the buildings and pass on their thoughts by filling out a response form called *What Do You Think?* Our people also wrote down the suggestions of those who they encountered during those three weekends. The information was compiled and analyzed to determine the uses that were most favored. Biking, picnicking, beach activity, and strolling during the day were the most favored, but there were several other suggestions made, too. There were 410 written responses.

Other possible uses besides the most favored included:

A wedding chapel - 15 responses

A youth camp - 37

Senior rest home - 9

Natural area - 9

Conference center - 105

Restaurant/nightclub - 34

Hotel/resort - 41

Cultural/art center - 32

History museum - 97

An advisory panel was formed to help evaluate the public responses. The members were:

John Zivnuska - School of Forestry, University of California

Gary Elsner - Recreation Researcher, Forest Service

Harold Steen - Forest History Association

William Rowley - Western History Association

Julie Allen - Planner, Sequoia National Forest

Bill Tisher - Outdoor writer

Carolyn Meiers - Lake Tahoe Historical Society

Anne Stewart - Biologist

Elwood Miller - School of Natural Resources, UNR

Kenneth Smith - Physician

There were several factors to evaluate that had bearings on the final decision such as cost, traffic, and environmental impacts. Coupled with the advice from the panel, these factors led to a favored alternative from a set of four that were presented to the public for comment in a formal Environmental Assessment. Finally I signed a Record of Decision that adopted that favored alternative.

The alternative chosen provided for some limited automobile parking; public transit access; bicycle trails; access to a ferry service, if one was implemented; retaining the arboretum; and some Forest Service administrative use.

The plan for each of the estates was to be as follows:

Valhalla's main house would become a community resource, accommodating many non-profit cultural and education events, ceremonies, performances, or exhibits appropriate to its scale and harmonious with the other purposes of the Estates complex. Events would be scheduled during periods when use by the general public is low.

Pope would be managed to a much lower intensity. There would be no extensions of utility lines to the main house or its outbuildings. The interiors would not be restored. Preserved on the outside, the core buildings would remain as objects of historical and visual interest, contributing toward establishing the mood of the area. A public restroom would be installed in one of the servants' cabins. The option remains open to use the Pope buildings later as patterns of use, management situations, and funding sources become more evident. The grouping of buildings represented by the garage, caretaker's house, and the barn are somewhat out of the way of main traffic patterns and could accommodate the Young Adult Conservation Program (YACC), be a center for the recreation staff supplies, and/or storage of bulk materials for the watershed restoration program.

McGonagle would continue as the Youth Conservation Corps (YCC) headquarters until new facilities are found, or until the program is ended. The goal for McGonagle is that it should be the center for educational, historic, and interpretive uses.

The development of the area would be staged, with bike paths being one of the first items to accomplish. The second stage would be to establish a new access point to the highway for a road that will serve both the existing visitor center and the administrative/ residential/ work center. The YCC program would be moved away and the public would be given full access, including handicapped access, to the McGonagle Estate. Restoration of Valhalla would be completed.

Beginning to restore the Tallac Estates was a challenge, but with a little imagination and a lot of assistance from others, we got it going. Glenn talked to the Nevada Air National Guard which needed a place to hold their two weeks summer training, and we had the perfect answer. That unit's mission, if the unit was called out by the Governor, was to construct, repair, and maintain various facilities, including buildings. It was loaded with people with construction skills and it came with its own tools. We provided the Fredericks house and grounds on the shore of Fallen Leaf Lake as a place for them to stay. (The Fredericks house had been acquired by the Forest Service some years before.) The Guard went to work on the buildings of the Tallac Estates and returned year after year.

Another source of assistance was a group of citizens from the Tahoe area who offered to help restore and maintain the buildings at the Estates. They also were interested in managing the use of Valhalla, that large building with a marvelous hall. That group, led by Carol Spain, got organized as the Tahoe Tallac Association and took on the responsibility by a formal agreement with the LTBMU. Their arrangement with the Forest Service underwent some changes back in the 1980s while I was Forest Supervisor. The group is now called Valhalla Tahoe, and they operate and manage the Heller Estate which includes Valhalla and the boat house. The boat house was converted into a unique theatre some years after I retired. My wife and I have enjoyed performances there that were sponsored by Valhalla Tahoe. Their contribution over the years is very much appreciated.

Over the many years since I left the LTBMU, various organizations, including the National Park Service, have invested thousands of person hours making the Tallac Estates what they are today. Special recognition goes to the Tahoe Heritage Foundation which now operates and helps maintain the Pope and McGonagle estates in cooperation with the Forest Service. The work that has been done by that group is nothing short of amazing. Besides restoring and enhancing the various features at the Estates, they provide tours of the buildings and grounds, host special events, and have done a great job of helping collect vintage implements and appliances.

In late 1984 the Estates caught the attention of officials of the California State University system. They sought to make the Estates the site of its summer visual and performing arts camp. I understood one reason for their search was that a site in southern California that CSU had been using for their camp was no longer going to be available.

On December 6, a contingent arrived in South Lake Tahoe to open a campaign to gain public support. This was an impressive group led by Dr. W. Ann Reynolds, CSU chancellor; Dr. William Van Dament; and others from CSU. The Tahoe Tallac Association arranged a visit for them to the site with me and some local people, including Dave Kurtzman and Carol Spain of the Association, and Dennis Crabb, to be followed by a reception at the High Sierra Casino.

On November 29, CSU had announced its intention to establish the camp at the Estates, and when their representatives arrived at Tahoe they already had an ambitious plan in mind. They planned to provide classes in all the arts for 200 to 250 gifted students from 10 years old and older, and to occupy the site in the summer for up to 12 weeks. They said they could see being able to make significant contributions toward restoring the buildings and grounds. Naturally, they had concerns about how the Forest Service would respond to their proposal. In fact Dr. Reynolds had stopped

by to talk to Max Peterson, the Chief of the Forest Service, sometime prior to the December 6 visit. He listened to her politely, but didn't make any commitments.

During our walk through the snow covered grounds, the group raved about the possibilities; Ralph D. Mills, the Dean of Extended Education remarked how one of the boat houses could be used as a theater. He was right about that. That's what it's used for now. The group looked at the buildings of the Heller estate, the McGonagle Estates (now called the Baldwin Estate), and the Pope Estate. When we arrived at the McGonagle house, I invited everyone inside so we could confer. I remember the scene well. All of us were seated in a circle, and I opened the conversation. I explained how we on the LTBMU had conducted listening sessions with the public, gathering various views about how we should manage the three estates. We had asked for and received dozens of suggestions, including turning the place over to private interests to be used as a resort, something like Camp Richardson next door. Others were to separate uses of the three estates, one for a wedding chapel, another for a restaurant, another for a museum. But the over whelming choice was to open the entire site to the public, let people learn about how people lived in those long ago years when the places were built, let them enjoy the long beach that fronts the buildings, restore the buildings and grounds, provide pathways and facilities for the visitors, and don't close the place off. That was the alternative we had chosen, and we had documented the uses and possible impacts in an Environmental Assessment. I explained that the Tallac Estates were rapidly becoming one of the most visited places on the Forest, and that we wouldn't take that all back and allow the place to be used as CSU proposed.

There was disappointment registered on the faces of most and there were some attempts to have my mind changed, but true to our commitment to the public, the Forest Service has caused the Tallac Estates to be what they are today.

When I think of what we started with back in the 1970s and see the place now, I'm bowled over. It's awesome! Anybody who

lives or vacations at Tahoe owes themselves a visit to the Estates. Just drive north on Highway 89 from South Lake Tahoe, go past Camp Richardson and watch for the signs on your right.

Average Annual Lake Clarity - 1975 - 85.6 feet



This old boathouse which was part of the Heller Estate has been made into a theater that features stage plays and musical productions sponsored by the Valhalla Tahoe organization





The pond at the Pope Estate in 2015

The main house at the Pope Estate in 2015





Above - The McGonagle House contains a fine little museum today
Below - This cabin was once used on the TV series High Mtn. Rangers



RABE MEADOW

Traveling north on Highway 50 from the casino core at Stateline, past the Edgewood Golf Course, past the Kingsbury grade intersection, past the Lakeside Inn and Casino, and across from the Douglas County Administrative complex, one sees a broad grassy meadow that flows toward a pine forested backdrop between it and Lake Tahoe. Between the pine forest and the lake is the Forest Service's Nevada Beach Campground and Day Use Area. The meadow and the pine forest are what we called the Rabe Meadow. The meadow was once used for an airplane landing strip called Sky Harbor when it was in private ownership. That was many years ago. It had also been used for cattle grazing.

In 1965, Mrs. Elizabeth Rabe, owner of several hundred acres of land at Lake Tahoe, contacted the Forest Service to determine its interest in buying a portion of her holdings that were adjacent to the Nevada Beach Recreation Area. Though the Forest Service had considerable interest in the property, it didn't have funds with which to buy it. On July 11, 1967, Mrs. Rabe passed away and there was no further interest indicated by the trustees of her estate in selling to the Forest Service. Following her death, the trustees sold portions of her holdings but the meadow tract remained in the estate. Also, after Mrs. Rabe's death, the trustees became embroiled in lawsuits with the IRS regarding estate taxes and with the Utah Land and Mortgage Company, a company that had loaned money to the trustees using the Tahoe property for collateral. These cases and the claims by the IRS and the mortgage company against the trustees remained unresolved until the First

Judicial District Court of Nevada took over and appointed a special aide to find a buyer for the property, with the proceeds to be used to at least partly pay the claims against the estate. Though Douglas County's zoning had allowed the tract to be developed for multiple housing and resort use, the TRPA had made a determination regarding its land capability which adversely affected its value, making it difficult to find a buyer. The aide, a Nevada real estate agent named Cowles, contacted our office in 1976 to gauge our interest. Though we didn't have funds available, we were interested and arranged to have the property appraised. Unfortunately for the trustees of the estate, the value of the land was less than what was owed to the IRS and the mortgage company.

Nature Conservancy, a worldwide organization that specializes in buying land with high environmental values, was brought into the act as a middle man until the Forest Service could get the funds. After the Conservancy made its offer to the court, the trustees wanted to carve off a valuable parcel at the intersection of Highway 50 and Elks Point Road. We had no objection, so had it reappraised. The option for the remaining property was delivered to the court March 1977. In June 1977 Judge Manoukian ruled that the sale offer was fair and in the best interests of all involved. In July the Conservancy bought the property for its appraised value, \$3,650,000, and held it until the Forest Service got the funds and bought it from them in February 1978.

At a subsequent hearing before Judge Smart, who had succeeded Judge Manoukian, Attorney George Abbott, representing the trustees, challenged the sale on various grounds including a claim that the process leading to the sale was faulty and the sale should be set aside. Judge Smart dismissed the challenge. The trustees subsequently sued the court over its jurisdiction to confirm the sale, with the case being decided by the Nevada Supreme Court in 1983. The decision upheld the 1st Judicial District Court's approval of the sale.

I think Mrs. Rabe would be pleased to know that her meadow is now public land and is maintained in the same pristine condition as it was when she passed away.

Annual Average Lake Clarity - 1978 - 85.3 feet

GLEN ALPINE SPRINGS

Glen Alpine Springs is tucked away about a mile or so up Glen Alpine Creek, a burbling brook which heads north toward the south end of Fallen Leaf Lake, a long, deep lake a short distance west of South Lake Tahoe. Along its way, the brook rides out the pounding of two scenic water falls before giving itself up to the lake. Blended in with the snow melt and fresh water springs that feed the brook is water from a mineral spring, a spring popular with hundreds of health conscious gentry in the early 1900s.

By following a narrow, winding road that leads upstream from the developments at that end of the lake to a small parking lot, one can continue on up a wide but rocky trail to one of Tahoe's least known attractions. Glen Alpine Springs, once the location of a thriving resort, today is a step back in time, actually several steps, considering one has to hike that trail.

In 1863, Nathan Gilmore, the same Nathan Gilmore who advocated the creation of a Lake Tahoe Forest Preserve in 1897, discovered a mineral spring far upstream from Fallen Leaf Lake. He successfully bottled and sold those mineral waters as a curative for what ails you. Later he developed a large, very popular, but rustic resort that began as a campground and later as one with multiple wooden buildings. It operated as such until a fire in 1920 burned down most of the buildings. Following the fire, a number of unique granite masonry buildings with sheet iron roofs were built to replace those that had burned. These buildings were designed by Bernard Maybeck, a famous architect who also designed the Palace of Fine Arts in San Francisco.

The resort operated until 1966, when it closed down. The buildings were beginning to suffer from old age, and its road access

had been nearly destroyed by the storm of 1965. Sometime later, Glen Alpine Springs came under the control of a man named Robert Fritschi, who was a fan of Bernard Maybeck. In 1977, Mr. Fritschi indicated his interest in having the Forest Service buy the property, some 79 acres; but he wanted assurances that the Maybeck buildings would be cared for. He would take on the responsibility to see to that, he said.

We were interested, but his was an unusual proposal. Gary Cooper, our Realty Officer, took on the challenge, and, working with the Office of General Counsel of the Department of Agriculture, came up with language to give Mr. Fritschi a life estate to protect and maintain the structures. On September 22, 1978, the 79 acres became part of the National Forest lands in Tahoe, and on December 21, 1981 the old resort was certified as a National Historic Site.

Mr. Fritschi, with another man, took on the responsibility of maintaining the buildings, and an association of volunteers was formed to assist in caring for the old resort. The association later began offering historical tours of the grounds in the summer, and the Forest Service provided interpretive signs.

It has been said by some who should know, that after several years, Mr. Fritschi lost interest in working with the association and it was disbanded.

As of this writing, the old resort rests in suspended animation, with several of the Maybeck buildings still holding furniture and other relics from earlier days.

I've wondered if buying Glen Alpine Springs was a good thing for the Forest Service to do. However, it did fit within the evaluation criteria that guided our land acquisition program at the time. I expect that someday after Mr. Fritschi dies and the Forest Service has full control of the facilities, it will restore the site with the help of dedicated volunteers, much as has been done with the Tallac Estates.

Annual Average Lake Clarity - 1978 - 85.3 feet

ZEPHYR COVE

Have you ever taken a ride on the MS Dixie, a paddle wheel boat that's based at Zephyr Cove, Nevada? Do you know that the Zephyr Cove Resort with its pier, cabins, hotel, restaurant, riding stable, and campgrounds is on National Forest land? Well, it is and when the Forest Service bought the resort in 1979 there were several slot machines in the hotel lobby, making it the only "casino" in the National Forest system.

The resort was built in the early 1900s and was part of the estate of George M. Whittell, the same man who I've mentioned before. The First National Bank of Nevada, which held the estate in trust, put the property on the market in 1976, but had no takers. That's understandable; because it had been showing its age for quite a while, and neither the operator at the time nor any of the previous operators had stepped forward. In early 1978, the bank contacted the Forest Service to determine if we were interested in buying the place. We checked it out, had it appraised, and bought it for about \$5,000,000. After the then operator's lease expired, we issued a prospectus, as we had done for the Meeks Bay Resort and Camp Richardson, and found a new operator. That purchase included 450 acres and 2,300 feet of excellent beach. Along with Camp Richardson and the Meeks Bay Resort, Zephyr Cove became the third lake front resort operating on the LTBMU as of 1979. It also added to the already large number of buildings that the Forest Service owned at that time. There would be more.

The place has undergone major renovations since the new operator of the resort took over and a later purchase of land adjacent to the resort added several hundred more feet of beach. Information about the Zephyr Cove Resort can be found on the internet. Oh, yes, the slot machines in the lodge are gone.

Annual Average Lake Clarity - 1979 - 87.6 feet

A 64 ACRE HEADACHE

On August 9, 1984, the Lake Tahoe Basin Management Unit received 64 acres of land at Tahoe City from the Bureau of Reclamation (BuRec). Whether due to a lack of imagination on the part of the two agencies or because of the long history of referring to it simply as a 64 acre tract of land, the parcel's official name, by default, became 64 Acres. That's what it is in Forest Service records and also in the minds of the people in the Tahoe City area. After reflecting on all that happened between March 1978 and the late 1980s I would tack on the word "Headache" because of what we were required to do once the transfer occurred.

In 1904 the Bureau of Reclamation (known then as the U.S. Reclamation Service) bought 64 acres of land from the Mercantile Trust Company for \$6,300. That parcel, shaped like a house, is immediately adjacent to Lake Tahoe on the east and the Truckee River on the northwest. A chimney of land crosses the river, extending several hundred feet north to the Tahoe City Golf Course.

The reason for the purchase had to do with the Reclamation Service's intent to gain control of the considerable water impounded by a small dam at the outlet of Lake Tahoe. Controlling the water flowing from the lake into the Truckee River was important for the success of a federal project to irrigate farmlands in Nevada that was approved in March 1903. That project, called the Truckee-Carson Project, was later renamed the Newlands Project. If the

Reclamation Service couldn't gain control of the dam itself, which was owned by a company with downstream interests in hydro power, it needed to have an alternative.

The 64 acre parcel is situated such that a channel bypassing the dam could be built there, an idea that had cropped up a few times during the prior few years in the Reclamation Service's attempts to gain ownership of the dam and was the principle reason for the purchase. It also foreclosed the possibility of anyone else doing so on that property.

Eventually the Reclamation Service acquired the recently rebuilt Lake Tahoe dam in 1915 which confirmed the federal government's authority to regulate water flows from the lake. The ownership of the dam no doubt made the 64 acre parcel surplus to the needs of the Reclamation Service. Regardless, when that agency, now named the Bureau of Reclamation, turned custody for operation and maintenance of the features of the Newlands Project over to the Truckee-Carson Irrigation District (TCID) in Jan 1927, it included the 64 Acres along with the Tahoe dam and several facilities downstream.

That brings us to the 64 Acres and its management by TCID. In the 1930s, TCID began leasing portions of the property to others without permission from BuRec, maybe without its knowledge. Somewhere in the 1950s, BuRec realized what was going on and decided to do something about it. BuRec's policy is to get rid of facilities not needed for its purposes, and there at Tahoe City was an obvious case of owning property it didn't need. Getting rid of federal land owned by a Department of Interior agency is governed by numerous regulations. First priority is to transfer it to another agency in that Department. Next is to transfer to any other federal agency. Third is to transfer to state or local agencies. Last in line would be to sell to a private concern.

The Forest Service was available and willing to accept a transfer in accordance with the federal policies that applied in Lake Tahoe, but first BuRec needed to regain custody of the property. It

wasn't until 1977 that the Department of Interior informed TCID that it was revoking its custody of the 64 Acres.

This is when I got into the act. I worked with the Regional Forester's staff in San Francisco; and we entered into a Memorandum of Agreement with BuRec on March 17, 1978, in which we agreed to accept transfer of the 64 Acres after BuRec regained control of the property. Included in the Agreement was the provision that BuRec would first clear all the encumbrances not compatible with the Forest Service's general purposes.

Well, what were those encumbrances? They included a 100 unit trailer park, a tree and plant nursery, a company that designed and built boat docks and piers, a miniature golf course, a real estate sales office and on and on., a total of eighteen. TCID received about \$30,000 a year from those leases.

TCID refused to give up custody, so the United States sued TCID November 17, 1978. The court ruled in the government's favor, but also ruled that its Environmental Assessment (EA) regarding the transfer was inadequate and that transfer of the 64 Acres couldn't take place until an acceptable environmental document was submitted to and approved by the court.

So BuRec went to work to overhaul its EA and finished it Dec 8, 1981. (What took so long? I don't know, but it appears that BuRec moves very slowly. This whole thing started in the 1950s.) The overhaul wasn't good enough, so BuRec started in again. In the meantime I signed a letter to the Regional Director of BuRec (I believe Glenn Smith actually wrote the letter) in which I reminded him that BuRec should proceed to clear the property of encumbrances since the court had ruled in its favor.

BuRec did not do that. Instead, its top man, Commissioner Broadbent, visited Max Peterson, the Chief of the Forest Service, and persuaded him that the Forest Service, namely the LTBMU, would take the property as is, with all the encumbrances, instead of BuRec doing what had been previously agreed. That decision was passed down to Regional Forester Zane Smith in May 1983.

I clearly remembering getting a phone call from someone in the Regional Forester's Office saying "Will you be ready to take on the 64 Acres once it's transferred?"

"Sure", I said. "As soon as the Reclamation people clear it off."

"Sorry. You and your people are going to have to clean it up yourselves."

"What?"

"That's right. That's what the Chief agreed to."

I liked Max, the then Chief of the Forest Service, and still do; but I sure didn't like his agreeing to accept the 64 Acres "as is".

BuRec produced an Environmental Impact Statement (EIS), a more rigorous analysis, to satisfy the court. It led to a Record of Decision by the Commissioner of BuRec on October 25, 1983, which included the plan for the Forest Service to take on the responsibility for clearing the property of all encumbrances considered not compatible with the Forest Service's use for recreation or other public purposes. It also listed several procedures regarding how we were to do that. No one in the Forest Service had signed that document.

Do you get the picture? I was not at all happy. The Bureau of Reclamation was dumping its problem on us. We on the LTBMU were about to get a collective headache. As I would soon learn, the ensuing years were not happy times for most of the occupants of the 64 Acres either. In fact some experienced much more pain than ours, through no fault of their own. However, as was the culture of the Forest Service, we would do our best to carry out such a decision once it's made.

The property was transferred to the Forest Service August 9, 1984. We took possession November 11, 1984, once BuRec had made formal notification to TCID and all the lessees and tenants. Later, I signed a document on behalf of the Forest Service to officially accept the transfer November 21, 1984. Now it was our turn. We had to clear off all the encumbrances.

In the early summer of 1984 I had called a person on my staff who I knew could do whatever was required when the transfer occurred and she'd do it well. That was Sandy Hogan, Assistant Special Uses Officer. She can tell you what happened next.

“Forest Supervisor Bill Morgan called me at home on 10 August 1984 to tell me about my ‘new job’ for the next two years, the 64 Acres in Tahoe City. We had an EIS and a vague court order allowing certain designated uses to remain for varying periods of time. My job was to make some “legal” by issuing them special use permits. (SUP), then terminate them when the SUPs expired. For me, the biggest difficulty was that there was no relocation money, as the uses were never legally authorized by BuRec.

BuRec formally notified the TCID and the tenants in November. The court order gave two of the three large businesses (Tahoe Trailer Park and the Tahoe Tree Co.) two years to leave, Williamson Engineering one year, three or more smaller ones (real estate, small repair shop, and Precut Timber Homes) may have had six months, and the recycling center and a continuation school 60 days. A miniature golf course had 30 days as did Tahoe Tavern Properties and Tavern Shores Homeowners Association for “private use” of the lakeshore. I surveyed the larger lease sites, issued the SUPs with the fees to be paid attached, then worked with each to move and/or terminate their business when the permit term expired. A golf course that occupied a piece of the 64 Acres that was on the other side of the river and sewer and water lines of the Tahoe City Public Utility District that were located on the property weren't political “hot spots” and were handled by my supervisor, Virgil Anderson, or others. The property line on the south side went through the middle of the Harvest Moon building, a bottle shop. After my initial contacts, our Lands

people worked with them to resolve the encroachment with a lot line adjustment under the Small Tracts Act.

The Tahoe Tree Company was a 7.2 acre nursery. I worked with Dave McBride of the Tree Company, our Lands folks, and local realtors to research potential properties for him to move to. Dave initially rejected anything we found, doing his best to nullify or postpone the move. He was stubborn but pleasant to work with, and I believe that he finally realized that we weren't going away and that we really wanted to work with him. Just before I left in October, 1986, Bill's successor, Ralph Cisco, toured the nursery and met Dave. Ralph gave him an extension until the spring, when Dave moved his operation to some land south of the 64 Acres. It has a beautiful log structure.

Jim Williamson owned Williamson Engineering, a marine engineering firm that occupied 4.9 acres there; and he had subleased some of it to Beamer's Saw & Tool Company, Real Estate Tahoe, Precut Timber Co., and possibly a few others. We issued special use permits to the smaller ones for short periods as separate businesses. Jim had only one year to stay, as directed by the court order, and was determined to fight us to the end. Because of that, U.S. Attorney Karen Patterson and I recommended to Forest Supervisor Bill Morgan something unusual (at least for the Forest Service); go on the offensive and take Williamson to district court. We did, he counter sued; and we won the case, though taking longer than his one year in his special use permit we had issued earlier. He still resisted moving, so I posted his personal property for impoundment and posted and took possession of his buildings on behalf of the United States. He then moved just west of Tahoe City on Highway 89, taking his personal property with him. He became so angry one time that I met with him that I was afraid for his health. Thankfully, after that I dealt with his son, Jim Jr.

The 9.5 acre Tahoe City Trailer Park, co-owned by Pete Peterson, was the most difficult and painful to deal with. Having no money to pay for relocation of the residents, all I could do was to provide them information (with my quarterly “newsletter”) about trailer parks within an approximately 100 mile radius from Tahoe City. Information consisted of vacancies, rental rates, requirements, contacts, etc. This was probably helpful to some of the younger folks (also a reminder that we were serious), but some of the older ones were in denial; and I knew they were taking this very hard. There were nights when I woke up crying, feeling helpless and sad for them.

This 100 space trailer park with 320 people provided the majority of Tahoe City’s low income housing, with one-quarter of Tahoe City’s permanent residents. The average age of the trailers was 16 years, and owners of many claimed that they could not be moved or towed. Many of the singlewide trailers had permanent additions built on, and living spaces ranged from 200 to 1400 square feet. All but eight were owner occupied, and some families were third generation residents. Most of the trailers were eventually moved, with some abandoned on site. Pete Peterson was very good to work with, knowing for many years that this was going to happen. I notified him whenever I was present, gave him a copy of the information I was passing out, and worked closely with him. He introduced me to the residents and helped convince them that the park would be closing. A few residents engaged an attorney to take me and the Forest Service to district court, but when the judge learned that my presence at the trailer park was to disseminate information and to try to help the residents find new trailer parks, while carrying out a federal court order, the case was dismissed. Karen Patterson, the U.S. Attorney that I worked with, was amazing. She actually caused the opposing attorney to cry at one point in the proceedings!

Another 20+ “gypsy wagon buses” and RVs were parked out in the woods, without legal sewer hookups. Because they weren’t in the established spaces, we treated them as trespassers. After notification and posting them for impoundment, we only had to tow one large gypsy wagon away to the Forest Service compound in South Lake Tahoe. I posted that particular one with a proposed impoundment date a few days earlier than the others to serve as an example for the rest. It worked; the others saw the one being towed out and within a few days fired up and drove out, never to be seen again (at least by me).

The lakeshore parcel, approximately 5 acres, allowed us to open a beach for public use. Tahoe Tavern Properties, on the south side of the parcel, and Tavern Shores on the north leased that property from TCID. There were no substantial improvements, just a lawn and portions of an internal road. I prepared a minimal document, in accord with the requirements of the National Environment Policy Act, for a picnic area at that location. Don Lane and our Recreation department installed a few picnic tables and a sign for the existing parking lot. On the south side, approximately 10-15 feet of Tahoe Tavern’s lawn encroached on this parcel. I discussed removal of the lawn with the condominium owner (not a pleasant conversation). My plan was to put up a fence there if he didn’t remove his lawn but didn’t get around to it, having been kept busy elsewhere.

The Tahoe Tavern Property Owners Association and the Tavern Shores Owners Association later sued the Forest Service over various issues over the years, with the U.S. always prevailing, as I understand.

Assistance from other departments of the Lake Tahoe Basin Management Unit was amazing. Every department pitched in, a truly great team effort. Bill gave me a budget of \$10,000 per year, but I didn’t have any budget

experience and don't recall spending much, other than for the gate and signs at the beginning of 1986 to remind the trailer park residents that it was closing and later for boulder barriers. The Lands department took on the encroachment, such as the Harvest Moon building; the Recreation department handled the lakeside picnic area; Virgil and the Special Uses department, including Jane Oden, handled long term permits and ones that weren't "hot"; Fire and the California Conservation Corps helped demolish buildings and burn slash; our Law Enforcement (especially Dave Cotter) aided with impoundment proceedings; and Watershed and Engineering took on the cleanup, rehabilitation, and revegetation of the sites once the structures were gone. That was an enormous job.

I was transferred in late October, 1986; and Virgil continued the coordinated cleanup. It was a massive cleanup operation what with abandoned trailers, remnants of the nursery, and several buildings; overall, quite a mess.

Many of Placer County's agencies as well as the TRPA helped us, and the Tahoe City Fire District used at least one building as a training fire. Because of this coordinated effort, I think the Forest Service gained stature in the eyes of the Tahoe City community, stature that BuRec had lost long ago".

Bob McDowell, Special Uses Staff Officer and Sandy and Virgil's boss, was in overall charge of matters regarding the 64 Acres during this period and after Sandy's departure by promotion in October 1986. He made a great many trips to Tahoe City to keep the community informed on progress as well as to engage in resolution of issues with some of the occupants.

The work to issue special use permits to some of the occupants, to remove trash, to restore disturbed land, and to deal with some lawsuits continued on for quite some time. A number of proposed plans for the property, including that for a transit terminal,

along with a series of environmental documents followed later. At present, 2015, an intermodal transit center, bicycle paths, a parking lot related to those two uses, and lakeside recreation facilities have been developed. Talks regarding relief of the traffic situation at Tahoe City contemplate further changes to the 64 Acres.

As I look back, I wish I had expressed strong reservations about accepting the 64 Acres, even though the Forest Service had been talking about that with BuRec for many years before my arrival on the scene in 1975. I believe it should have gone to Placer County which now has a transit terminal on the property, or to the Tahoe City Public Utility District which now has a park there. It's called the 64 Acre Park.

Annual Average Lake Clarity - 1986 - 79.0 feet

ROUND HILL PINES

In 1984, the Forest Service acquired another lake shore property in Nevada called Round Hill Pines, about two miles north of the state line. It's 125 acres in size and has about 1700 feet of lake frontage.

At the time, a small operation on the shoreline run by Frank and Susan Forvilly offered hot dogs and soft drinks and provided access to the beautiful, long, sandy beach. There was a swimming pool and tennis court available, too, as well as a pier and boats for rent.

At one time it was the summer place for the Bourne family, a wealthy family from southern California who bought it in 1931. At that time the property had a lodge, boathouse, a pier, and several buildings for the owners and their servants. During the fifty years the Bournes occupied the place they erected several more buildings and several features for recreation.

In 1951, the Bournes turned the place into a commercial resort with a swimming pool and tennis court; a boat dock; several cabins; a large lodge; and, of course, the beautiful beach. They added some motel units in 1956. That operation lasted until 1969 when both California and Nevada required the export of all sewage generated in Tahoe to places outside the Basin. That meant that the resort would have to be sewered and connected to an export system by 1972.

The cost of sewerage the entire resort was more than the Bournes wanted to spend so they shut down the resort. The place remained idle until the Forvillys opened that small beach operation with pool and tennis court in 1971. There was also some occasional use by the family.

The property became available for sale and caught the attention of Tom Neenan of my staff and Harriet Burgess of the Trust for Public Lands. The Trust, like the Nature Conservancy, is a private non-profit organization that seeks out opportunities to acquire private lands which have special characteristics that should be protected from exploitation. When it finds that such property is suitable for ownership and management by a public agency, it tries to partner with such agencies by buying and holding the property, then helping the agency acquire it from the Trust. It also has a program to create public parks all over the country.

Round Hill Pines was a candidate that fit the Forest Service's objective to acquire lake shore property as well as the Trust's objectives. In this case, similar to the Meeks Bay and Rabe Meadow purchases, we didn't have the money to buy it. The Trust and Nature Conservancy both have enough influence with the U.S. Congress that they often are able to get the Congress to appropriate funds for the Forest Service and other public agencies to buy such land, so we consented to have Harriet do what she could do. She was successful. The Trust bought the property, the Congress appropriated the money, and the Forest Service bought it from the Trust for \$8,950,000 in 1984.

I'm not usually a person who looks a gift horse in the mouth, but I had reservations about this acquisition. There were 31 buildings, most built in the 1920s and early 1930s, plus those three sets of motel units. Many were vandalized, nearly all were, at best, in only fair condition and without connections to a sewer system. Before anything could be done with them, a plan and environmental document was needed. When I left the Forest Service in 1985, such a plan had not been done.

I tell people that buying Round Hill Pines with its collection of decrepit buildings was my gift to my successor, just as the Meeks Bay Resort was a gift from one of my predecessors.

Annual Average Lake Clarity - 1984 - 74.8 feet

BREAK TIME

Okay, that's enough about land acquisitions, although that program greatly expanded the presence of the Forest Service at Tahoe. Along with the expanded presence came increased responsibility to the public. Later you'll read how that responsibility became manifested in some interesting ways. For now though, I'll share with you some happenings that were particularly memorable to me.

Under the heading of short tales is this one

Late one afternoon I was in our dispatchers' room at the Tata Lane office as we were preparing to close up for the day. Jim Hawksworth, our horse wrangler and trail guide and a genuine character whose cowboy hat was at least as old as he was, arrived in the parking lot with his stock truck and horses. He had just returned from a two day trip into Desolation Wilderness during which he had brought supplies to our wilderness rangers and also had packed up and brought out a collection of trash. (Yes, trash does accumulate in the Wilderness.)

He came inside, checked out with the dispatchers and returned to his truck to leave. At that moment the radio receiver squawked, and one of the rangers in the Wilderness came on with an inquiry. He wanted to know if Jim had come in yet.

"Yes, he did. He's right outside. Why?"

"I have a problem up here and I think I need 'im."

I hurried out the door and called to Jim who had just gotten into his truck. "Hold up, Jim! We may need you!"

The problem was quite unusual. A man from the “flatlands” had hiked into the Wilderness with his Saint Bernard dog, and the dog had collapsed. The man had found a ranger and had asked for help in getting his dog out of the mountains so as to get it to a veterinarian.

“What d’yah think, Jim?” I said. “Would you go back up and bring the dog down?”

Yes, he would. He talked to the ranger over the radio and learned where he, the dog, and the dog’s owner were located. Then he got into his truck and left.

Some hours later, and near dark, he came out of the mountains with a very large dog slung over a pack saddle on one of his horses. By then, at the lower elevation, the dog was recovering. I’m told the animal was none the worse for wear, and the owner was deeply appreciative.

Another story

Most of us heard the saying or some variation of it, “If you’re up to your neck in alligators, just drain the swamp.”

Well, we did the opposite, but alligators had nothing to do with it. On some maps of the Tahoe area is shown a place called Osgood Swamp. It’s over the ridge north of the Echo Lakes and also northwest of the big bend in Highway 50 near the bottom of the grade from Echo Summit. We had recently acquired about 160 acres on the edge of the Forest within which was supposed to be the Osgood Swamp, except there was no swamp and definitely no alligators. Someone had drained it by bulldozing a channel through and out of the large pond that had been there for hundreds of years. The channel extended downslope to a small stream course which eventually flowed into the Upper Truckee River. Evidently that was done to get rid of some mosquito habitat.

We wanted to restore the swamp, an important habitat for wildlife; so we went about it in three stages.

Over the years since it had been drained, the entire area had been populated with hundreds of lodgepole pines which ranged in size from two to six inches in diameter. It was an actual thicket and needed to be removed.

At the time, we had a group of young people in the Youth Conservation Corps, most of whom were housed in the McGonagle House (I wrote about that in the story about the Estates). They were full of energy and loved being out in the Forest doing conservation work, so they took on the job of clearing the trees. My son, Eric, was one of those youth and is proud to have been a part of that project.

The next stage was to reestablish the natural channel and protect the sides of it with rocks.

Another stage was to build a low dam at the outlet of the artificial channel and a check dam in the channel below the outlet. Bill Johnson and his people did a nice job of that, and the swamp began to fill with water. The following spring snow runoff filled the shallow basin. Since then, Osgood Swamp exists once more, a serene home for all kinds of waterfowl and a family of beavers, though in periods of droughts it can nearly dry up. One can find a picture of the place by navigating in Google Earth.

One more story

One day in the early 1970s, District Ranger Dave Mohla, one of his men, and I, while in the back country north of Barker Pass, had an experience both humbling and enlightening. At the time, the Forest Service was fully engaged in building the parts of the Pacific Crest Trail (PCT) that would traverse the National Forests. As Forest Engineer of the Tahoe National Forest at the time, I had some oversight on trail location in addition to my primary responsibilities for forest access roads and the engineering of various facilities. Having by then signed off on hundreds of miles of roads, I believed that locating a route for the PCT would be simple. Dave wasn't so sure about that and wanted my advice on a section

of trail that was to cross his Ranger District. I loved getting out of the office and into the forest, especially into places where few, if anybody else had been.

Dave's people had done a good job marking a route that stayed close to the crest of the mountains and that had gentle grades. We were headed north along a ridge top and were only a short distance from the upper end of Ward Valley. As we went along I offered my thoughts about the route we were following and off-handedly asked him if he'd taken into account any impacts on archeological values.

"No, there aren't any problems", he said. "The Indians wouldn't have had any reason to be way up here."

"Are you sure?"

"Pretty much sure."

We hadn't gone a hundred yards when we came upon an older man crouched down on the bare ground in the middle of the narrow ridge.

"Hello", said Dave.

The man apparently recognized our Forest Service uniforms, because he beckoned to us saying, "Come over here!" He was clearly excited, and he pushed his spectacles down on his nose so he could look over them to see us more clearly. "Look here!" he said and held out his hand. In his palm were slivers of rock.

"Flake scatters! There's a lot of them. Somebody spent a lot of time up here. They were right here where I'm standing!"

"Oh? Let's see." He showed us about a dozen small pieces of stone that had been chipped off a piece of obsidian in the making of an arrowhead or spear or some implement.

"I'm an archeology professor from U.C. Davis. I come up here summers to learn more about where the Indians roamed. I'll be marking this find on my maps."

Dave rolled his eyes upward. He knew he was going to get a ribbing from me once we parted from the professor.

We briefly quizzed the fellow and learned that we could expect to find other signs of Native American activity in the area.

We continued on.

“Maybe we should look around some, Dave. What do you think?” I said. He knew I was dying to break out laughing, which I was. I was enjoying this.

“Maybe,” was all he said. Now you have to realize that Dave and I were good friends and each could give as good as we got.

We went along for a while until we came to a low saddle in the ridge. “What’s that?” said Dave’s trail locator, pointing at an unusual looking feature overlooking the saddle.

It was a low semi-circular wall made of large loose stones that were covered with scales of lichens. Small weeds and bushes grew up between the stones.

“It looks to me like sort of a hunter’s blind,” I said. “It’s located so hunters could ambush game. This saddle must be a deer crossing.

“What do you think, Dave?” I asked. “Might this be a sign that there was some Indian activity on this route you’ve picked for the trail?” I said this with a straight face, but he knew I was ribbing him.

He just grunted but studied the structure for a minute or so. He wasn’t ready to admit that his earlier answer to my question about archeology values was dead wrong.

So we continued on, all three of us scanning for more signs of ancient activity along the way.

After a while, with the sun past high noon, we decided to stop to eat the lunches we carried in our day packs. A large pine had fallen down on the edge of a small clearing some time long ago. It was weathered such that the bark had fallen off leaving its outer surface a concrete gray and it lie next to the location for the trail. The old buckskin log was at the perfect height for sitting and eating a lunch.

Dave took out his lunch bag and slipped up on the log. I was about to join him when I noticed something in the log, in the space between his knees. I couldn’t help it. I burst out laughing. It was an obsidian arrow head stuck securely into the old tree trunk.

“What d’ya think, Dave? Does that qualify as evidence of some archeological values on this route?”

“Well, I’ll be damned!”

It took me many years since that day on the ridge to really appreciate what we had seen. There are many museums that display arrowheads and the like behind glass faced cabinets, and dioramas showing mannequin-like figures cooking or making arrowheads or grinding pinenuts; but those representations are nowhere near as meaningful as standing on the ground where the ancient inhabitants had actually stood centuries ago.

While I was with the LTBMU I can’t say I extended myself very much to recognize or honor the Native Americans who had lived in the Tahoe area for thousands of years, though I was very interested in a project the Washoe Tribe was working on that was to be located on National Forest land. The tribe had received some money to design a tribal center which would be next to Taylor Creek across the highway from the Forest Service’s visitor center. A building had been designed to house a museum and rooms for workshops. We had worked with tribal leaders on the siting of the building and the area for parking. The chairman of the tribe was Bob Frank, an amiable man; and the man in charge of the project was Brian Wallace, who later became the chairman himself. I liked the idea of having the tribe’s facility located there to interpret the history of the earliest dwellers at the lake and to be only a short distance from the Forest Service’s center which educated visitors about the natural realm. The visitor center itself is close to the Tallac Estates where the story of the time of the opulence of the early twentieth century is told by the many restored building at that location. Three centers, each with a different story to tell and each within walking distance of the other. That would have been “way cool”. Unfortunately, the Washoe’s project never was built, due to lack of funds on their part.

Let’s continue on with six more stories of incidents of special significance for me.

THE ARSONIST

I'm told that one day in the 1980s a man in his mid-fifties walked into the District Ranger's office in Carson City, Nevada. He said he was interested in working for the Forest Service, saying he had quite a bit of experience with forest fires. He was told that there were no positions available for him. He turned and left.

Stan Fitzgerald, my Fire Management Officer, and I were in the dispatcher's office at the LTBMU headquarters on Tata Lane on a July afternoon in 1978.

By that July, we, the Forest Service, had responded to and put out nearly twenty suspicious fires, some as early as April. Early in July a fire was reported near Tahoe City. The North Tahoe Fire Protection District men jumped on it and extinguished it before nightfall. A few days later another was started outside of South Lake Tahoe. One of our patrolmen was on it in minutes, and it was quickly put out. Then another fire on the west shore and another outside of Meyers at the south end of the lake. Others were spotted at several different locations in the Basin over the course of a few weeks, sometimes several in the same day. All were in forested areas. There was no question they were the work of an arsonist. All the fire and law enforcement agencies in the Basin were on high alert.

More than one fire had been set near South Lake Tahoe and one particular fire patrolman of ours was often the first on the scene. That July afternoon in the dispatcher's office, Stan and I listened as

that same patrolman's voice came over the radio with an update on the status of the initial attack on a fire he had responded to. One of the two dispatchers, maybe Judy Reed, looked at us. "He seems to be on those fires right away. Have you considered maybe he....."

"No. I've already checked him out. He's been elsewhere for most of the fires," said Stan.

Suspicious grow, often unchecked, when an arsonist is on the loose. History shows that many arsonists are actually firemen, so it's logical to consider that possibility.

Stan turned to me. "Right now I'm suspicious of everybody but you and me, and I'm not sure about you."

We all chuckled uneasily at that remark. No, it wasn't one of us. But who was it? Who was lighting those fires? It was one person. We were sure because the method of ignition was the same for nearly all of them. There had been twenty three fires so far.

On July 19 we had part of the answer. A man called the Tahoe Daily Tribune. He identified himself as the "Uncle of Sam" and wanted to talk to the editor. When the woman who answered asked him what the purpose of his call was, he said something about planning to keep setting fires until the environmentalists stopped filing lawsuits to stop development. (You'll recall the litigious environment that existed at that particular time). She asked for clarification, and he got angry and hung up.

On Friday, the 21st, he called the Tribune again and made the same threat. He also called the Carson Appeal. There were more fires that weekend. During one of his phone calls he said he was armed. The Forest Service offered a reward for the capture of the arsonist, "Uncle of Sam". The L A papers contacted the Tribune for information. The news was picked up by UPI and spread around the country. There were more fires the following weekend. The reward was increased.

One of the fires was set near the shore on the east side of the lake where hundreds of people were basking in the sun, picnicking, or partying. Cars were parked on the side of the highway for miles, from Sand Harbor State Beach to the section above

Secret Harbor. When the fire was reported, the sheriff's people and fire officials converged on the area and began interviewing dozens of beachgoers while the firefighters were busy on the fire. One of the special agents from the LTBMU, Lowell Mansfield, with the help of our fire patrolmen, took down the license numbers of as many cars as they could. They hoped to find a license that matched one or another of the several cars that had been seen at other fire locations. No matches were found.

Though all the fires had been controlled quickly, the possibility of one escaping initial attack was frightening. The collective firefighting forces had to ratchet up their efforts, develop a new strategy and nail that guy. A meeting was set for August 11th at one of the Douglas County schools near Zephyr Cove. All the police, sheriffs, and fire departments, including us Forest Service people, were represented at the meeting. Every seat in the classroom, small seats to fit young students, was filled with the bigger body of a uniformed cop or fireman, or a special agent or detective, or guys like me, agency heads.

A plan was set and put into action that same day. The Forest Service mustered a group of special agents from the various Forests around the Region who, along with plainclothesmen of other agencies, staked out sections of the Basin. All the fire lookouts were up and watchful. Fire prevention patrolmen cruised the back roads.

August 19. Four more fires were set in the woods behind Nevada Beach. By then there had been forty one arson fires on land managed by the Forest Service and several more on private land.

On August 26, from the lookout at Zephyr Point, a tall, lanky Forest Service fireman whose sore legs had kept him off a fire crew, spotted a smoke near Whittell High School. He radioed his sighting to all in the network that had been set up. In minutes, another smoke appeared, then another and another. They were spaced out in a line that was leading to Highway 50 below the lookout tower. More smokes appeared on a bee line towards the highway, nineteen in all. After several minutes a man wearing shorts and tennis shoes

came jogging out of the woods and into the waiting arms of a Forest Service special agent named Gary Smoot. Two Douglas County Deputy Sheriffs made the arrest. That jogger was Fred Thaheld, age 49, owner of a plastics company in Gardnerville, Nevada. We figured he had set over sixty fires in the National Forest since April.

Thaheld was charged by Douglas County District Attorney Steve McMorris with starting nineteen wildland fires on private or state land and was bound over for trial in Douglas County court. He was also indicted in federal court, charged with starting fifteen fires on National Forest lands. McMorris reduced his charges to five to simplify things; but a complication arose before trial could begin. The judge questioned whether arson on undeveloped land was covered in Nevada statutes and postponed the trial to clear up that matter. It took several weeks to settle the question, and the State Supreme Court ruled that, indeed, there was no statute covering arson of undeveloped land. The state charges were dropped without McMorris refiling a case based on different charges, because the federal court was proceeding on its case.

Before a trial could begin in federal court, Thaheld agreed to plead “no contest” to starting two fires. Both the federal prosecutor and the judge accepted the plea. On March 26, 1979, Judge Claiborne sentenced Thaheld to five years, suspended, with five years’ probation, provided Thaheld admitted himself to the VA hospital in Palo Alto, California for psychiatric treatment. He was to stay there until released by the doctors at the hospital.

Sometime later, he was released from the VA hospital and, not long after, walked into the Carson District Ranger’s office to seek employment.

Annual Average Lake Clarity - 1978 - 85.3 feet

HEAVENLY VALLEY SKI RESORT

Of the many permits for use of National Forest land, the Heavenly Valley Ski Resort (now called Heavenly Mountain Resort) was perhaps the most interesting to administer. Though the public's exposure to the activities that occurred there was mainly in the winter when the resort was open for skiing, the Forest Service worked with Heavenly year around. During the ski season we had one or more Snow Rangers on the slopes, observing lift operations, slope grooming, ski patrol services, snow depths, signage, avalanche control measures, and other matters that were addressed in Heavenly's permit. In the off season would be our oversight of lift construction and maintenance, erosion control on the ski runs, rock and tree hazard removal, and the clearing of terrain for new ski runs or for improving existing ones. The Snow Rangers during most of the time when I was Forest Supervisor were Virgil Anderson and Sandy Hogan. You've seen their names elsewhere in this book because they had multiple responsibilities besides being Snow Rangers.

Heavenly had an excellent safety record compared to other large ski resorts because of the hands-on management of the operation by men like Malcom Tibbetts and Stan Hansen. Hugh Killebrew, managing partner of the operation when I first arrived, and later his son, Bill Killebrew, worked well with the Forest Service, played by the rules and made our job of administering the permit a pleasant experience. That contrasted with the experiences of the

Forest Service and other agencies working with Alex Cushing of Squaw Valley during that period.

My relationship with Hugh, though he had a reputation for being tough, was regrettably short; but one issue is fresh in my mind. President Ford was in the White House and his administration was struggling to control the rate of inflation. In prior years the rate had gone as high as 10%, though in 1976 it had ameliorated somewhat. That summer, the rate was around 6% and the administration was anxious that there not be a turnaround. We received word from our Washington office that controls were being imposed on fees charged by special use permittees and in particular on the price of lift tickets charged by ski areas. We had to inform Heavenly about how that applied to them for the 1976-77 ski season. I don't recall the percentage increase allowed by Washington or the lift ticket price for Heavenly the previous year. I do know that the math, $x\%$ times the previous year's ticket price yielded something like a \$1.30 maximum increase. I heard about that from Hugh. We got together in his office to discuss it, him in a large chair and behind his large desk, me in an ordinary chair across from him. He argued that he should be able to round up to the nearest dollar.

"Hugh, I'm sorry, but the direction I got is clear. We can't round up. You could do a \$1.25 increase."

"A ticket price ending in 25 cents! We'd have to have thousands of quarters to make change every morning at that price!"

Hugh had been in submarines during WWII and was a formidable man. He said, "When I was in submarines and an enemy destroyer got in the way of our bigger target, it didn't stop us. We just said, 'Take out that destroyer first! Fire the torpedoes!'"

There was short pause, then, "You're in my way on this ticket price thing."

I said, "Hugh, are you going to shoot me over 75 cents?" That wisecrack of mine pretty much ended the conversation.

I suspect Hugh went up the line of authority to argue the point further, and I don't blame him. I thought the imposition of price controls on businesses on National Forest land was a dumb idea.

I don't remember how Heavenly worked out the ticket pricing issue that ski season, and my last contact with Hugh was at breakfast October 12th, 1976, at the Cookbook restaurant. The winter that followed was not a good one for ski resorts. Expansion of facilities was put on hold. Heavenly had to deal with serious financial problems the following summer, but that was not the worst of things.

In the fourth week of August of 1977 I was on the Klamath National Forest working as part of a fire command team fighting a large forest fire there. I wasn't at Tahoe when Hugh Killebrew was killed in a plane crash on August 26 near Little Norway on Highway 50. By a sad coincidence, his son, Bill, driving over Echo Summit, came upon the wreckage of the airplane shortly after it crashed. It was then, at age 23, Bill Killebrew became the head of the family. Not long after, he was elevated to the position of manager of Heavenly Valley.

Bill is a very sharp individual, but only a few months from having graduated from the University of California's business school he had taken over the operation of a very large ski resort that was in debt and probably close to bankruptcy. In spite of having a strong staff and having more ski terrain than most of the competition and a location that other ski areas would die for, it wasn't easy that first year or the next. Fortunately, Bill had worked on the resort summers and at breaks from school. He had learned a lot from his father. He was up to the task.

The season of '77-'78 wasn't that great a ski year either. Bill came to my office a few times in 1978, first to get acquainted, then to share some bad news. The resort was going to have a very hard time paying the Forest Service for the fees required under the terms of the special use permit. I believe the same was true regarding the county taxes that applied. I'd been aware of Heavenly's financial

problems and wasn't surprised at his request. He wanted to have the payment of the fees delayed for a while.

The Forest Service was as interested in having Heavenly continue to provide quality skiing as Bill was. I consulted the staff officer who administered the permit at that time. We were in agreement, and I granted Heavenly the requested extension.

A couple of years later, Heavenly was expanding its facilities with new lodges and lifts. Under the tutelage of Bill Johnson, that same Watershed Staff Officer, the resort had worked hard at controlling potential erosion on the ski runs, using a variety of techniques not used before. Some of those measures have been taken up by other ski areas. Heavenly has since become a world class ski resort, though Bill Killebrew is no longer involved in its operation. At this writing it's owned by Vail Resorts and is called Heavenly Mountain Ski Resort.

I haven't seen Bill Killebrew for many years, but I sort of keep track of him through mutual friends. He has another ski resort in Colorado now. It's called Eldora Mountain Resort.

Annual Average Lake Clarity

1976 - 89.9 feet

1977 - 91.5 feet

1978 - 85.3 feet

SKI LIFTS and SQUAW VALLEY

A particularly tragic accident happened at Squaw Valley on April 15, 1978. It was a derailment of two heavy steel cables, called track cables, from the saddles intended to contain those cables at one of the towers of the tram system. A large tram car carrying over forty passengers had been suspended from those track cables. Track cables are somewhat like the rails of a railroad, except the tram car is below the cables, with a carriage mounted above the car and riding on the track cables. The car is pulled up or down the line by another, smaller cable.

When the derailment occurred, the car and its carriage plunged downward; but the carriage was still hung on one of the track cables that had come off the tower. Like a stone in a sling shot, the car sprang back up with tremendous force, encountering the other track cable which was now falling down also. That cable sliced through the car, pinning several people to the floor of the car. Four people were killed and thirty injured. The damaged car was stopped and suspended high above the snow as was the partner car which was riding on another pair of track cables on the other side of the towers. That car held sixty-four passengers.

While I was the head of engineering for the Tahoe National Forest, one of my responsibilities had been to inspect ski lifts that operated on the Tahoe Forest. I did this in 1966, '67, '68 and '69 at the beginning of the ski season to assure their readiness. I also

monitored the load tests of new lifts and investigated lift related accidents. Since the State of California also has regulations regarding the building and operation of ski lifts, most of my inspections were done jointly with inspectors from the State. Some of the time a ski lift specialist from the Forest Service office in San Francisco came along. The Garaventa designed and built aerial tram system at Squaw Valley was partly on National Forest Land at that time, and I was familiar with how it operated.

In addition to several lifts at Squaw Valley, lifts at Granlibakken, Alpine Meadows, Sugar Bowl and Boreal Ridge were in my territory, along with a rope tow north of Sierraville near the junction of Highways 49 and 89.

Granlibakken had a rope tow up a small hill near the lodge and was the only ski hill in the Tahoe Basin that was in my area of responsibility. The rope tow was crude, but okay. Heavenly Mountain ski area at South Lake Tahoe was another Forest's responsibility at that time.

I visited Alpine Meadows a few times to inspect its lifts and to monitor load tests for new lifts. Every time I was there, everything was okay. That was not the case with Squaw Valley. Though not all of Squaw's lifts were on National Forest Land, some were and some of those were problems. I remember two instances when I was called to investigate lift related accidents, one of which had caused injuries. That one was a two passenger chairlift with a faulty method of holding the chair to the wire rope, (cable) that moved the chairs up the slope. The grip on one of the chairs, while the chair was loaded with two skiers, didn't hold and the chair slipped backward until it ran into the chair behind, which then slipped also and so on down to other chairs.

The state inspector and myself were discussing the situation with the hill manager when Alec Cushing, Squaw's famously difficult owner joined us. I have a clear mental picture of that encounter. The state inspector, with whom I had a good relationship (let's call him Pete), was probing Cushing for an answer as to what he planned to do to prevent recurrences when Cushing began to circle him, clearly

intending to disrupt Pete's line of thought by causing him to have to keep turning to keep himself facing Cushing. I nearly laughed out loud, because Pete didn't fall for it. He just kept talking as though Cushing was still standing face to face with him. There was a brief standoff, but then Cushing quickly got back to facing Pete so he could hear what he had to say. Chalk up one for Pete.

Another memorable incident occurred with a gondola lift early one morning at Squaw Valley. Before the lift was cleared for operation, one of the staff skied down from the top terminal of another lift to the top terminal of the gondola. A gondola lift has a series of chairs enclosed in small cabs which are transported by a moving cable up to the top where passengers unload, then the cabs continue around a large horizontal bull wheel and go downhill to collect new passengers. The bull wheel slides on tracks and is connected by a very large cable over a smaller vertical wheel to a huge concrete counterweight that is free to float up and down in a large enclosed well and compensates for the weight of the moving cable, gondolas, and passengers. Squaw's man stepped over to the well and kicked the counterweight to be sure it wasn't frozen to the side from overnight snow. The weight separated from the connecting cable and dropped like a shot to the bottom of the well. The bull wheel, loosed from the counterweight and pulled forward by the weight of the gondola carrying cable and cabs, tore through the steel structure supporting it and nearly went all the way out of the terminal.

When investigating the accident, we learned that some time previously a gondola chair had apparently gotten jammed in the bull wheel at the top terminal preventing the cable with the chairs from moving around the bull wheel. When that happened, the powerful engine at the bottom terminal, which pulls on the downward side of the lift cable, had pulled the massive counterweight out of the well and up to the vertical wheel. The cable which went over the vertical wheel to the mechanism holding the bull wheel was attached to a bar that extended up from the counterweight. When that bar was drawn up to and partially over the vertical wheel, it had been

subjected to a very strong bending force. The stress probably cracked the bar. That accident had never been reported to either the state inspector or the Forest Service, and we hadn't heard if any injuries were involved.

Had the counterweight dropped off at a time when all the gondolas were filled with skiers, the result would have been one of the worst tragedies ever in the ski industry.

My inclusion of the tragedy at Squaw Valley in this book is because Squaw is thought of as being associated with Tahoe; and because of my previous experience with Squaw Valley; and because in 1968 when the tram was first put into service, the Forest Service and I had some involvement in inspecting the tram and monitoring its load test. For the load test, both cars were weighted with sand bags to approximate the weight of a fully loaded car.

The load test, on a bright sunny day, went okay. However, the manufacturer's representative did not want to test the emergency brake that day. Also, the rescue car, which was part of the Garaventa tram system, was not ready for use. The rescue car is intended to be used to go up the track cables and rescue people stranded in the tram cars. The state inspector had the final say so and did not require the emergency brake and rescue car to be tested at that time.

Shortly after the day of the load test, the state took over full responsibility for tram certification and lift related accident investigations from the Forest Service, so I never heard how those two elements functioned. I've always been curious as to just what happened in 1978. Did the emergency brake or the rescue car have anything to do with the accident or the long, long time taken to rescue the 64 people in the undamaged car?

Okay, let's revisit that tram accident of 1978. The tram system comprises two cars, one going up while one is going down. The down going car is the one that was sliced open. The accident occurred near the end of the ski day at about 3:40 PM. As I said, the

Forest Service no longer had jurisdiction over Squaw lifts in 1978, but the California Division of Industrial Safety did. It promptly launched an investigation.

The ski resort had planned that April 15 would be the last day the tram would be operated for the ski season. Later, in the summer, it was to resume operation to take tourists for scenic rides up and down the mountain and to enjoy the facilities at the top. That last day, the operator in the down going car was an employee who was in his first season working for Squaw. It was reported that he'd been trained on the operation of the tram car and also evacuation of the car if it was necessary. He said that, as instructed, he was to slow down the car when approaching a tower if there were windy conditions. The wind was quite strong that day and he was nearing a tower, so he applied a brake. He said that at the same time he braked to slow the tram car, it was hit by a powerful gust and at that moment the track cables came off their saddles on the tower.

As I said earlier, the carriage from which the tram car was suspended, and which runs up and down on the cables, came free of one of those cables and, still attached to the other cable, dropped down several feet before rebounding back up. As it was bouncing up, it was hit by the other of the derailed track cables which was dropping down. The cable and car came together with tremendous force. In an instant the falling cable sliced through the top of the car, driving downward against the upward rebounding tram car until it hit the floor of the car, pinning several passengers underneath. The smashed tram car was high in the air, over deep snow, and hundreds of feet from the base station. Heavy snow was falling and was driven by strong winds.

In the smashed tram car, three people were killed instantly, most of the rest of the passengers were injured. One passenger was thrown out of the car and fell about 80 feet to land on the snow. He sustained a broken rib.

Though the radio in the car was inoperative, preventing anyone from calling for help, the derailment of the battered car was

noticed almost immediately and rescue operations began right away.

The desired procedure for evacuating a stranded car would be to use the rescue car to go up the track cables to the car. But, under the circumstances, it couldn't be used. The second alternative is to lower the passengers one at a time using a winch mechanism with a long thin, steel cable that allows them to be lowered in a bosun's chair. But the winch had been destroyed, though the cable could be pulled free. The greater need, however, was to get that track cable off of the people that were pinned down by it and to care for the others who were injured.

Jim King, lift maintenance supervisor, was the first to reach the spot below the car and hollered up to those in the car. Hearing that, they shouted down, and explained the situation. Once King sized things up, he contacted the dispatch office over his radio and described what he was seeing. King was joined by two ski patrolmen. They and the operator in the car decided that someone should somehow be brought up to the car. They called for a long rope and when it arrived, it was attached to the winch cable which had been lowered from the car. One end of the rope was pulled up and secured. The operator, with the help of two passengers, Dale Cox and Frank Meagher, pulled one of the ski patrolman up into the car. They all began ministering to the injured.

Those measures so far had taken some time, even though the ski resort staff had mobilized quickly. After a bit, Jim Mott, the ski patrol director arrived at the scene and was pulled up into the car, too. He immediately took charge of the situation in the car.

A call had been sent out for medical assistance and one of those responding was Dr. Charlie Kettlemyer, an experienced snow country physician. He too was pulled up into the car. As he cared for the injured, his efforts were hampered by the fact that some were pinned down by the cable and couldn't be freed. Eventually some equipment was pulled up to the car with which they were able to lift the cable and free everyone. As night fell, cold and blowing snow affected the rescue efforts. Regardless of the extreme conditions,

with litters and bosun's chairs, a long slow process brought down all the surviving passengers to safety and the deceased as well. The injured were taken to hospitals for treatment. It was nearly eleven hours until the last person came down out of the ravaged car. That person was Jim Mott.

While rescue operations were underway to bring down passengers and crew from the damaged car, dozens of ski resort staff and volunteers had set up field hospital facilities at some of the ski lodges to aid passengers. Food and boots and blankets were provided for the passengers and the rescue workers, some by nearby stores,

There were also sixty three passengers plus the operator in the tram car on the uphill side of the system. The winch and cable evacuation gear there was put to use lowering people to the snow below. Then it broke down. Some passengers in the car were eventually able to repair it and evacuation resumed. Eventually all passengers were lowered successfully.

Many others took part in the rescue and aren't mentioned here, but they themselves should know that they had a part in which by all accounts was a heroic accomplishment.

The information in the story above, I learned from a variety of sources, notably the website Moonshine Ink article of April 10, 2008, by Robert Frohlich, and the accident report of the state. As I said earlier, the California Division of Industrial Safety conducted a comprehensive investigation of the accident. It filed a preliminary report of that investigation dated July 20, 1978. Though it was not released to the public, I obtained a copy in July 2014. There were nearly thirty individuals involved in the investigation. There was no consensus on the cause or causes of the accident, although the chief investigator identified two probable contributing factors, wind and movement of the track cables (possibly oscillation).

The state's accident investigation report did not mention the rescue car, though if operable it might have been used to rescue people from the car going uphill. That uphill car was stopped when the track cables derailed and dropped the downhill car. The

occupants of the uphill car were unharmed. One of the staff involved in the rescue operation said that the situation affected the track cables such that the rescue car couldn't be used to get the stranded passengers down from either car. Instead they were lowered, as I've explained above, from both cars by bosun's chairs and, in the case of the damaged car, some were lowered in litters.

I noted in reading some of the reviews of the accident and its aftermath that Alex Cushing declared that he would do whatever it took to make the tram safe or he wouldn't use it. He also mentioned that he was going to have the emergency brake system set so that it would actuate over a longer time, maybe ten or so seconds. At the time of the accident, it took three seconds or less to fully activate the emergency brake. I think that his was a puzzling remark.

The investigation report noted that setting the emergency brake was one of several possibilities that could have caused a wave motion, or oscillation in the track cables. A gust of wind could have done that also. The winds that afternoon were very gusty, with velocities of 50 mph or more being reported at Squaw. In fact wind gauges at the adjacent ski resort, Alpine Meadows, recorded a gust of 70 mph that afternoon. Either wind forces or application of a brake or both, as well as several other factors, could have contributed to the conditions that caused the accident, according to the accident investigation report. It is clear that the emergency brake was activated, but whether it occurred before or after the derailment was not determined. The tram system is a very sophisticated machine. It incorporates various automatic systems as well as an electronic monitoring feature. The monitoring system at the base station indicated that the emergency brake was employed at the instant when the electronic signal carried by the haul cable was interrupted by an electrical grounding of the haul cable. That had apparently occurred at the time the track cables derailed. It did not record any other cause for the brake having been activated, including any manually employed emergency braking.

As I said earlier, the state report on the accident was not released to the public, but it did specify a number of measures to be taken to prevent the recurrence of such an accident.

On a recent return trip to Squaw Valley I spoke to some of the personnel that are charged with the operation of the tram. I learned that they follow a very strict protocol on operation and maintenance of the system and over the years have installed several upgrades. I believe such upgrades have included those recommended by the state plus several others. So far as I know, there have been no accidents involving the tram since that of April 1978.

There were lawsuits that arose from the incident; and, in the course of settling those, more information may have emerged. However, I haven't seen any records from those lawsuits.

So now you know more, but not all, of what happened on April 15, 1978, at Squaw Valley Ski Resort. The actual cause is still unknown.

Annual Average Lake Clarity - 1978 - 85.3 feet

THE SOUND OF SILENCE

July 4, 1986. My friend John and I were loading the makings for a picnic into the trunk of my car in the driveway where I lived. My home was in Christmas Valley a short distance from South Lake Tahoe. We had just loaded an ice chest when we heard the sound of an airplane overhead. The plane's engine was revved as high as it could go, and it was heading up the heavily forested canyon of the south reach of the Upper Truckee River that flows into Christmas Valley. The canyon was narrowing and the bottom of it was rising up to meet the plane. I said to John, "That guy's in serious trouble." Several seconds later we heard a distant thump. The sound of the engine stopped.

During the fifteen years I lived at Tahoe there were eighteen fatal crashes of airplanes attempting to land at or when leaving from the South Lake Tahoe airport, including the accident that took the life of Hugh Killebrew, the head of the Heavenly Valley ski area, and three others. As I said previously, Heavenly was mostly on National Forest land and was one of our permittees. I was well acquainted with Hugh. One of the other three in his plane was an employee at Heavenly and was the wife of a man who has since become a good friend of mine.

Forty eight people were killed in those eighteen crashes, a number of which were on National Forest land. None were commercial flights and nearly all the planes were single engine

aircraft. Of the surprisingly large number that occurred during the period from November 11, 1975 to October 24, 1989, there are four in addition to the 4th of July incident that are particularly meaningful to me.

Killebrew's accident on August 26, 1977, was a case of two planes going in the same direction that collided over Little Norway which is west of Echo Summit on Highway 50.

I have a picture fixed in my mind of another crash, that of a plane that was continuing south after leaving the runway of the South Lake Tahoe airport and wasn't able to climb fast enough to clear the timbered ridge between Highway 50 and Pioneer Trail. As any pilot would do, this pilot tried hard to keep the nose up. I suppose he was screaming, "**Get this damned thing up over the trees!**", but he stalled. The plane dropped onto the side yard of a house near the top of Elks Club Drive and burst into flames.

I happened to be driving near the intersection of Elks Club Drive and Highway 50 at the time. I heard an explosion and saw a cloud of smoke mushroom off to my right. I was one of the first to arrive at the scene. The plane was on its belly and being consumed in a white hot blaze. I'll never forget the image of the man in the passenger seat, body held erect by his safety belt, head inclined downward, his face melting away from the intense heat.

Sometime later another plane failed to clear that same ridge and crashed onto the exact same spot as the first. I was close by again, driving on Highway 50, and arrived on the scene just behind the fire trucks from the Lake Valley Fire Department.

A fourth plane crash occurred a mile or so up the valley from our house in Christmas Valley. That one happened before the crash I heard on that long ago 4th of July. Same circumstances, headed up a blind canyon and couldn't climb out. The plane stalled and dropped onto the winding Upper Truckee Road midst the pine trees of the National Forest. I was not early to the scene that time.

Today, when the sound of the engine of a light plane nearby stops abruptly, I quiver.

What do we make of those unfortunate happenings? To those of you who would fly in the Tahoe area, you should know about density altitude, especially in the heat of the summer. Know about icing conditions, even in April or September. Know about the low ridge directly ahead after taking off south. Orbit the golf course if your rate of climb isn't great enough to get over the mountains, or turn and circle upwards over the lake. The runway is over 8,000 feet long. Use more than you think you might need.

Unless you're flying a jet or something comparable, don't ever fly up Christmas Valley, especially in the summer.

Annual Average Lake Clarity -1986 - 79.0 feet



South Lake Tahoe airport runway 18, looking due south. Note the near ridge ahead, and beyond that, the opening of Christmas Valley that leads to the Upper Truckee River canyon

AVALANCHE

It might be said that among the many responsibilities of the Forest Service at Tahoe is that of a landlord. The LTBMU administers leases for hundreds of properties occupied by private persons or businesses. Included in those leases are those for Camp Richardson, Zephyr Cove Resort, Round Hill Resort, and Meeks Bay Resort. Heavenly Mountain Ski Area also leases several hundred acres for its ski runs, lifts, and some of its lodges. The category with the most leases is the collection of over six hundred recreation residence lots, most of which were created in the 1920s and 30s. A variety of cabins and houses, privately built and owned, are scattered here and there on those lots, including many at the Echo Lakes, Fallen Leaf Lake, in Christmas Valley, and at Spring Creek, all on the California side of the Basin. Virgil Anderson, that good natured and hard charging member of my staff, kept tabs on the leases.

Those recreation resident leases are generally for twenty years and have been renewed several times. Each of the lessees pays an annual fee to the Forest Service. The fees are subject to adjustment periodically based on changes in value for the individual lots.

Occasionally a lease will not be renewed due to a variety of factors, but the lessee will be informed of such a decision well before the expiration of the lease. We called that putting the lease on limited tenure. The expiration of one such lease occurred during

my time with the LTBMU and resulted in a series of political crises that nearly had Virgil and myself mired in “deep doo doo”. Though viewed from the perspective of thirty years later, the entire incident was laughable.

Long before the establishment of the Lake Tahoe Basin Management Unit, the District Ranger of the Forest Service unit with jurisdiction over vacation residence lots around Fallen Leaf Lake had concluded that three cabins were in an avalanche path and their leases would not be renewed. By the time I arrived, two of the cabins were gone.

As I said, the lease of the remaining lot expired while I was Supervisor of the LTBMU. We notified the lessee in advance that all personal property as well as the cabin needed to be removed. If the cabin was to be abandoned, we, the Forest Service would remove it.

Now you should realize that while the cabin was situated at the base of a long, steep slope; it had not suffered much damage from avalanches during the tenured period. Besides that, the cabin was right on the lakeshore with a gorgeous view; and the cabin was occupied most of the summer by the elderly grandfather of the family that owned the cabin and to whom the permit was issued.

This case of an expired lease was my first, and I admit I approached it as a rather routine matter. It was not.

The family protested the notice to vacate and remove the cabin, but my staff informed them that we had no authority to extend the lease given that the family had accepted the earlier action requiring the removal and had enjoyed several years of use at a nominal fee.

Virgil and I visited the cabin to size things up and found the cabin occupied by the grandfather. We explained the situation, but he was very upset and didn't want to leave the cabin.

In the meantime the family had contacted U.S. Senator Hayakawa, seeking his intervention with the Forest Service on their behalf. They argued that the cabin was the summer home of their elderly grandfather and it would be cruel to evict him.

Pat Boone, a famous crooner and sometime movie actor, also a staunch Republican, as was Hayakawa, wrote a letter to the Senator supporting the family. So did Richard Hatch, a popular TV actor.

The Washington Office of the Forest Service was contacted by Senator Hayakawa, and I was asked for information. After my response, the Chief, the head of the Forest Service, determined that we should work something out with the family. With advice from the Regional Forester's staff in San Francisco, we offered to extend the lease to the grandfather for as long as he lived.

The Senator and the family accepted the compromise. The grandfather would have his summer home. He was 93 years old.

A few years later I checked to learn if the lease was still in effect. Yes, it was being used and the annual fees were being paid by checks signed by the grandfather. Let's call him George Jefferson Smith. (That wasn't his real name).

Sometime in 1981, someone at Fallen Leaf Lake told Virgil that he heard the grandfather had passed away a year or two earlier. That was puzzling because we had received checks the last two years signed by George Jefferson Smith. Something smelled fishy. The address on the checks was in the Los Angeles area, so we contacted one of the Forest Service's special agents who was located in that area and asked him to check into the matter.

The agent reported back and said he had called the grandfather's home by phone, identified himself, and asked to speak to George Jefferson Smith. The person who answered said he was that man. The agent had expected to hear the voice of a much older man and he said so. The man on the other end of the phone said he was the son, had the same name as his father, but his father wasn't home at the time.

The phone call was concluded, but the agent was very suspicious. He went to the Smith home address, knocked, and identified himself to the middle-aged man who answered. The encounter went something like this:

"I'd like to speak to George Jefferson Smith."

“I’m George Jefferson Smith.”

“The George Jefferson Smith I’m seeking is nearly 100 years old. You aren’t anywhere near that age. According to property records, the owner of this house is Frank Smith.”

“Well, yes, I’m Frank Smith, but my mother always wanted to name me after my father. I sometimes go by that name.”

“Is your father home?”

“No, he’s out of town.”

Our agent had nothing more to say, but next went to the county offices and checked the records for a George Jefferson Smith. It turned out that Grandfather Smith had died a few years prior.

So, we had a case of someone signing checks to the Forest Service with the signature of a dead man. We also had that same man lying to a federal agent. We posted the cabin and wrote the phony George Jefferson Smith telling him he had ninety days to vacate the lot on which the cabin was located. The date to vacate was November 4, 1981.

On October 31, I left Tahoe to go deer hunting with friends. When I returned November 9th, a smiling Virgil Anderson found me in my office and told me that the Smith family had failed to vacate the lease premises, so he had entered the cabin and subsequently arranged the removal of all the personal belongings. They were inventoried by Sandy Hogan and stored under lock and key in a Forest Service building. Virgil had written such to Mr. Smith. The Forest Service would charge him for the storage until he arranged to move them elsewhere. In addition, Virgil had knocked out the temporary props that the Smiths had always installed to give extra support to the roof in the event of a heavy snow.

There was also a message from the Washington Office waiting for me, telling us to STOP!

Oh, oh. We needed to come up with a solution to cool the political heat and pronto.

“Those people are crooked! They’re guilty of fraud! They lied to a federal officer!”

“Just the same, hold off, Virgil. Prop the cabin up and get ready to return the furniture!”

“All right. You’re the boss.”

He put supports back up, but we didn’t return the furniture. There was a hiatus of several weeks as I tried to find a solution to the problem, then the solution found us. Heavy snow started to fall and didn’t let up for days. A major avalanche on the west side of Fallen Leaf Lake rocketed down slope and destroyed the Smith cabin. Case closed!

Annual Average Lake Clarity - 1981 - 89.9 feet

CAMP HARVEY WEST

In the late 1920s, a camp named the Kleeberger Camp was established at the end of the upper of those twin jewels, the Echo Lakes, which are near Highway 50 at Echo Summit. Later, the camp was taken over in the early 1950s by the Boy Scouts and renamed Camp Harvey West. The camp consisted of several buildings, a boat dock, a camp fire ring, tent sites, an open air chapel, and related facilities. The camp was located on National Forest land under the terms of a permit, but environmental concerns had led to the termination of the permit and the camp was closed in 1971.

The Echo Lakes are little known by travelers who motor up the highway to Echo Summit on their way to Lake Tahoe. At an elevation of over 7500 feet, tucked in between steep forested slopes and mountain peaks that rise to well over 8,000 feet, and nearly totally surrounded by National Forest land, the lakes have been spared from the sometimes heavy hand of development. The water is clear and cold; a narrow channel separates the two lakes; and one travels to the upper end only by boat or along the Pacific Crest Trail that makes its way along the north side of the lakes. A few lucky people have cabins overlooking the lakes. We called them the Echo Lakers. They have to boat into their cabins, too, as did the Scouts.

The need to use boats to carry supplies, materials, and baggage from the docks by the chalet at the end of the lower lake, through the passage between the lakes, and on across the upper lake to the camp, and having to haul all their human waste to the

boat docks to be taken to a sewage disposal facility was a bit tedious. But boating some two miles up those blue mountain lakes also lent the feeling of being apart from the world, in another time, an outpost next to the wilderness. In fact, the camp was only yards from an actual Wilderness, the one called Desolation Wilderness which stretches several miles from Echo Lakes to Meeks Creek, west of Rubicon Bay on the west side of the Tahoe Basin.

The hundreds of Boy Scouts who camped at Camp Harvey West over the years have fond memories of their time there. Some of them became leaders in the Boy Scouts' Golden Empire Council that managed the camp. Many held out hopes that the camp could be restored, even though the place had been abandoned.

A few years after closing, the buildings had begun leaking in the rain, leaning over from the weight of snow, and just plain falling apart. After fifty years and as many winter snows, the buildings had deteriorated badly and had become safety hazards. They needed to be torn down. The responsibility for doing that rested with the Boy Scouts.

Two years before I arrived at the LTBMU, Mike Goggins and Virgil Anderson of the Forest Service staff had met with the Council representatives at the old camp to urge them to get on with the task of taking it down. They agreed to do so, but were definitely not enthusiastic about doing that.

By the time I became Forest Supervisor, very little had actually been done. We, the Forest Service, needed to get after the Scouts. I scheduled some meetings with Council execs and Scouters from the Golden Empire Council. The thought of renovating the derelict camp was broached again, but I had to tell them, "No, that's not in the cards".

I didn't feel good having to say that, but the decision to not renew the permit had been made several years before, for good reason, by a different Forest Supervisor. I understood the attachment they felt for the camp and the experiences it had provided for the young boys who had camped there. I myself had been raised in the Boy Scouts. I'm an Eagle Scout and I had worked

on the staff of a Scout camp in Michigan four summer seasons. Besides that, my father was a professional Scout Executive and was known by two of the men with whom I was dealing.

Over the ensuing years, Scouting volunteers, with the assistance of the Forest Service, tore down most of the buildings. The Scouts boated out all their equipment; some of the lumber was salvaged by Echo Lakers; and the remnants of the buildings were burned except for the large dining hall and a cabin.

Bob McDowell, the same Special Uses Staff Officer who wrestled with the 64 Acres problems, remembers an unusual challenge he and Virgil Anderson faced in the demolition of the chapel the Scouts had constructed. Much of it was stone masonry and would be hard to take apart. On top of that was the fact that when the chapel had been built, the Scouts had a Catholic priest bless it. Virgil was very uneasy about destroying such a holy place, but he came up with a novel idea. He talked a priest from the Catholic Church in South Lake Tahoe into coming with him to Echo Lakes and boating up the lakes to the camp. There, the priest “unblessed” the chapel, freeing Virgil to have it dynamited and carried off in pieces.

The notion of abandonment went down hard with some of the Scouters; and after I left the Forest Service, they asked my successor, Ralph Cisco, if it was possible for the Scouts to somehow reestablish a camp there, using those two remaining buildings. After some study of the proposal, the Scout council and the Forest Service both concluded it wasn't practical to do so.

The notion of resurrecting the camp had finally fallen away, undone by the cold wind of inevitability. Today, a tall pine tree that once lived by the shore at Camp Harvey West has fallen into the lake. There are two heavy wooden picnic tables nearby. If you find them, you'll know where the Boy Scouts used to camp some forty five years ago.

Annual Average Lake clarity - 1980 - 81.3 feet



Camp Harvey West in the old days

Photo Courtesy of U.S. Forest Service



The beach at Upper Echo Lake where Camp Harvey West used to be

ADVENTURES IN THE POLITICAL THICKETS

Since 1969 it had been the policy of the Forest Service to support the idea of basin wide planning and regulation and that meant supporting the Tahoe Regional Planning Agency. In fact, the Congress in ratifying the bi-state compact had added language that made it plain that the Department of Agriculture (meaning the Forest Service) would be cooperating with the TRPA. Though the Forest Service had given a direct boost to the concept of Basin wide planning and regulation by helping TRPA get off and running in 1970 and '71, our involvement had turned mainly to monitoring the progress of that agency from the seat of the Presidential Appointee to the Governing Board. But when it became apparent in the mid-1970s that the model of that concept was running raggedly and might even completely fall apart, the Forest Service became more active. Consequently, I was drawn out of my comfort zone and had to bring my staff with me. The following six stories illustrate what I mean by that.

THE CASINOS

At the intersection of Highway 50 and Kahle Drive, not far from the busy casino core at Stateline, Nevada, and at the corner of a broad, pristine meadow is a small paved parking area. Here begins a foot trail that sets out through the meadow, the one we called the Rabe Meadow. It meanders away from the busy highway and toward the Nevada Beach Campground on the shores of Lake Tahoe. A small, willow lined stream adjoins the trail, trickling along on its way to a large pond and then on to the lake. For much of the year, ducks are paddling around in that serene pool, and, like most recent arrivals to Tahoe, oblivious to the history that preceded its creation.

What happened there on that corner of the meadow in the 1970s almost ended the noble venture called the Tahoe Regional Planning Agency. What happened there several months later was also a key factor that led to renewed bi-state cooperation and a new TRPA. "So how was that?" you say. I'll tell you how.

Earlier I mentioned that the TRPA had been buffeted by those wanting stronger regulation of development to avoid adverse impacts on the lake and those on the other side of the controversy who rejected the idea of a strong regional agency. The latter believed local government was more in tune with public sentiment, and in 1973 and 1974 the local representatives on the TRPA from the Nevada side of the lake were inclined to favor development. Dissension grew and peaked when those four big casino projects I mentioned earlier slipped through the fumbling fingers of the Governing Board because the three local Nevada members of the Board voted to approve them. The other seven members, five from California and the other two Nevadans, had voted to deny them. Those three locals made a majority of the Nevada contingent and;

as I explained earlier, a project was “deemed” approved unless a majority of both states voted to deny the project. Crazy, huh? I agree.

Lawsuits ensued to stop the casino projects from proceeding. The effect was to delay them, but no suit was successful in stopping them. Two casinos, one known as the Park Tahoe, now called the Mont Bleu, and the other, a major expansion of Harvey’s, prevailed in the courts and were clear to proceed. The other two projects, one called the Tahoe Palace, owned by a South Dakota cattleman named Ted Jennings, and the other, called the Hotel Oliver, owned by a man named Oliver Kahle, were still tied up in court as the calendar opened to 1977.

Throughout that period, efforts were underway to change the Tahoe Regional Planning Compact. The California legislators engaged in discussions with Nevada legislators wouldn’t agree to change the Compact unless the makeup of the Governing Board was changed and the voting system also changed. Most Nevadans in the state legislature felt that California was already intruding too much into Nevada affairs at Tahoe. They resented that. As a result, there was a stalemate.

The State of Nevada’s main tax base was the gaming (or gambling) business. The battle over control of gaming expansion at Tahoe was a particularly thorny issue, and California’s belief that expansion should be restrained or even stopped was one elephant in the room with the negotiators.

One thing was certain, neither state would live with the Compact as it was written. TRPA couldn’t exist if either legislature failed to fund it, so the possibility of withholding funds or even withdrawing from the Compact were used as bargaining chips in the negotiations. It was evident that it was going to be harder to change the Compact than it was to put it together in the first place.

By the time I was placed in charge of the LTBMU of the Forest Service in 1976, the future of the TRPA looked dim. The future of that national treasure called Tahoe looked dim as well.

After that screwball voting system resulted in the approval of the four casino projects, the TRPA staff had set out to identify the problems that would result from their development. They finished a report in January 1977. The impacts would be horrendous. Traffic, air quality, housing, sewage disposal capacity, school capacity, even water quality, would be heavily impacted.

My boss, Doug Leisz, and I had mulled over the consequences of a failure in regional planning. The American public owned more than half of the land in the basin and had a huge stake in the way things were going. Huey Johnson, California's Director of the Resources Agency, and others were calling for the feds to take over, create a National Recreation Area that the Forest Service would administer. Presumably we would have some regulatory authority. Forest Service people, including Doug and myself, didn't want any part of that. So what to do?

One of us had an idea, we don't remember who. It was a crazy idea maybe, but an idea we thought would greatly reduce the environmental impacts and perhaps make things easier for those negotiating over changes to the Compact. Why not buy out the two casino projects that were still stymied by lawsuits? That possibility was aired by Doug Leisz in January before TRPA's report was released.

The TRPA staff report was issued by the Governing Board on February 11, 1977. Shortly after, I called a press conference in my office. I told the reporters who attended that someone should buy out the Jennings project and the Kahle project. I didn't say who, I wasn't in a position to suggest the federal government do this, just someone. But it wouldn't make sense to buy those two projects unless there was some arrangement to prevent any new ones from being approved. I understood that Nevada's land use plans had provided the potential for fifteen more casinos in the Tahoe Basin. Nevada would have to eliminate that possibility.

Doug was in touch with Nevada's Governor O'Callaghan regarding the purchase of the two projects and emphasized the need to eliminate the possibility of more casino projects. Out of

those discussions came the concept of describing a “red line” around the existing casinos, outside of which new casinos would not be permitted.

The timing of our suggestion couldn't have been better because Nevada's legislature was in session and was trying to come up with a response to California's proposal for a revised regional compact. Now the lawmakers had four important matters to consider: 1) A complete version of a new Tahoe Regional Planning Compact as adopted by the California legislature, 2) The worrisome notion of the feds taking over, 3) A ninety-two page analysis describing the horrendous impacts expected on Tahoe if the four pending casinos projects were to be, and 4) The idea that two of those projects could be eliminated if Nevada would see to it that no more casinos could be built.

On March 14, 1977, the Nevada Senate held hearings on three bills, SB 265, SB 266, and SB 267. The California version of a new compact was laid out in SB 265. Governor O'Callaghan's version was SB 266. Senator Gary Sheerin introduced a third version, SB 267. Both the Governor's version and Sheerin's included redlines to preclude the possibility of new casinos being built. Anyone can read the testimony introduced in that hearing by Googling Nevada Senate Bill SB266, March 14, 1977. The opinions offered came from thirty one people from all across the political spectrum and was apparently very intense. Years later I was to encounter several of those people during my tenure as Executive Director of the TRPA.

Though the energy expended in that hearing failed to lead to agreement about what should be done about the Tahoe Regional Planning Compact, the idea of buying out potential casinos had caught on. So before the legislative session adjourned, Nevada thought to “put some skin into the game”; and it enacted SB266, a law to limit the number of new casinos to those existing at that time or had been approved. That included the Jennings and Kahle projects. However, that limitation was conditioned on California

agreeing with the amendments to the Compact that were contained in SB266.

Early on, we had confirmed that both Jennings and Kahle were willing to sell. We were asked to provide an estimate of the cost of buying those two projects. Gary Cooper, our Realty Officer, working with a private appraiser, came up with a rough value of \$25 million for the two. Evidently \$25 million seemed to be doable by those who liked the idea. That prospect should help the two states to get together on the Compact, though by then the Nevada legislature had ended its 1977 session and wouldn't be in session until 1979. Nevertheless, representatives from both states continued to meet, mostly in secret, trying to hammer out language for a new compact that the legislatures of the respective states could agree on. At the same time, Doug's and my bold suggestion about buying the casino sites had gained legs since Nevada had shown a willingness to limit casino expansion. Our "crazy idea" entered the national political arena.

In July of 1977 Senator Alan Cranston of California convened a group of legislators to gain support for the purchases and publicly advocated for the Congress to appropriate the full amount. On August 10, the senator paid us a visit to get the latest information on the Forest Service's capability to make it work. I showed him the casino sites and what we might do with them.

We were having a picnic lunch at Nevada Beach when the talk turned to forest fires. On that very day, a host of very large fires were burning in California, including the monster called the Marble Cone Fire. As if on cue, a large smoke column arose north of the lake, on the other side of the mountains, on the Tahoe National Forest. I think that served to impress the senator with the range of issues we, in the Forest Service, dealt with. (The following week I was in Madera, California, coordinating the transfer of men and equipment to and from those fires, but that's another story).

That same month, Senator Laxalt from Nevada also advocated that the Congress appropriate the \$25 million. Congressman Bizz Johnson also was actively working on the

House side to secure the funds in the appropriation bills for fiscal year 1978-1979.

You might wonder why a Nevada senator would advocate the elimination of two pending casino projects, given that his home state relied so heavily on casino revenue. In fact, he was once a part owner of a large casino in Carson City.

I can think of a few reasons. One, he probably believed that the future of good land use planning under the guidance of a revised Regional Compact would benefit from eliminating the two projects. You'll remember that he, as Nevada's governor, and California's Governor Reagan had signed the legislation that had created the TRPA in 1969.

Laxalt might also have had a more personal reason wanting to have Tahoe protected. He had a special getaway high on a ridge east of the Lake and near Marlette Lake. From that area he could look out on the Tahoe Basin and that expanse of blue water. I suspect he had a deeply felt attachment to that part of his world.

I would speculate that another reason was that the established casinos at the south end of Tahoe would have been very happy to eliminate the competition posed by two more very large casinos just down the street.

Laxalt led the effort to get money appropriated for the purchase of both casinos, but the appropriations committee would only provide funds for one. In the budget for 1978-79 the Congress appropriated \$12.5 million to buy the Jennings site with conditions that the Kahle site would be bought by others, and that the two states would reach agreement on a new compact. Neither condition was satisfied, so the availability of the funds disappeared at the end of the fiscal year, October 1979. The Nevada legislature would be out of session until 1981.

Efforts to meet the conditions set earlier continued, however, such that \$12.5 million was appropriated again for fiscal year 1979-1980, but without the two conditions. In the meantime, Nevada officials were making progress to buy Kahle's land in conjunction with Douglas County where the two casinos were

located. Ken Kjer, a county commissioner, had the lead for the county and was able to get enough support to assure the feds that the Kahle project would be bought by the county. He had commitments from the existing casinos to help with the cost. As it turns out, Kahle would eventually sell to the county in 1982 for a much reduced price, donating the rest of the value.

Another major issue had been settled when the Nevada legislature finally passed a bill in May 1979, ending the chances of new casinos being built at Tahoe. It also appeared that the two states would finally work out their differences and forge a new compact.

In late 1979, the people in Washington D.C. with the purse strings informed us that we could proceed to acquire the Jennings site. Gary Cooper, our Realty Officer, arranged for an updated appraisal. Two appraisers, William G. Kimmel and Lon M. Adams produced the appraisal, dated December 20, 1979. That report showed that the site was now worth \$13.5 million. Problem. The Congress had appropriated \$12.5 million. Furthermore, our Washington Office informed us that it was going to keep \$1 million as administrative overhead.

Federal regulations say that in buying land an agency must offer full market value. The dilemma? We were \$2 million short. I arranged a meeting with Mr. Jennings and his attorney to talk about the situation.

On February 11, 1980, Gary and I met with Jennings's attorney, John Frankovich in Mr. Frankovich's Reno office. (I think Mr. Jennings was there also. I can't be sure) After getting comfortably seated, I explained the problem: we'd like to buy the property, it's appraised at \$13.5 million, we can't offer less than that, we only have \$11.5 million. Therefore we can't make an offer.

Frankovich got right up and went into another room to discuss with Mr. Jennings what I'd told them. (They may have done this by phone). They/he were back in only a few minutes.

“Mr. Jennings offers to sell his property to the Forest Service for eleven and a half million dollars. We will donate to the government a charitable grant of two million dollars.”

We informed the W.O. we had agreement for the sale. A purchase option was prepared and on March 11, 1980, Gary took the option and headed to Reno to catch a plane to Pierre, South Dakota, to see Jennings. Shortly after he left we got a call from the Washington Office (WO) telling us that Gary should fly on to Washington once he had the signed option. Buying the Jennings site was a politically hot item and so far as people in Washington were concerned “time was of the essence”. That was true for Jennings as well. Jennings was a cattleman and was preparing to buy a few thousand head of cattle for the summer grazing season. He wanted the money as soon as possible.

Once in Pierre, Gary breakfasted with Mr. Jennings and his wife, Pauline. The two of them signed the option and Gary headed to Washington, option in hand. Landing in a driving rain, he made it to his motel, drenched and with no change of clothes. March 13, at eight o'clock AM, Gary delivered the purchase option to the WO. He was back in Tahoe the next day. Escrow was opened at a title company in Douglas County, NV on Monday, March 24. The Jennings signed the deed March 26 and a check was issued from the Treasury Department on Friday, March 28.

Monday morning, March 31, 1980, a check arrived in the mail to our office in South Lake Tahoe made out to Ted and Pauline Jennings for \$11.5 million. An ordinary looking check, like a social security check, in the US mail. At that time in our nation's history, interest rates were hovering around 17%. The interest on \$11.5 million was about \$5,000 a day. Time was indeed of the essence.

Gary zipped across town bearing the check, and delivered it to the escrow office. There, when escrow was closed, the purchase was completed. Good job, Gary.

The Forest Service had bought 20 acres of land occupied by dozens of huge concrete footings, at the corner of Hwy 50 and

Kahle Drive, and next to a pristine meadow, Rabe Meadow, near Lake Tahoe, for \$11.5 million.

With that and the eventual purchase of the Kahle project, two symbols of what could go terribly wrong at Tahoe were no more. Agreement on a new regional compact became much more likely.

Retirement of that casino project didn't end when title to the land was transferred to the Forest Service. Those forty reinforced concrete footings that poked up on the site had to be dealt with, a stream that had been rerouted to flow down the gutter of Kahle Drive had to be moved back to somewhere near where it had once been, and the entire area needed to be reshaped and revegetated.

Bill Johnson our Watershed Staff Officer, the guy that had solved the problem of murky water in the Meeks Bay marina, took on that job. Bill thrived on challenges and this one was like no other. I've asked Bill to tell how and what he and his crew did to restore the Jennings casino site.

"The site had been devastated. Burke Creek had been diverted around the 20 acre site and run down a ditch along Kahle Drive and ultimately into Lake Tahoe. Burke Creek drains a major watershed on the east shore of Lake Tahoe. At that time it was carrying major quantities of sediment and nutrients from upstream development directly into Lake Tahoe.

The first step in the restoration of the site was to remove the concrete foundations. That turned out to be a major task. Heavy equipment barely touched them, so we had to drill and blast them and cut the rebar with a torch.

I looked at the site from a helicopter to get a feeling for how to meander the new creek channel for Burke Creek. Scrapers, bulldozers, excavators, and motor graders were brought in to reshape the site to a natural looking setting. The site was seeded and mulched. Jute matting was used to control erosion on the steeper sections of the highly

erodible site. An irrigation system was installed to speed up the revegetation process.

A small pond on the site was enlarged and the Burke Creek channel was run through it. It functioned as a large sediment basin, removing even more pollutants from the creek. The newly constructed channel was lined with rock, and several thousand trees and shrubs were planted along its banks.

Over 95% of the pollutants in Burke Creek were removed as the stream passed through the restored site and sediment basin. During one storm event, nitrate and nitrite nitrogen was reduced from 0.18 mg/l above the site to .0019 mg/l below the site. Sediment was reduced from 77.7 mg/l above the site to 4.2 mg/l below.

Besides improving the water quality in Burke Creek and Lake Tahoe, the site provides valuable waterfowl and wildlife habitat.

The restoration took approximately one year of intensive work to complete. By the summer of 1982, the site was lush and green, with no evidence of the partially constructed casino.”

Good job, Bill.

Annual Average Lake Clarity - 1982 - 79.7 feet



This pond was being created during the restoration of the Jennings Casino site as a settling pond for the rerouted Burke Creek

Photo courtesy of Bill Johnson



The pond is also habitat for wildlife now

USDA - FOREST SERVICE
LAKE TAHOE BASIN MANAGEMENT UNIT

FORMER JENNINGS CASINO SITE
WATERSHED REHABILITATION

1981 WATER YEAR

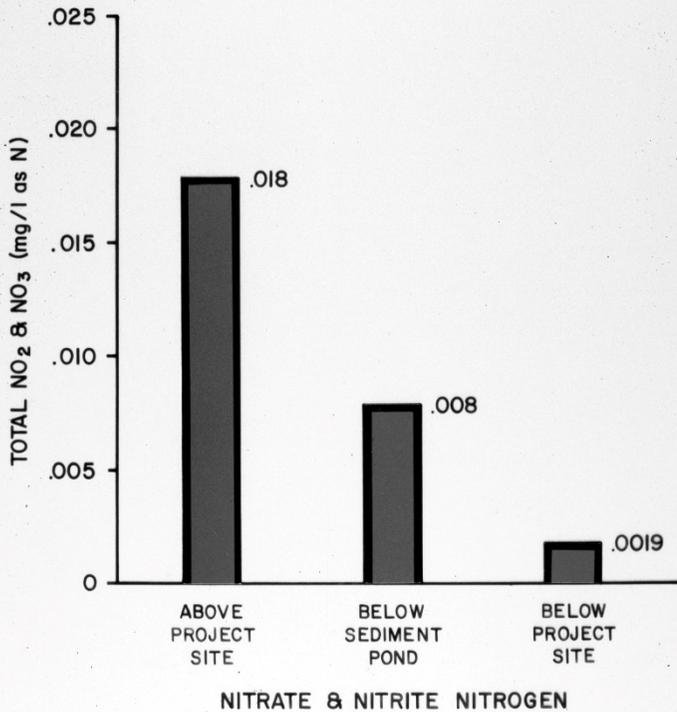


Photo of this chart is by courtesy of Bill Johnson

This chart shows the effect of rerouting Burke Creek back into a natural channel to flow into a sediment pond, then to continue on to Lake Tahoe. The entire site, including the channel and pond area, was stabilized by planting willows and other native vegetation.



One of over 40 reinforced concrete footings on the Jennings Casino site when the Forest Service purchased the property

Photo courtesy of Bill Johnson

Parking lot and toilet building that's now on the restored casino site



A LAKE TAHOE NATIONAL SCENIC AREA

On January 29, 1980, Congressman Vic Fazio of California entered a bill in the House of Representative to establish a National Scenic Area (NSA) in the Tahoe Basin. There were forty-two co-sponsors. So what's the story behind that?

National Scenic Area, National Recreation Area, National Lakeshore, National Park. Over the years there have been several attempts to attach one or another such appellations to the Lake Tahoe Basin, but none were successful.

As I said earlier in this memoir, in the late 1890s Nathan Gilmore, owner of the Glen Alpine Springs Resort, had been advocating for the protection of federal land surrounding his resort. He thought to have those lands declared a forest reserve, but couldn't pull it off on his own. He needed help from someone with more influence at the federal level, so he hooked up with John Muir and the Sierra Club. With Muir in the game, Gilmore's proposal got tangled up with an idea for a far larger area, one some felt should include the whole of the northern Sierras. Also, the idea of creating a Lake Tahoe National Park, an idea that had been looked at some years earlier, came into the mix. Eventually the focus settled on more than 136,000 acres on the southwest side of Lake Tahoe of which about one fourth was in the Basin. That area was formally made a Forest Reserve by means of a proclamation by President William McKinley in April 1899.

In late 1899, Senator William M. Stewart of Nevada proposed creating a Lake Tahoe National Park to include the Forest Reserve land and thousands of acres more, including much land outside the Tahoe watershed. There was a lot of opposition to the idea, partly because it would have restricted use of the land much more than as a forest reserve.

Regardless of the opposition, Senator Stewart entered a bill in Congress in January 1900 to establish the Lake Tahoe National Park. The bill failed and the idea languished for some years.

The notion of creating a National Park at Tahoe was resurrected in 1912 with a bill by Congressman Knowland of California. The bill failed. There was another such bill in 1913 and another in 1918. Those bills failed also.

The idea was still alive in the 1930s, though, and William Penn Mott of the U.S. Park Service initiated a review of national park potential at Tahoe. He issued a report in 1935. The result of the review is summed up in these words in the report:

“Private enterprise and extensive development around the entire border of the lake has destroyed the possibility of conserving and preserving on a national scale the natural beauty, character, flora, and fauna of this area.”

Those conclusions plus a lack of money to acquire more land to make a National Park feasible ended the Park idea for the time being.

In September 1970 the Secretary of the Interior was directed to study and report on the possibility of making a National Recreation Area at Tahoe. In September 1971 a draft report by the Bureau of Recreation of the Interior Department was given to the Secretary. That draft recommended establishing a National Lakeshore at Tahoe. Interior disagreed and caused the report to be revised. The final report was issued March 1973. Secretary Morton recommended against a National Lakeshore, saying that the TRPA could provide sufficient protection for the Basin.

The idea would still not die. In the midst of the acrimony over the TRPA between 1974 and 1979, California’s Governor Edmund

Brown, U.S. Senator Cranston, Assemblyman Gualco, and Assembly Speaker McCarthy were pressing for more federal involvement; and Huey Johnson, California's Secretary of Resources, was loudly advocating the establishment of a National Recreation Area to be managed by the Forest Service.

The Tahoe Daily Tribune reported in its March 15, 1978 edition that Dwight Steele, speaking on behalf of the League to Save Lake Tahoe, would carry legislation to Congress for a similar proposal, namely a National Scenic Area.

Congressman Fazio's bill in January 1980 was the first one to propose having the Secretary of Agriculture (meaning Forest Service) develop a new regional plan and to regulate private land development. Besides doing away with the TRPA, the bill would also have allowed the Secretary to charge user fees to fund activities connected to administration of the NSA and would enable the Forest Service to condemn and buy private land to meet the purpose of the NSA.

So where did I fit into the picture while this proposed National Scenic Area was under consideration? Well, for one thing, I had been asked by the Regional Forester in July 1979 to analyze and report on a draft of that bill. Apparently the request for comments had originated in Congressman Fazio's office and had been passed on through the "chain of command" to me. The first point I made in my report was that I was philosophically opposed to such an idea. Following that, my critique identified several problems with the draft. Presumably some of my thoughts were incorporated into the comments from the Chief of the Forest Service to the Congressman.

In September of 1979 I learned that Congressmen Fazio and Burton had once been working together on the bill to create a National Scenic Area. By then, though, Burton was working with Congressman Santini of Nevada on the Santini-Burton Act. Two options to save Lake Tahoe. Which one stood the best chance of passage?

There was much opposition locally to Fazio's bill; the three congressman who represented the voters at Lake Tahoe, Nevada's Jim Santini and California's Bizz Johnson and Norm Shumway were opposed; and Senator Laxalt and Governor List of Nevada were opposed. Besides, there was serious negotiating taking place between legislators from both states to revise the Tahoe Regional Planning Compact and their objectives didn't include any sort of NSA or NRA. There was also that competing bill in the works, the Santini-Burton bill. Moving the Fazio bill through Congress would throw a monkey wrench into the works of that action. Doing so would also have put an end to bi-state cooperation. Given those circumstances, the bill to create a National Scenic Area at Tahoe had no chance of passage. The real purpose, in my opinion, was to pressure Nevada to agree with the Californians regarding changes to the Compact. Did it work? Well, Nevada and California did reach agreement on a new Compact.

An interesting sidelight to the National Scenic Area bill took place in April of 1980. People in Incline Village, members of the Board of Realtors and the General Improvement District, were concerned enough that they set up a seminar to air both sides of the issue. I was one of four on a panel to make presentations and take questions from an audience of over 200. The panelists were: Jim Bruner of the League to Save Lake Tahoe, Larry Hoffman from the Tahoe-Sierra Preservation Council, Charles Cushman from the National Parks Inholders Association, and myself.

I was called on first and was concerned that I would be viewed as being one of the two on the pro side of the issue. To counter that possibility, I explained that "the Forest Service is decidedly neutral on the Fazio bill." I then explained how some of the forty five NSAs or similar areas in the country operate.

Cushman, who I took as being a one person organization looking for people to join his membership, talked about the heavy handedness of the federal government in other such areas and that people should be aware that sometimes those agencies condemn properties without due compensation. *

Jim Bruner explained the reasons the League supported the bill. To make his point, he showed slides depicting the lake's diminishing clarity and examples of overdevelopment in the Basin.

Larry Hoffman emphasized private property rights and also accused Bruner of exaggerating the environmental problems at Tahoe. He got long and loud applause. He closed by saying that going off to Washington to solve the problems was not the way to go. People should look to their local elected officials instead.

As I left that meeting, I was very uncomfortable with the thought of being pictured as the man in charge of an NSA that was regulating private land use.

Five years later I became the director of the TRPA, the agency that does just that, regulates private land use. Ironic wouldn't you say?

Annual Average Lake Clarity - 1980 - 81.3 feet

- Cushman held a similar meeting at the South Lake Tahoe Intermediate School which I did not attend.

THE SANTINI-BURTON-SANTINI ACT

As sometimes happens when concocting a remedy for a troublesome problem, the result, like some medicines, can be unpalatable. Such was the Tahoe Regional Planning Compact ratified in December 1969. It was better than nothing, but it still tasted bad.

During the last few years of the 1970s, the leaderships of the two states worked hard to fashion a new compact, but neither side liked the other's ideas. They were under tremendous pressure. Some on the outside wanted to forget the whole thing, try something else. Deep down, most of those in leadership positions believed a bi-state solution would be best. They were trying hard, but they weren't getting the job done. If they hoped to create a Compact that was palatable to both sides, they would need some sugar to make the medicine go down.

One such sweetener was the move afoot to buy the two casino projects I've written about earlier. That was a way to ease the concerns of environmentally leaning California interests and some Nevada interests would benefit as well.

That would help, but that wouldn't be enough. There had to be a way to bailout the thousands of owners of environmentally sensitive and as yet undeveloped property who were hamstrung by the strict regulations in place in the Basin. Those people would benefit if somehow, someone, could be found to buy their properties, much like what was being done for the two casino projects.

Along came two United States Congressmen named James Santini and Phillip Burton. Santini of Nevada and Burton of California hit upon a bold and far reaching idea, an act of Congress to be called the Santini-Burton Act or the Burton-Santini Act, depending on which side of the state line one was on. I don't know where the idea came from, but it was to incorporate provisions that appealed to environmentalists as well as beleaguered property owners. It was loaded with sweeteners.

The concept was simple, the Bureau of Public Lands would sell government land on the outskirts of Las Vegas and some of the money would go to the U.S. Forest Service to buy the most environmentally sensitive parcels at Tahoe. Those parcels are the most affected by regulations.

There were other provisions designed to develop support. Five percent of the proceeds from BLM sales would go to the state of Nevada for education purposes, and ten percent would go to Clark County or Las Vegas for recreation purposes. Some money would go to the counties in the Basin and to the City of South Lake Tahoe to be used for "water pollution control and erosion mitigation". The Forest Service would get money to manage such land and to mitigate water "pollution" from the forest lands.

The Forest Service was informed about the proposed act in late 1979 or early 1980. The Chief's office told me to cooperate fully with the Congressmen and their staffs as they went about drafting a bill, and so came one of Burton's top staff men to my office. We showed him around and educated him about Tahoe as best we could. In return, he told us what Burton wanted to do. Presumably Santini was okay with Burton taking the lead.

Now, you have to realize that Phil Burton was a powerful man in the House of Representatives and was used to getting his way. He had in mind that the Forest Service would prepare a map, to include in the bill by reference, which would show what vacant parcels would meet the criteria set for being environmentally sensitive and therefore be eligible to be acquired. I told his staffer that there were several things wrong with the map idea. One was

that maps of a size to make out all the individual parcels in the Basin would cover several walls. Another was that the only information on maps in the Basin that indicate land sensitivity were the Bailey maps and they were notoriously unreliable. Also, because of that unreliability, many truly sensitive parcels don't show as such on the Bailey maps. I told him to forget the maps, just use the criteria for land sensitivity. We would make that determination in the field. He said he'd consider that.

Sometime later, I got word from Burton's office to go ahead and prepare the map. Don't make it as big as a wall, maybe 3 feet by 5 feet. Just use the Bailey maps and outline the areas that are shown as sensitive on those maps. I reluctantly had the map prepared. The width of the lines delineating the boundaries between environmentally sensitive land and the land that was not sensitive was wide enough to cover several lots entirely. Not only would this map be next to worthless in determining what parcels would be eligible for purchase, it would have the effect of causing the people inside those supposedly sensitive zones into thinking the Forest Service would go after them to sell even if their lots weren't sensitive. That would surely be the effect. I was certain of that. I passed on my concerns to Congressman Burton's office.

Nevertheless, Burton was wed to the map idea. He or his staff were getting advice from others, no doubt. There were two public hearings conducted on the proposed legislation, one in Incline Village and one in Sacramento. The first was in May in Incline Village. I wasn't there because of being in a mandatory meeting in San Francisco. The second, on June 13, was held in one of the California legislature's hearing rooms. I had been told to bring the map along. My thinking was that I'd give it to Burton's staff ahead of time. After all, it was his show and his map. All we had done is prepare it at his direction. It didn't work out that way.

I handed the map to Burton's staffer, but he said "No. You hold on to it", so I sat down in the audience to hear all about the Burton-Santini Bill. After several minutes of explanation about the purpose of the measure, Burton, who was seated behind the dais

and flanked by staffers, beckoned to me and said, "Mr. Morgan, let's see your Forest Service map. Bring it up here and attach it to that easel."

I was not happy. He had just assigned ownership of the map he had insisted upon, the map that would determine who gets bailed out, and which was essentially useless for that purpose. He had given ownership to the Forest Service.

Upon learning of the proposed parcel purchase program in the S-B bill, and of the map which was to show which lots would be eligible, at least three points of view by the general public emerged.

- 1) There were those property owners who thought it would be a great opportunity to unload property that was regulated such that they couldn't see how or when it would be usable to build on or to be sold on the open market.
- 2) There were those who were afraid the government was going to take away their land, maybe even their homes.
- 3) There were those who couldn't figure out how it might affect them.

Because of some testimony taken at the hearings, combined with my continued counsel to the Congressman's staff against attaching a map to the proposed Act, a change was made in the draft bill. A map would still be used to identify individual parcels, but such a map would be prepared by the Forest Service within six months of passage of the Act.

During the following months the bill was discussed among the politicians of both states and then introduced into the Congress in final form. It was signed by President Carter December 23, 1980. The ideas contained in the Act had taken shape and been enacted in about twelve months, a remarkable feat.

A feature of the Act that I had not been aware of until I received a copy a few weeks later had to do with condemnation authority. Though constrained by language hammered out in the final weeks, the Forest Service could condemn improved as well as unimproved land in the Basin. Such language is similar to language

found in legislation creating National Recreation Areas. It seems that Congressman Fazio and the League to Save Lake Tahoe had managed to include some of their ideas for an NRA into the Burton-Santini Act. At first I wasn't happy to see such authority featured in the Act, because the Forest Service had never resorted to condemnation in the Basin; and I, at least, didn't intend to start. We didn't need to be associated with a program that might be perceived as a taking of land. On the other hand, knowing that the federal government has always had that authority (with appropriate compensation as required in the Constitution), perhaps the constraining language in the Act has limited someone in the future from exercising the more broad authority.

Once the Act was passed, my staff went to work on producing the maps required to show parcels eligible to be purchased. Jon Hoefer organized a crew to produce the maps. The crew was headed by David Stoms and with him were: Pamela Andrews, Kathleen Blair, Jeffrey Bloch, Lori Doyle, and Colleen McCreagh.

There were 61 maps. Preparing those maps was a monumental task. The TRPA's zoning maps and its maps showing Bailey categories, along with its collection of aerial photos, were bases to start with, but the photos were found to be distorted such that photo points didn't always match up with the same features on the maps. Furthermore, many of the maps available didn't match up with the adjacent maps. Initially those maps identified about 7600 parcels to be eligible for purchase.

Following the map work, and after a series of public meetings, a final environmental impact statement was prepared and circulated before setting priorities. It spelled out how the parcels would be evaluated and appraised. Knowing that the Bailey maps were not reliable, Bill Johnson and his people had to make field checks to verify that a parcel mapped environmentally sensitive was actually sensitive. In January 1982, Tom Neenan of my staff and his Lands people went to work having parcels appraised and making offers using the first \$7 million appropriated for that purpose.

The Santini - Burton Act would prove to have been a major factor in bringing the two states closer to an agreement for a new Tahoe Regional Planning Compact. To many, it did help to make the medicine go down. As it turns out, both actions were signed into law in December 1980.

As of 2014, 3,500 parcels had been acquired at a cost of about \$105,000,000.

Annual Average Lake Clarity - 1980 - 81.3 feet

A STATUS REPORT

The year 1980 was particularly noteworthy in the annals of Tahoe. To get a sense of the political climate at the beginning of that year, it's worth reviewing a report prepared in March by Mark Petty, field representative for Zane Smith, the new Regional Forester and President's Appointee to the TRPA Governing Board.

Zane had replaced Doug Leisz who had moved on to the Washington Office in 1978. However, for a time after Doug moved, he remained the President's Appointee, with me still his field representative and reporting directly to him on a number of matters. That had to be awkward for Zane, so once the President got around to designating him in Doug's place, Zane selected Mark as his field representative instead of me. I could understand that, because I may have been seen as Doug's man. Zane needed to have his own man. Still, I hadn't been relieved from working with the TRPA or members of Congress who had gotten used to dealing with me directly anyway.

Mark was a likable guy, someone with considerable experience dealing with organizations outside the Forest Service. I first met Mark in 1962 when he was a District Ranger on the Klamath Forest. In 1980 Mark was still catching up with the various individuals and issues at Tahoe. He was a quick study, though, but writing reports was not his strong suit. Glenn Smith and I helped him a lot in composing the monthly reports he was required to send to Zane. Those reports, or versions of them, were then sent on to

Washington. Though I have overhauled Mark's March report, that report essentially described what the situation was in early 1980:

STATUS REPORT
LAKE TAHOE BASIN
MARCH 5, 1980

Current Issues

At the grass roots level, new organizations are developing with the goal to prevent the establishment of a National Scenic Area (NSA) as proposed in a bill by Congressman Vic Fazio. That bill would place responsibility for preparing a Basin-wide plan on the Secretary of Agriculture (that meant the Forest Service).

There is also strong opposition to the California Water Resources Control Board's Draft 208 Plan which announced that only 4,000 of the 16,000 lots in the California portion of the Basin could be developed. That plan is expected to be adopted in July 1980.

The South Tahoe Public Utility District (STPUD) and the Douglas County Sewer Improvement District (DCSID) have requested government funds for expansion of their plants. Only 231 connection permits for residences in the STPUD area will be issued this year due to sewer plant treatment capacity limitations. STPUD has been holding meetings with local, state, and federal agencies to obtain commitments that will mitigate the impacts of expanding the sewer plant capacity for its service area. A draft EIS regarding an increase in sewer plant capacity has been circulated and responses reviewed. EPA will have to evaluate the impacts and mitigation measures before deciding on a requested 75% grant. The State of California also has a say in the matter.

STPUD is also seeking to reduce the level of sewage treatment at its plant from tertiary to secondary, mainly due to costs.

The west and northwest portions of the Basin served by the Tahoe City Public Utility District and the North Tahoe Public Utility District

also have limitations for serving new customers. Permits for 350 single family residences were issued last December.

The Incline Village area on the northeast side of the lake faces problems in disposing its sewage effluent in Douglas County and appears to have over-subscribed its available water supply.

Local Government

The City of South Lake Tahoe is involved with Douglas County, Nevada, and El Dorado County, California, in developing a South Tahoe Transportation Authority. The present activity focuses on expanded bus systems with the potential for a future fixed rail and expanded waterborne systems. The Federal Agencies Coordinating Group is represented on a technical advisory committee.

The Forest Service is negotiating a service contract with the City to provide bus service to key recreation areas on the south shore.

The Transportation Authority is developing a coordinated search and rescue capability for the waters of Lake Tahoe.

The City continues to push for completing a road which would encircle the core gaming area. The Nevada portion has been completed but the project has not been approved by the California Department of Transportation (CALTRANS) and the California Tahoe Regional Planning Agency (CTRPA). The negotiating climate for this project seems to have improved recently. The City can handle the construction costs.

The city has budgeted \$192,600 for land acquisition in its effort to provide for additional open space along Highway 50 in town. It is also making investments in control devices to improve traffic flow and reduce air pollutants.

Placer County has developed a bus system which serves the northwestern portion of the Basin and is working with Washoe County to provide a connecting service into the Incline Village area.

The counties are participating with Caltrans and the Nevada Department of Transportation (NDOT) in an intense air quality monitoring study throughout the Basin. Carbon monoxide (CO) is the major subject of the study. Federal CO standards do not adequately protect the public at this 6,200 foot elevation where CO is more readily absorbed into the human blood stream.

The counties are assessed a total of \$150,000 (based on their relative assessed values in the Tahoe Basin) to support the Tahoe Regional Planning Agency (TRPA) under PL-91-148 (the Bi-State Compact).

Douglas County is aggressively pursuing acquisition of the Kahle casino site to prevent the development of an approved hotel/casino, in conjunction with the Forest Service's purchase of the Jennings casino site. It will not be able to act for a few months and then only if some financial help is obtained.

Tahoe Basin Association of Governments (T-BAG)

This group is composed of representation from the City and the five counties. They meet about monthly to discuss and take action on items of mutual interest and concern. They are working on a project to provide a solid waste recycling facility in the Carson City area.

T-BAG is planning to develop a resolution in favor of an improved TRPA with the local governments being actively involved in its development. They plan to invite the public and legislators to speak to the resolution at a meeting to be called shortly. T-BAG seems to favor allowing equal representation of elected officials and appointed officials on the TRPA Governing Board.

This group has not taken a position on the NSA. We believe that it would oppose such measure.

California Tahoe Regional Planning Agency (CTRPA)

This agency (a once moribund agency reconstituted in 1973 to compensate, on the California side, for the perceived weaknesses of the TRPA) can be characterized as having hard line environmental policies. The seven member board tends to vote on a 4-3 basis with the local elected representatives from Placer and Eldorado Counties and from South Lake Tahoe losing the vote. About one year ago the three local governments' representatives walked off the Board and boycotted CTRPA. The four remaining members continued their strong environmental policies. Within the last month the local agencies have agreed to return their representatives to CTRPA. Many of their constituents had complained that they had no representation on the Board which has control over their proposed projects. This agency is well financed by the State of California. They have a new Executive Director and have replaced many of the staff. A new chairman was recently selected to replace one of the seven members who resigned.

Tahoe Regional Planning Agency (TRPA)

The staff of this agency has been greatly reduced during the past several years in response to reductions in funding from the State of California which has no legal obligation to support it, but customarily has.

An attempt to modify the present compact was again made last year, previous attempts having been tried in 1975 and 1977. Charles Warren, then of the President's Council on Environmental Quality, worked out an agreement between the two governors in 1978. A bill to this effect was introduced into the Nevada

legislature in 1979. It was not acceptable to the Nevada legislators and they sent representatives to meet with California legislators to overhaul the proposed legislation. In the final hours of the Nevada legislative session, a different bill, AB-503, was passed but fell short of the agreement that California thought it had. The Nevada bill was never introduced into the California legislature.

Representatives from the two legislatures have continued to meet quietly to negotiate a new compact and information indicates that they are close to agreement. The talks have been led by State Senator John Garamendi and Assemblyman Vic Calvo of California and Senator Spike Wilson and Assemblyman Joe Dini from Nevada.

The California governor's representative to TRPA resigned in October 1979 and has not been replaced. Likewise the California Secretary of the Resources Agency, Huey Johnson, has not been represented. The Secretary has stated he will no longer participate in nor support TRPA.

State of California

California's governor, speaking through his Resources Secretary Huey Johnson, supports the Fazio bill for the establishment of a National Scenic Area.

The California Water Resources Control Board has recommended in its 208 plan that the states and federal government provide \$200 million to buy undeveloped land at Tahoe. Proposition 1 on the June ballot would provide several million for land acquisition at Tahoe, if approved. Assemblyman Charles Imbrecht wants to put a \$75 million bond issue to acquire Tahoe property on the November ballot. California's State Senator John Garamendi is also supporting a bill for a \$100 million bond issue for purchase of Tahoe land to be placed on the November ballot.

State of Nevada

Legislators are very unhappy with California for its failure to consider what they believe to be the best version of a Compact revision possible. Among other things, they have insisted on language to protect Nevada projects from harassment by California's Attorney General.

Unless the governor calls a special session, Nevada will not convene a session of the legislature until January 1981.

Last year Nevada passed a bill to prevent new casinos from being developed in the Basin. This was in response to the fed's insistence that Nevada do so as a condition of the Forest Service's purchase of the Jennings site.

Governor List recently met with Governor Brown to explore means of resolving transportation problems. Nevada very much wants to gain acceptance by California of completion of the Loop Road around the south shore casino complex. The meeting is said to have been amicable.

Tahoe Coordinating Group (TCG)

In October 1977 the Western Federal Regional Council (WFRC) authorized a task force composed of eleven federal agencies to develop a Federal Policy for the Lake Tahoe Basin. The policy was adopted by WFRC in August 1978. The TCG was formed to assist in coordination of federal programs in the Tahoe Basin and to assist state and local agencies in dealing with the various federal agencies. The group is chaired by the field representative of the Presidential Appointee to the TRPA. Members of the task force include USDA, C of E, DOE, DOT, DOL, DOI, EDA, EPA, and HUD.

This group served as the steering committee for the development of the recently published Environmental Assessment of the Lake

Tahoe Basin. This document has been well received and is intended to serve as a foundation for future planning in the Basin. It also paves the way for development of environmental thresholds for the Basin.

Federal Agencies

The Forest Service's Lake Tahoe Basin Management Unit manages 65% of the land in the Basin. States and local governments manage about 6%. Since 1965 the Forest Service has acquired over 43,000 acres at Tahoe at a cost of approximately \$67,000,000. Some of the land was acquired by means of exchange rather than direct purchase.

The Environmental Protection Agency has authority under the air and water quality acts to control some elements of development and use in the Tahoe Basin. It presently is considering approval of improvement and expansion of sewage treatment plants.

Approximately 73% of federal expenditures in the Basin are for programs of the Departments of Health and Human Services, Education, and Labor.

The Department of Transportation has a policy of not financing new highway construction in the Basin unless such projects are agreeable to both states.

A seasonal Coast Guard Station is maintained at Lake Tahoe. A FAA airport control tower operates year-round at the South Tahoe airport.

The Department of Housing and Urban Development has a rather small program in the Basin providing FHA mortgage insurance and assisting local housing programs. It has provided grants to TRPA for planning assistance.

U.S. Senators and Congressional Representatives of California and Nevada.

Nevada's Senator Laxalt and Congressman Santini are opposed to the proposed National Scenic Area. California Congressman Shumway, representing the El Dorado portion of the Basin, and Congressman Johnson, representing the Placer County portion, have expressed opposition to the proposal also.

Congressman Phil Burton from California and Congressman Jim Santini of Nevada are preparing a bill which would provide for the sale of BLM land in the vicinity of Las Vegas and the proceeds to be used to purchase environmentally sensitive land in the Tahoe Basin. The general proposal is supported by both Nevada senators. The positions of California congressmen other than Burton are not known at this time.

Signed,

Mark Petty

Field Representative for the Presidential
Appointee to TRPA

To Mark's report, I'll add some information about things that happened or didn't happen during 1980:

The federal agencies' Environmental Assessment of the Lake Tahoe Basin was published in February.

President Carter established the Tahoe Federal Coordinating Council by Executive Order October 15th. This was to replace the Federal Coordinating Group and to start the federal agencies on preparing threshold standards.

The Forest Service completed purchase of the Jennings casino site in April and restoration on the site had begun.

Top management of Harvey's Casino approached me with an informal inquiry as to what interest the Forest Service might have in buying Harvey's expansion project, the project that had undergone a lawsuit challenging the validity of the project's approval. Construction had not yet been started. I said it's possible. Harvey's did not pursue the idea further.

Following a special session of the Nevada legislation, the two states enacted a new Tahoe Regional Planning Compact. Congress ratified that compact by passage of Public Law 96-551 and President Carter signed the Act on December 19.

The Santini-Burton Act passed Congress on December 23.

Assemblyman Imbrecht did not get a bond issue on California's June ballot.

The Lake Tahoe Acquisitions Bond Act for \$85 million on California's November ballot failed.

California's Water Resources Control Board, having rejected TRPA's 208 Plan, adopted its own 208 Plan to apply to the Basin lands in California in October.

Congressman Fazio's bill for a National Scenic Area was not acted upon and expired. It was not introduced in the new Congress of 1981.

Final environmental documents by the Forest Service regarding the Tallac Historic Estates were completed, and a decision to open up the Estates to the public occurred in 1980.

Annual Average Lake Clarity - 1980 - 81.3 feet

THE FEDERAL ASSESSMENT

During the years 1977 through 1980, I found myself involved in several major actions that had a bearing on the future of the TRPA; the Jennings casino site purchase with action beginning in 1977; the Santini -Burton Act in 1980; and the Lake Tahoe Federal Assessment Report in 1980. I've told you about the first two matters. Now I'll tell you about the Federal Assessment.

Partly due to the fracas that began in 1974 over the "deemed approval" of four new casino projects at the south shore, the leadership of both states had been engaged in talks, many in secret, to address the problems with the Tahoe Regional Planning Compact. Draft legislation had been presented to both the states' legislatures.

At the same time, threats to withdraw from the Compact had been made repeatedly. Replacing the Compact with some kind of federal designation had gained considerable support in some quarters, and California had early on resurrected the CTRPA to compensate, on its side of lake, for what that legislature felt was a failed TRPA.

Charles Warren, a former member of the California Assembly who had been appointed by President Jimmy Carter to head the Council on Environmental Quality, had been conducting a sort of "shuttle diplomacy" between the two states, as suggested by the Forest Service's Doug Leisz. As the winter of 1978 was nearing, Warren thought he had finally worked out agreement on a new Compact. The Governors of both states and key legislators were

supportive, but noise was building in Nevada. The Nevada legislature would begin its biennial legislative session in January 1979, and Nevada would also have a new governor, Robert List. He had signaled that he wasn't in favor of the compromises proposed in the draft that Warren had put together. By early November, even before legislation could be introduced in Nevada, Warren sensed that his efforts had fallen short.

An excellent discussion of the give and take among the players during that period appear in Mike Makley's book, *Saving Lake Tahoe*, and Douglas Strong's book, *Tahoe. An Environmental History*.

At the end of October 1978, Warren contacted Doug Leisz, who now was in Washington in the position of Associate Chief of the Forest Service, asking him to come to his office to discuss the Tahoe situation. Doug called me and the then Executive Director of the TRPA, Jim Jordan, to join them. We met in Warren's office November 3, 1978. It was clear to me that Warren had not given up, but he was out of good ideas as to a solution to the impasse that was building again over Tahoe.

This is the way I remember how things went during the meeting:

Warren threw out a thought for consideration. "Why don't we do an Environmental Impact Statement?"

"About what?" I asked.

"About what the federal agencies are doing at Tahoe."

An Environmental Impact Statement (EIS) is required for proposed actions by a federal agency that might have significant effects on the environment. I hadn't heard of doing an EIS for programs already underway. And any conclusions reached as a result of an EIS wouldn't apply directly to state, local, or private activities, so what would be the point? How would that lead to agreement by the states on a new bi-state compact?

I was uncomfortable. Doug and Jim were considering the merits of Warren's idea or they were trying to think of something to

say that wouldn't embarrass him. Ariel Lugo, from the Forest Service in Puerto Rico and also in attendance, was silent, too. So was John Wise of the Environmental Protection Agency (EPA). Another in attendance was Dr. Martha W. Gilliland, apparently brought in as an advisor by Warren. She appeared to want to say something, but then was silent as well. Two other Forest Service men, whose names I've forgotten, were there also, but said nothing.

I took the initiative. "I don't think that an EIS will get us to where we need to go. Instead, I think there should be a three step process. First get a good assessment of the condition of the Tahoe environment, a snap shot, so to speak, with a look at the cause and effect relationships that exist there regarding elements of the environment. Next, describe what the state of the physical environment ought to be, some measurable standards. Third would be to develop a plan for Tahoe that achieves those standards. That would be the job of the TRPA.

"To make it simple, what I'm saying is, find out what's it like back there, say what it should be like, do a plan to make it happen."

For a moment, nothing was said, but heads were nodding. I looked at Doug for his reaction. His mind works fast. He said something like, "That could be done. That makes sense." He was the heavyweight in the room. His endorsement would be the one that counted the most.

We kicked the idea around, Warren bought off on it. The next step would be to start the process, beginning with some kind of assessment of the environment at Tahoe.

Doug said, "Morgan. Why don't you take that on?" That was not a question. "Get in touch with Paul DeFalco. You two can organize it. I'll call him and tell him what we want to do."

Paul was the head of the western office of the Environmental Protection Agency and located in San Francisco. Doug was well acquainted with DeFalco.

Warren indicated that he would be in touch with DeFalco, too.

After Doug and Warren left, the six of us remaining talked over the concept I'd proposed and the first step in particular. The others agreed to help where they could. Dr. Gilliland thought maybe the results of such an assessment could be incorporated into a model that would allow testing of alternate planning strategies. At least that was what I think she had in mind. The program never got that far.

On returning to the Basin, I made an appointment with DeFalco, and then met with him and a number of his staff to go over the concept of an environmental assessment. The result was that his deputy, B. David Clark, would be taken out of his regular duties and put in charge of the effort. Working through the Western Federal Regional Council, other federal agencies were brought into it, too. I assigned Glenn Smith to be the Forest Service representative and, under Clark's leadership, the project got underway in January 1979.

I met with Dave Clark several times that year, and once in June I met with Warren in Washington. He wanted to know how things were going.

The report, the *Lake Tahoe Environmental Assessment Report* was released in February 1980. It confirmed and expanded on the troubling belief held by many environmentalists and others that the trends at that time, if continued, would result in unrecoverable losses in the qualities that defined the Basin, particularly the water quality.

The next step would be to set the standards which should be achieved. Who should do that? The assessment report didn't say.

However, because a new compact wasn't expected to get to the Congress for quite a while, if ever, President Jimmy Carter decided to ensure that someone or some entity would establish the environmental standards. I guess that was Warren's thinking. The President issued an Executive Order on October 15, 1980 that created a Tahoe Federal Coordinating Council. Among other duties, the Council was directed to develop "environmental quality thresholds" which would be utilized by Executive agencies.

That job seemed to have befallen DeFalco and me, so I quickly assigned Glenn Smith to represent me. A group of experts from the several fields that applied to Tahoe was assembled; but before any progress could be made developing “thresholds”, the Congress ratified the new Compact and President Carter signed it. The effect of the part of the Executive Order regarding thresholds was nullified because the Compact gave that responsibility to the TRPA. The rest of the Executive Order stood until the new President, Ronald Reagan, cancelled it five months later.

Annual Average Lake Clarity - 1980 - 81.3 feet

THE TAHOE REGIONAL PLANNING COMPACT 1980 VERSION

In the lead up to final agreement by the two states on a new Tahoe Regional Planning Compact, the several issues dividing them were resolved by intense negotiations between representatives of the two legislatures. The principal negotiators, as had been the case for several years, were Senator John Garamendi and Assemblyman Vic Calvo from California; and Senator “Spike” Wilson, Senator Joe Neal, and Assemblyman Joe Dini from Nevada. Other representatives from each state had also been involved at various times.

Other factors, apart from such issues as the makeup of the governing board and the voting procedures, definitely had an influence on the ultimate outcome.

One of those factors was the purchase of the Jennings casino property by the U.S. Forest Service in April 1980. That action had been coupled with Nevada’s agreement to prohibit new casinos or expansion of existing casinos at Tahoe. As I said earlier, legislation to that effect had happened in May 1979. There was also the expectation that the Kahle casino property would be bought by Douglas County. These actions greatly relieved the California negotiators’ fears of more casino projects being approved in the Basin.

Another matter was the impending passage of the Santini-Burton Act. That act would provide considerable relief to the thousands of property owners whose ability to build a project on

their land was severely constrained by regulations to protect environmentally sensitive land from being disturbed.

A third factor was the release of the Lake Tahoe Environmental Assessment Report in February 1980. When the troubling information in that report was digested, there was a growing sense of urgency on the part of those engaged in negotiations to get hold of the situation through bi-state cooperation. Zane and I had met with Nevada's Governor List to bring those findings to his attention. I think he appreciated that.

Another factor that influenced Nevada's thinking was the proposed National Scenic Area (NSA). As I said earlier, Congressman Vic Fazio had entered an NSA bill in the House of Representatives. Though in my opinion it had no chance of passage, the specter lingered in the wings.

Mindful of those factors and many others, representatives from both states' governments finally reached agreement in the summer of 1980. California's legislature adopted a bill approving a new Compact on August 26, 1980 that incorporated the features of that agreement. Governor List called a special session of Nevada's legislature for September 12, on which day the legislature adopted an identical bill.

Just as had been done for the original compact, the new compact was sent to the Congress and introduced in both houses. On December 19, 1980, Public Law 96-551 was signed by President Carter. Finally, there was a new Tahoe Regional Planning Compact, a measure that was intended to fix the problems in the previous compact that had caused disputes at the state level for over six years.

The makeup of the governing board had been changed from five from each state to seven. Four were non-local. The voting procedures were changed. There was no "deemed approved" when the members couldn't agree on whether to approve or deny. Under the new procedures, a project was considered denied unless at least nine members, including five from the state in which the proposed project was to be located, voted to approve it.

Though CTRPA would go into hibernation, its regulations would still apply in California until replaced by new TRPA regulations.

No new casinos would be allowed nor would casinos be allowed to expand.

Threshold standards would be developed. They were called “environmental threshold carrying capacities” and were to be adopted within 18 months of the effective date of the Compact. A new regional plan was required to be adopted a year later.

A partial moratorium was imposed in order to buy time for the preparation of a new regional plan. There were limitations on the number of residential units that could be authorized in calendar years 1980, 1981, and 1982. There were also limits on the amount of additional commercial floor space that could be authorized.

You can find the Compact on line. There are twenty one pages in it. Google it. I have. It’s interesting reading.

You can also find the threshold standards that were adopted in August 1982 by opening the TRPA web page. I’ve included a very short summary of the categories addressed in them on the following page.

Annual Average Lake Clarity - 1980 - 81.3 feet

Environmental Carrying Capacity Standards

Water Quality

- Deep Water of Lake Tahoe
- Littoral Zone
- Tributaries
- Ground Water
- Other Lakes

Soil Conservation

- Impervious Coverage
- Stream Environment Zones

Air Quality

- Carbon Monoxide
- Ozone
- Regional Visibility
- Sub-region Visibility
- Fine Particulate Matter
- Nitrate Deposition
- Odor

Vegetation Preservation

- Common Vegetation
- Late Seral and Old Growth
- Uncommon Plant Communities
- Sensitive Plants

Wildlife

- Special Interest Species
- Habitat of Special Significance

Fisheries

- Stream Habitat
- Instream Flows
- Lahontan Cutthroat Trout
- Lake Habitat

Noise

- Single Noise Events
- Cumulative Noise Levels

Recreation

Scenic Resources

- Roadway and Shoreline
- Other Areas

THE INTERLUDE

1981-1984

After passage of the Compact in December of 1980, the TRPA staff went to work to develop the first step ordered in the Compact, that being to develop the environmental threshold capacities. Following that, they set out to produce a new Regional Plan, a task that took longer than intended and didn't turn out well.

While that was going on, the LTBMU was engaged in a great many significant activities. Besides implementing the Santini-Burton Act and restoring the Jennings casino site, we took possession of the 64 Acres. We began to restore the buildings of the Tallac Estates in partnership with other organizations, and we invited the public in. We continued on with a whole host of programs, and we also experienced a new climate in government that changed the way the entire Forest Service operated.

Let's talk about the Santini-Burton Act. There were two major undertakings facing us before we could start buying environmentally sensitive lands in the Basin. One was to prepare the maps that had been called for as a part of the Act, and another was to prepare an environmental impact statement (EIS) on the ways we would go about the purchase program. I've described how we assembled a team to do the maps, including the challenging task of verifying or correcting the information shown on the maps we had to work from. We needed to provide those maps to the Congress within six months of the bill's passing, and we did.

Completing the EIS took a bit longer. After preparing a draft EIS, we had a series of public meetings, including a meeting in the San Francisco Bay area where many of the property owners lived. Jon Hoefer handled the entire job well, with some assistance from Jack Williams of the Regional Forester's office. The final EIS was released in February 1982.

Following that, Tom Neenan of my staff and Tom's people commenced making offers to buy the individual parcels that qualified. Hundreds of people contacted our office, wanting to be first on the list; and we contacted many others, concentrating first on properties in stream environment zones (SEZs). If persons expressed an interest in selling, we had their property appraised by independent appraisers. Many people were unhappy to learn that regulations by CTRPA and TRPA had affected the values of sensitive lands, causing their properties to be worth less than the owners thought they should have been. Still, there were some parcels that appraised higher than the owners had paid for them. By November 1984 we had made offers on 630 cases for 5,285 acres and \$19,899,765. We had acceptances on 481 cases for 4,891 acres and \$16,497,000. In addition, we accepted donations of parcels worth \$847,000 that accounted for 269 acres. The program was well underway at the end of 1984.

I should mention here that another agency, the California Tahoe Conservancy (CTC) which was created in 1984, launched its program of purchasing environmentally sensitive lands on the California side in 1985. Its first executive director was Dennis Machida, a fine man. We became good friends. The CTC has a long list of accomplishments that have been beneficial to the environment.

In a previous chapter I wrote that President Jimmy Carter, by Executive Order, had formalized a council in October 1980 to coordinate federal action at Tahoe and had also charged the Council with developing thresholds. And I said that President Reagan, who took office in January 1981, rescinded that Order in

March. Instead, he expected the federal agencies to continue coordinating much as they had before, through the Tahoe Coordinating Group that had been set up in 1978.

President Reagan also relieved Zane of his position as the federal member on the TRPA Governing Board. In Zane's place he appointed a political operative from Sacramento named Rex Hime. Rex was a pleasant guy who, as expected, favored a conservative point of view on matters before the Governing Board. He had me sit in his place a few times when he expected to be absent. I resumed keeping Zane informed about Tahoe matters, because Mark Petty was transferred away to a new position.

The actions of the new administration went beyond those few changes regarding Tahoe matters, so far as the Forest Service and other federal agencies were concerned.

Before I continue, though, I want to say that I was and still am an admirer of President Reagan; but I question some of his policies and the appointed members of his administration. One of his cabinet members that drew a lot of criticism was James G. Watt, Secretary of the Department of Interior. He once attempted to keep the Beach Boys from getting an invitation to perform at the White House. In that instance he bumped heads with Nancy Reagan, but she had more clout with the President than Watt. The Beach Boys were welcomed to the White House.

For the three years Watt was Secretary, land management agencies in the Department of Interior, namely the Park Service and the Bureau of Land Management, often had to apologize or attempt to explain away some of the things he did or said. Fortunately, the Forest Service wasn't in that Department, Instead, the U.S. Forest Service was and is in the Department of Agriculture, but his views did have some influence on the people in Agriculture.

Incidentally, the United States Forest Service is the official name of that agency; however sometime several years ago someone or some ones, apparently in the Department of Agriculture, decided that the Forest Service should identify itself as

the USDA Forest Service. There was a reason I suppose for doing that, but I wonder why they stopped there. Why not call the U.S. Army the USDD Army, or call the U.S. Marine Corps the USDD Marine Corps. How about the DT Internal Revenue Service?

Back to life under a new administration. One of Reagan's appointees that received some flak during the Senate hearing regarding his appointment was John B. Crowell Jr. as Assistant Secretary of Agriculture. He served from 1981 to early 1985. Crowell's position had purview over the Forest Service. The flak engendered during the hearing had to do with his association with the timber industry. He had been general counsel for the Louisiana-Pacific Corporation, a company in the timber business. His appointment was approved by the Senate with a vote of 51-25.

I actually met with Crowell shortly after his appointment. I don't remember much of that meeting. I had flown a red-eye to Washington two nights before with Zane, and the night before the meeting with Crowell I'd had a bad reaction from eating shrimp which kept me awake most of the night. I wasn't in top shape.

During Crowell's tenure he made clear what he wanted of the Forest Service. In September 1983 he informed the Forest Service that he wanted it to increase timber output from the National Forests to 22.5 billion board feet (bf) per year by 2030 from the then level of 11 billion board feet. His target for the California Region, which includes the LTBMU, was 3 billion. He set targets for the other Regions, too. To back up his reasoning for setting those targets, he stated that there were 2.6 trillion bf of standing timber on the National Forests growing on 89 million acres of commercial forest land.

Now the problem with that was, at least in the Forests in the California Region, that the rangers in the field didn't think they could even keep up the then current production. Unfortunately the figures about acres of commercial timber land that Crowell relied upon had come from the Forest Service itself sometime in the past and had not been qualified to take into account lack of access, the fragility of

some of the terrain, conflicts with wildlife habitat needs, and pending Wilderness proposals.

Crowell had anticipated resistance to his policy direction and stated that the Forest Service needed to educate the public about timber harvesting, saying that the Forest Service was unduly influenced by local opinion. Also he implied that the Forest Service in California was probably too worried about cultural resources and visual quality. Clearcuts could be bigger, and the Forest Service should consider having trees only 9 inches in diameter eligible for cutting. He said that the Forest Service didn't have enough imagination, aggressiveness, and courage.

Ever responsive to direction from on high, the Forest Service went to work to redo its timber harvesting plans. The outcome in the California Region was that the Forests felt they could sell 1.6 to 1.7 billion board feet over each of the next 3-5 years, by relying on more clear-cutting. That was nowhere close to Crowell's expectation of 3 billion board feet a year by 2030 for the California Region.

I felt that even those levels were unreasonable given the public's growing awareness of the impacts of timber harvesting and the value of the other resources on the Forests. Those concerns were certain to lower the amount of timber that could actually be harvested, and I said as much at one of the meetings Zane, the Regional Forester, called us Forester Supervisors to attend.

How did those ambitious plans turn out? In 1993, the Forests of the California Region sold 739 million bf of timber, less than half of the Region's best forecast in 1984. The following years were no greater either.

Yes, the Reagan Administration was interested in productivity from the National Forests, but it was also interested in holding the line on costs or even reducing costs. To do that and to increase timber sales, meant cutting back on other programs such as recreation. These cutbacks occurred every year during this period, 1981 to 1985. That meant reductions in personnel. In 1982 the Forests were assigned a set number of FTEs. That stands for

Full-Time-Equivalents. For example, a five person fire crew on the rolls for four months counted 20 person months which, divided by 12 months for a year equaled 1.67 FTEs. To meet those targets the Forest Service closed fire lookouts, its vehicle maintenance shops, and sign making shops; and it began to contract out the operation of campgrounds. The LTBMU contracted out operation of Fallen Leaf Campground and two beaches, Pope and Baldwin, to begin with. That was counterproductive in our case because we made less by contracting them out than continuing to operate them ourselves. In fact, when we operated the beaches and campgrounds ourselves, we actually showed a tidy profit. Other than that fact, I had no beef with the concept. I'm a strong believer in keeping the cost of government down.

Another activity that experienced a major cutback in funds was our Visitor Information Services (VIS). At one time, before the cutbacks, we provided a naturalist on the MS Dixie tour boat to talk to passengers about conservation and protection of the natural resources of the forests and waters. We had naturalists leading hikes and x-country ski tours, also. Those programs disappeared. It's hard to show a positive benefit/cost ratio for such things. I bemoaned the lost programs, but understood why the cutbacks. As I said, I'm a believer in keeping the cost of government down.

The administration also thought to make some changes in the jurisdictional boundaries of the Bureau of Land Management (BLM) and the Forest Service so as to increase efficiencies in management of the public lands. Over the years, several attempts had been made to deal with the fact that two separate agencies, the BLM and the USFS, in two different departments of the government, Dept. of Interior and Dept. of Agriculture, were managing lands that were adjacent to one another and sometimes managed for the same purposes. In some cases it appeared that isolated parcels managed by one agency could be managed more efficiently by the other.

With more than a little urging from the White House, Robert Burford, Director of BLM, and Max Peterson, Chief of the USFS,

issued a joint announcement Jan 30, 1985, that the two agencies were launching a study to determine how some interchanging of jurisdiction could improve management and reduce costs. This was a major effort involving mainly the higher levels of management in the Forest Service, particularly the Regional Foresters and the Forest Supervisors rather than the District Rangers. Members of Congress whose districts included some of those lands immediately wanted to know what changes were being considered. I had been advised to not speculate to the news media and Congressmen on what changes might take place until the process of identifying lands that were candidates for being changed had undergone some internal review. I think I did a pretty good job equivocating answers when asked, but not everyone did. I admired my fellow supervisor Jim Nelson of the Toiyabe National Forest, which was adjacent to my unit on the east. Once he and I met with Senator Vucanovich in her Reno office; and Jim laid it out, explaining how his management would be affected and what to expect from the public when they learned what would happen. I wondered what the effect on his career would be if it was learned that he had “jumped the fence”. As it turned out, his career lasted longer than mine. But for the next few months, my people and I were plenty busy. I’m sure people in the BLM were just as busy.

Well, before the year was out, the two land management agencies had held many public meetings, conferred with members of Congress and; at some point, decided that there should be some kind of environmental document prepared, since the proposed changes were to be incorporated into a bill before the Congress. That document, called a Legislative Environmental Impact Statement (LEIS), was released in Feb 1986. Pulling off such a significant action would have been very, very complex because of the many Acts of Congress, dating back as far as 1897, that determined how or whether land adjustments could be made. A bill to implement this newest adventure was never introduced and the whole idea of adjusting jurisdiction over federal lands died.

Unrelated to the policies of President Reagan's administration was a matter that had its genesis before the Reagan era. Most of us in the Forest Service called that matter simply, *The Consent Decree*. That was a court order that contained a group of commitments required of the Forest Service in California in response to a class action suit filed in 1973. The suit alleged discrimination against women in the Forest Service. It was settled under the terms of *The Consent Decree* which took effect in 1981.

The original complaint was filed by a woman who was employed by the Pacific Southwest Forest and Range Experiment Station. She alleged discrimination against her by her organization. Later the suit became a class action against not only her organization but the entire Forest Service in California.

The Consent Decree had profound effects. The major commitment in the decree was that the Forest Service would employ women in all series and pay grades in the percentage equal to that in the work force in the state of California, 43%, within five years, an incredible expectation in my opinion. There weren't nearly enough women in the pipeline for advancement or enrolled in college in the fields from which the Forest Service draws its professional personnel. Also, at a time when the Forest Service was reducing the number of employees, that commitment would prove to be impossible to attain.

The feeling of many of us line officers was that the U.S. Department of Justice (DOJ) had sold us out. That office had been engaged in negotiations with counsel for the class and had agreed to the commitments passed on to the Forest Service. I may be revealing a bias against President Jimmy Carter's people, but I don't believe the DOJ under President Reagan would have done so. In fact when a motion to extend the conditions of the decree came up a few years later, Reagan was very much opposed to the extension, saying that he was opposed to "quotas". Nevertheless, a federal judge hearing the motion agreed to extend the period for complying with the elements of the Consent Decree for another five years.

Unfortunately, there were many incidents of reverse discrimination. Some vacant positions that needed to be filled were left vacant if a women didn't apply, even if a qualified male did apply. One of my sons encountered that situation. He then went to work for the Bureau of Land Management. He now manages the Fort Ord National Monument. On the other hand, I would not have wanted my daughter or granddaughters to have barriers of discrimination stymie their professional advancement.

The Forest Supervisors were held responsible for meeting targets that were handed down from the Regional Office, but the Regional Forester had the ultimate responsibility. His job depended on satisfactory progress toward meeting the goals. My performance ratings were based on my unit's making progress toward those objectives, also. We did fairly well, though I did make some people in the Regional Office unhappy when they learned that I had "whited out" a passage on a form advertising a job vacancy. That passage was the one on all such forms that declared that the Forest Service, in hiring, does not discriminate against people by virtue of their race, color, religion, national origin, or sex.

Now, I want to say that though the Consent Decree placed a burden on us line officers, and though a host of personnel decisions were not wholly based on merit, I believe the result was (is) that the number of qualified women in all grade ranges in the Forest Service is close to the objective sought in *The Consent Decree*, though not in all disciplines. And some of the women on the LTBMU, while I was there, got chances to prove themselves; and the outfit benefitted greatly. As examples, Lori Alessio, who was helped to get a degree in one of the professions valued by the Forest Service, wildlife biology, proved she could, and did, handle a range of important assignments while with the LTBMU.

Another person who found her path to advancement opening during that period is Sandy Hogan (remember the 64 Acres?). She eventually became a District Ranger on another Forest followed by a position as Assistant Forest Supervisor on yet another Forest. Both promotions were well deserved.

Another woman who got some help in achieving her potential was Jane Oden. She received assistance in earning the college credits she needed to get a degree in Natural Resource Management. As a result, she was later promoted to a position overseeing the several resorts on National Forest land, such as Meeks Bay, Camp Richardson, and Zephyr Cove. That was a very important assignment.

Some say that the Consent Decree destroyed the morale of the Forest Service in California. I can't say whether it did or didn't. If it did destroy morale on the LTBMU while I was there, I wasn't aware of it.

.Another matter that was something of a distraction was the formation of a unit of the National Federation of Federal Employees on the LTBMU in 1984. That changed the latitude in personnel management I'd enjoyed previously, but I wasn't with the LTBMU much longer after it formed to judge the merits of it one way or another.

Annual Average Lake Clarity - 1984 - 74.8 feet

THE TAHOE RIM TRAIL

I'll continue on by telling you something about the best trail in America and how it came to be. Now this isn't my story, but Glenn Hampton's story. Glenn was that farseeing Recreation Staff Officer who had transferred to the LTBMU in May 1977. Glenn loved to hike, and right away took to hiking the mountains around Tahoe in his spare time. It occurred to him that much of the back country at Tahoe was not accessible by trail. Though the Pacific Crest Trail (PCT) traversed the western edge of the Basin; and though Desolation Wilderness, through which the PCT passed, had a good trail system; most of the rest of the Basin lacked such access. Over many weekends and evenings of hiking, a dream began to grow in the outer reaches of his mind. Why not a trail that circled the Basin, high up, around the entire rim?

He began to scout out possible routes, judging the degree of difficulty of building an easily walked or ridden path, one that took full advantage of the outstanding scenery of Tahoe. It wasn't until 1980 that he had the perfect opportunity to turn his imagination loose. He was selected to attend a graduate course in outdoor recreation at Utah State University with a couple dozen senior Forest Service recreation staff. For something akin to a thesis, each was to develop a major project and return in six or eight months to present it to the other attendees and to the instructors. This is what he had waited for, a way to develop his dream and sell it to those others who would have to be part of it. So Glenn started to work up his paper. He called his trail the Tahoe Rim Trail. When he came

back to Tahoe, Glenn and I talked about such a trail, and I gave him encouragement, though we both knew that a project of that magnitude wouldn't necessarily get the support of the higher ups in the organization. Usually people up there think in terms of cost as well as the benefits. Remember, this was a time of austerity for the Forest Service.

Glenn went back out into the high country to recheck the feasibility of building the kind of trail he envisioned, one that lay lightly on the land, one that maximized the opportunities to enjoy the magnificent scenery, and one that volunteers could build. Volunteers. Think about that. His idea was to have the work done by volunteers, with some help and advice from the Forest Service. Well over a hundred miles of trail through rugged mountains was the objective. He wasn't asking the Forest Service for more money, just moral support, encouragement. And he knew such an undertaking would require an organization to plan, schedule, and support the volunteers who would be out there in the wild. They would need to have equipment: saws, shovels, Pulaskis, hardhats, and transportation to get equipment and food to places on the trail that required overnight camping for the trail builders. It wouldn't hurt to have some money to start with, of course. But if the idea caught on, there could be a membership system set up that could accumulate funds from dues from the members.

The time for Glenn to present his project to the others in the graduate course was not far off. To test the level of acceptance for the project by others, he prepared and mailed out one hundred copies of a rough draft describing the idea and how to cause it to succeed. The responses were very encouraging. One from the Associate Chief of the Forest Service in Washington, Doug Leisz, (I've mentioned him several times before) who would appreciate what the project entailed because he knew the country well, said, "Go for It!"

Glenn also went to the Regional Office in San Francisco to "sell" his ideas. Some there were enthusiastic. Some were doubtful. Could it be done, could Glenn and the people on the LTBMU pull it

off? Glenn had a way of convincing people to buy into his ideas. That skill is not often found, but without it, he would have failed. No one up there said, "No, forget the idea. You've got an organization to run." No one said that. He had gained tacit consent from the men upstairs.

He already had my backing, but wanted one more thing from me. Glenn realized he had many other responsibilities involved with running our recreation department, and he found it hard to find the time to really concentrate on the trail and to build the organization that would be necessary. He wanted my okay to let some of his people handle the everyday work so he could do those things. I also could imagine a rim trail, and could see myself helping make it happen. I said okay.

Glenn contacted John Bryan of the Alpine Winter Foundation, an organization that gave substantial sums to worthy projects. The outcome was that the Foundation pledged \$25,000.

In March 1982, that first board incorporated itself as the Tahoe Rim Trail Fund, Inc. John Bryan was the chairman and Fritz Huntington, a woman with a sharp mind who had connections with the League to Save Lake Tahoe was the secretary. Over time, the Rim Trail Fund, Inc. morphed into the Tahoe Rim Trail Association (TRTA) and that first board added members and became the Tahoe Rim Trail Advisory Board and then the Board of Directors. On the board were special people who could help build an organization, raise money, and lead others out into the woods. One such guy was Bill Tisher, a tall and lanky outdoorsman well known in Tahoe. The early days were used to build support with cooperators such as the Nevada State Parks Department. The trail would necessarily pass through the Lake Tahoe Nevada State Park. That led John Richardson of Nevada State Parks to join the other volunteers.

Others that Glenn has singled out for special recognition during his time before he retired in May of 1984 were: Walt Auburn of the California Conservation Corps, George Cardinet, Ken Cobb and John Fulton of the Boy Scouts of America, Carola Hutchenson of the Sierra Club, Arthur Koerber, Robert Macomber of the

California State Parks, Tom Martorelli of the Appalachian Mountain Club, Dr. Ken Smith of the South Lake Tahoe Audubon Society, and Roger Welt of the Lake Tahoe Community College.

In the beginning and throughout the Rim Trail's history, there were routes to scout out and trail heads to plan. Also there were environmental impact assessments to prepare and easements over private lands to obtain. There were training sessions to plan and conduct for the hundreds of trail builders. There were people to manage the membership rolls and to handle the funds. There was and still are many people willing to volunteer to be part of the Rim Trail programs.

In 1984 the first section of trail built was a piece north from Luther Pass on Highway 89. My wife, Carole, and I had the privilege of being part of that first trail building crew. I also served on the Board at times.

Bob McDowell worked on the trail that first day, too; and he and his wife Linda have been strong supporters of the Rim Trail organization. Linda had a very successful term as Executive Director of the Association, too.

Chris Strohm, a friend of mine who I didn't know at the time, was part of that first trail crew. He's still very active with the Tahoe Rim Trail Association.

I need to acknowledge some of the Forest Service people besides Glenn who were heavily involved in building the trail. One such guy was Dave Alessio who not only located much of the trail, but also led crews to tackle some of the most difficult pieces, places where blasting was needed, and where small bridges were required. Also, Mac Magary is the guy who wrote the first Environmental Assessment of the trail so the public could understand its effect on the environment. He also wrote the trail building handbook which is in use today.

At this writing, the Tahoe Rim Trail exists, all 165 miles of it. Part of it overlaps the Pacific Crest Trail on the west side of the Basin. The trailheads are well marked and a dedicated group of

volunteers maintain and improve the trail as well as build connections to other trail systems in and outside of the Basin. A staff coordinates and raises funds to continue Glenn's dream in perpetuity. Hundreds, maybe thousands, of people have supported the TRTA and helped with the work. Check out the Tahoe Rim Trail Association on the internet and get involved. Also, a fine trail guide written by Tim Hauserman is available on Amazon and in some local book stores.

Annual Average Lake Clarity - 1984 - 74.8 feet

LAND MANAGEMENT PLANNING

This memoir seems to have evolved into a chronicle, but I'm pausing now to address an activity that was ongoing the whole time I was on the LTBMU as well the entire time I was with the TRPA. That activity is planning.

The word "planning" has been mentioned several times in this memoir and especially in relation to those Compacts that were adopted in 1969 and 1980. In that context and in this article, I'm talking about land use plans or land management plans.

Planning must be important at Tahoe or there wouldn't be so much energy devoted to it. And so it is. For many public agencies, legally adopted plans are the bases for their actions and their decisions and also for their defense if their actions are challenged. But if a plan doesn't comply with legal requirements, all kinds of trouble can result. And if there's no plan at all, even more problems can occur.

Tahoe has seen many plans. Hundreds of thousands of dollars, (maybe millions, I haven't done the calculations) and hundreds of thousands of man hours have been invested in land management planning at Tahoe during the period from 1970 until I retired in 1989.

The TRPA had its J.K. Smith Plan, its Heikka Plan, its 1984 Regional Plan, and its 1987 Regional Plan. CTRPA had its plan. The Tahoe Regional Planning Commission had its "1980 Plan", the counties had their General Plans.

The Lake Tahoe Basin Management Unit (LTBMU) of the Forest Service started with parts of three existing Multiple Use

Plans in 1973 and a draft of Part I of a Management Plan for National Forest Lands in the Basin. The draft was the product of the team that had begun working up that plan in 1970. I addressed that in an earlier section. Finally, after a few iterations, the LTBMU produced a Land and Resource Management Plan in 1988.

The equivalent of several lifetimes were devoted to developing those products, those plans. Three of the TRPA plans were adopted, but only one was able to withstand the political backlash and the several lawsuits that were inevitably filed in opposition. That was the 1987 Plan and that plan has since been amended several times. It underwent a significant overhaul twenty five years later, being, in essence, a new Regional Plan. That was in December 2012.

“So what are the TRPA Regional Plan and the Forest Service Management Plan used for,” you ask?

Simply stated, those plans tell people what they can and can't do and what they should and shouldn't do. The TRPA plan does that with rules and ordinances and programs. The Forest Service's plan does that with directions and guidelines.

“Who decides what goes into those plans? Do they just make 'em up as they go along?”

No, they follow the directions they're given in laws and regulations. In the case of the TRPA, the planners were first directed by the content of the bi- state Compact of 1969 and then by the content of the 1980 Compact. Those compacts were laws passed by both state governments and ratified by the U.S. Congress and signed by a President. It's interesting to note that there actually were only three pages of the twenty-one pages in the 1980 Compact devoted to planning.

In the case of the Forest Service, they follow the applicable laws of the United States and the direction given by the Chief of the Forest Service and/or the Department of Agriculture. I had a hand in both the plans that were actually implemented, the Forest Service's and the TRPA's. The most difficult one to get approved was the TRPA 1987 Regional Plan. The TRPA had part of a plan in

1984; but it was challenged in federal court and had to be overhauled and expanded before it was adopted by the TRPA Governing Board, approved by the litigants, and then cleared by that federal court in 1987. The guts of the plan were developed by a wide range of interested parties through a consensus process. How that happened is told in other segments of this memoir.

The Forest Service plan took longer to complete, but the process wasn't as contentious as the TRPA's. However, the Forest Service had to contend with the fact that the directions kept changing. The original Forest Service planning team in 1970 was following directions given by the Forest Service people up the chain of command in Washington. The scheme was to do a two part plan. Part I was goals and policies and Part 2 was to be direction for the programs of the LTBMU and was to be compatible with the TRPA plan. The team broke up in 1973 without finishing Part 2.

In 1974, the Forest and Rangeland Renewable Resources Planning Act was passed and included new direction for planning. It replaced the earlier guidelines that had been used to develop Part I. Neil Hunsaker, the Assistant Administrator in 1974, inherited the job of switching the planning effort from the previous direction to the new requirements in the '74 Act. He also had overall responsibility for Fire Management, Recreation, Resources, and Office Administration. However, he had no planning staff to help him until Bob McDowell arrived in 1976. Then Neil departed for a position in Idaho without completing a new plan.

So the only land management direction in effect at the time I arrived at the LTBMU in 1975 was in older plans developed by the three Forests that administered parts of the National Forest land in the Basin in 1972, before those lands were combined to create the LTBMU. Those older plans were called Multiple Use Plans and were seriously out of date.

Before much progress could be made under the provisions of the 1974 act, a new act, the National Forest Management Act (NFMA) was enacted in 1976. The Washington Office expected to

issue new guidelines for Forest Plans after that Act was passed. The new Act recognized the existence of the 1974 Act, and amended it in several respects. It also directed the Forest Service to incorporate new standards and guidelines into the Forest Plans by October 30, 1985. Word came down then for us to get prepared to start on Forest planning again, so I offered the job of Planning Staff Officer to Jon Hoefer. He came on board from the Inyo National Forest in 1977. Bob McDowell worked in the Planning Department until sometime in 1979 when he became the Staff Officer in another department.

At the time, we were still guided by the old Multiple Use Plans. I wasn't happy having no current plans to back up our decision making. We were vulnerable to appeals and lawsuits, having to rely on nothing but those old plans. The Part I plan that was done in 1973 included sound policies, but hadn't been approved. I believed it would take years to get a new land management plan. I asked my boss, Doug Leisz, the Regional Forester at the time, to sign Part I, even though the direction from Washington was to start over and follow guidelines based on the '74 and '76 Acts. He realized the awkward situation we were in, so he signed it anyhow.

(This is confusing, isn't it? You'd probably have to be someone who is or has worked on forest management plans or some other land use plan to make sense of what I'm writing. If you are, then read on. If not, well then you might skip all the way down to the last three sentences and read them. Together they illustrate the main point I wanted to make anyhow.)

New planning regulations pursuant to the NFMA of '76 came down from Washington to the Forests in 1979. The regulations reflected the recommendations of a "Committee of Scientists" as called for in that Act. The recommendations were impossibly complicated and were designed to allow comparisons between alternative planning schemes. I have been critical of that concept because it assumed that the value of all the various "outputs" from a Forest could be expressed in terms of dollars. So there had to be

factors set for such as a day of hunting or an afternoon of picnicking or a day and night of camping, as well as the value of a thousand board feet of pine logs, etc. Furthermore, to show the value of those “outputs” over a set time frame compared to the cost of providing such “outputs”, say fifteen years, an interest rate had to be assumed.

The Forest Service has never been very good at determining the value of a thousand board feet of timber. I’ve sat in at auctions of timber for sale by the Forest Service when the amounts bid were way different than the appraised values set by the Forest Service. And will someone tell me what interest rate will prevail ten years from now? And can someone tell me how much money will be available to produce the product mix that is optimum?

Jon and his people, Joe Oden was one, soldiered on until 1982 when revised planning regulations came down. They backed up and then proceeded again. An Environmental Impact Statement (EIS) was prepared covering the alternatives considered, and they then went through the appeal process (the Sierra Club and others appealed all proposed Forest Plans and EISs as a matter of course).

The Management Plan was finally completed and was approved by the higher ups. That was 1988. I have no doubt that the direction in that Plan has helped the LTBMU make good decisions. However, I believe that its programs are driven more by money allocated by various administrations than anything else.

A revised Management Plan was issued in 2013. Incidentally, there have been several new sets of planning regulations issued since 1988.

Oh, I hope you noticed that it took the TRPA seventeen years to adopt a plan it was happy with. It took the LTBMU eighteen years. The USA, with its allies, fought and won the war with Japan in less than four years.

Annual Average Lake Clarity - 1988 - 81 feet

APRIL FOOL'S DAY

The year 1985 brought about a major change in my professional life. For some time I'd tried to convince my boss, Zane Smith, the Regional Forester, that it was time for me to be moving on to another Forest. I had been with the LTBMU for going on ten years. I was getting stale. I needed a change. Zane no doubt agreed with that.

Though Zane and I have become good friends since those days, at the time, our relationship had undergone some rough patches. Zane had tried to talk me into a transfer to the Washington Office to gain some background in how government functions, but I had declined the idea. I wanted to move to another National Forest, take on some new challenges. Zane didn't agree. We had reached an impasse so far as my future in the Forest Service was concerned. I wasn't happy in that situation. I talked it over with my wife Carole, and she was with me all the way. Two of our children, Stacey and Craig had graduated from college and were on their own. Our youngest, Eric, was just finishing college. It was time for me to move on.

I began to look around at my options. It so happened that the TRPA was looking for an Executive Director. Why would anyone want that job? Executive Directors didn't stay very long in that contentious atmosphere. And for the fourth time since 1975, the Nevada legislature was considering a bill to withdraw from the Tahoe Regional Planning Compact. If that wasn't possible, Nevada could always decline to help fund the agency. The part of Douglas County that was in the Basin was in Lou Bergevin's district. He was the sponsor of the bill to withdraw. He heard from his constituents

all the time about how bad TRPA was, and he had sworn to get Nevada out of the Compact. Going to work with the TRPA would be a risky proposition for sure, but Hey! I was looking for a new challenge. Besides, when one considers my involvement in the purchase of the Jennings casino project and my having instigated the preparation of the Federal Assessment, I had already invested a great deal of effort in trying to keep TRPA afloat until it could do the job it was supposed to do. I didn't like to think that my and the Forest Service's efforts were wasted.

Still, I realized the jury was still out regarding whether TRPA should have a future. The Tahoe Basin Area Governments (TBAG), a group that represented the five counties and the City of South Lake Tahoe, wondered about that, too. They had invited the Urban Land Institute (ULI), a prestigious non-profit organization in the fields of land use and planning, to come to Tahoe and take a look at how things were being done and to make recommendations. ULI accepted the invitation and sent a group of experts to do as TBAG had asked. They stayed several days and interviewed a lot of people, including representatives of various organizations. The group invited me to address them in my capacity as Forest Supervisor in the Basin, and I made a presentation January 19th. I told them that the Forest Service managed 70% of the land in the Basin, told them about our philosophy of planning as being based on environmental thresholds and in partnership with the TRPA, and told them about our emphasis on recreation and watershed restoration. I explained that the public's stakes were high in regard to the quality of air and water; and that we, the Forest Service, had invested millions in the Basin, so had important stakes in the way land use is regulated.

The group concluded its work and presented its recommendations on January 24. In a nutshell, they said that bi-state planning was the way to go and that TRPA was best able to do that successfully.

That was a bit of a confidence booster, and I applied for the job a few weeks after it was advertised. Was that a good idea? I

think so. I was selected and my first day on the job was April Fools' Day, 1985.

I knew what the situation was at the TRPA when I applied. Since the 1980 Compact had been signed, the staff had been working hard to carry out the mission. The Compact states that TRPA was to develop "environmental threshold carrying capacities" (commonly called thresholds) within 18 months and an amended regional plan one year after adopting the thresholds. The thresholds were done two months late, in August 1982. While the staff was working with a wide range of interests in developing the thresholds, it was also working on an amended plan. But completing the full content of the Regional Plan as described in the Compact was a massive undertaking for the small staff.

The terms of the Compact included a partial moratorium on development to be in force until the Plan was adopted or May 1, 1983, whichever came first. That moratorium allowed the issuance of 1608 permits by local agencies in each of the years 1980, 1981, and 1982 and also allowed issuance of permits for some commercial projects. The Plan wasn't done by May 1983; so, upon advice of its counsel, TRPA had extended the moratorium in August 1983 to end at such time as the Plan was adopted.

On April 26, 1984, the Governing Board adopted the Goals and Policies of the Plan and the moratorium was cancelled. On that same day, the California Attorney General sued TRPA in federal court, claiming, among other things, that the Plan was incomplete. The next day the League to Save Lake Tahoe joined the suit.

On May 1 U.S. District Court Judge Edward J. Garcia issued a temporary restraining order stopping TRPA from approving development until it adopted an adequate Plan. That action was followed by a preliminary injunction on June 15 and a formal injunction on August 8. There were some exemptions, including projects that were beneficial to the environment. A few other exemptions were approved by the court, if the California A.G. and the League recommended them for approval. In effect, the two were

in control of new construction, major maintenance, and even much exterior remodeling of homes.

Representatives of the TRPA, the California A.G. and the League to Save Lake Tahoe had entered into settlement talks in August of '84, negotiating on a wide range of issues. They had reached tentative agreement in late March, just before my arrival. Such agreement would require formal approval by each of the three litigants. A special session of the TRPA Governing Board to consider adopting the settlement agreement was set for April 15. I had two weeks to get grounded on that, while during that same period I had to appear before the Ways and Means Committee of each state to defend our budget requests.

The special session was held in the Tamarack Room of the High Sierra casino. The audience totaled several hundred, and the high level of suspense in the room was palpable.

All fifteen members of the Governing Board were arrayed behind a row of tables facing the audience. Julie Frame, my Administrative Assistant and clerk to the Board, was at one end of the tables taking notes. Gary Owen, the agency counsel, and I sat at a table to the left of the Board and closer to the audience. The meeting opened with the Pledge of Allegiance followed by the roll call, then the chairman turned to me to introduce the subject to be considered.

I announced that the subject of the meeting was to hear comments about the proposed settlement agreement and to possibly adopt it. Then I stopped, expecting the chairman to start the public hearing. Jim Reed, appointed to the Board by the Speaker of the California Assembly and a very astute lawyer whose views were respected by all the other members, said to me that ordinarily the Executive Director would elaborate some and give the Board his opinion of what they should do.

I stood and said, in so many words, that I thought the settlement was a bad deal for the agency and explained why.

The murmurs from the audience got louder as I spoke. Some Board members asked me some questions, then the

chairman opened the public hearing. Many people spoke to the Board about the subject at hand; some delivered very heated remarks. When the hearing was completed, the Board deliberated a short time then acted to decline the agreement. A regular Board meeting had been scheduled later in the month. I knew I'd have to have some ideas of what to do next.

Annual Average Lake Clarity - 1985 - 79.4 feet

FROM CONSENSUS TO A WORKABLE REGIONAL PLAN

I had eight days to prepare for that next board meeting. The Board agenda and packet were to be mailed in two days. I was still firming up the plan in my mind. Things were piling up, coming from all directions. I included a memo in the packet saying that I would have more to say at the Board meeting.

In the meantime, I conducted a staff meeting; attended a meeting regarding the airport; attended a luncheon with Nevada officials at the Governor's mansion; breakfasted with Congressman Shumway; met with Rick Skinner of the California Attorney General's office along with Fritz Huntington of the League; and attended a half dozen other meetings with several long phone calls mixed in.

At the Board meeting I explained we needed to work out matters with the League and the A.G. but include others with stakes in the outcome, too. And I needed to discuss my idea with other key people and get their cooperation. The Board was okay with that, but thought TRPA should continue its appeal of Judge Garcia's decision also. (That appeal was decided on July 22, 1985. TRPA lost the appeal.)

I had two priorities: one was to get a wide range of stakeholders, including the A.G., the League, and the Tahoe-Sierra Preservation Council, which represented private property owners' interests, to work with the TRPA to finish the Regional Plan. The

second priority was to reorganize the staff. (There's a segment about the TRPA staff near the end of this memoir.)

Shortly after the regular Board meeting, I set out to persuade the key stakeholders to buy into my plan to employ a method of conflict resolution using a method I had been trained in while with the Forest Service. It involves building consensus to reach a common end. Simply stated, as it applies to an individual, the method is based on learning the wants and needs of other stakeholders and seeking to come up with resolutions that satisfy the others as well as one's self. The concept is rarely applied when major differences are involved, though. Lawyers, in particular, are usually inclined to resolve conflicts in a court of law. Those are win/lose situations. Also, even when negotiations to craft settlement agreements out of court take place, usually only the litigants are involved. Many stakeholders, people or organizations whose interests can be significantly affected by the outcome of an issue, are left out. That had been the case regarding the development of the proposed settlement agreement that the Governing Board had rejected.

I spoke first with the board of the Preservation Council about including them in consensus based talks. They were agreeable; they wanted the voices of private property owners heard in any talks to resolve issues affecting their rights. Next I met with California Senator John Garamendi, who was a key figure in revising the Compact back in 1980. He wanted to know what I was up to.

On June 7, I met with Attorney General John Van de Kamp and pitched my proposal to have his people participate in a series of such talks as a way to bring the various parties of interest together to address the environmental, regulatory, and legal issues at Tahoe. He was okay with giving it a shot to see if it would work.

In the meantime, the Nevada legislature had created a special subcommittee to oversee the TRPA. That subcommittee would be watching our efforts closely. I got acquainted with some of

them in conjunction with hearings regarding appropriations for TRPA.

On June 21st, I spoke to a gathering of the board of the League to Save Lake Tahoe. I explained my view that the health of the environment was dependent of the health of the economy and vice versa. I wanted them to participate in consensus talks with others as a way of resolving the lawsuit and to complete a good Regional Plan. They were agreeable to give it a shot, too.

A couple of weeks later I invited a small number of key people to meet with me to discuss the proposed consensus building process and to suggest who and which organizations should be invited to participate. I called this group the Core Group. They included Rick Skinner of the A.G's Office; Larry Hoffman of the Preservation Council; Clem Shute, the League's counsel; Susan Scholley, TRPA's counsel; and, I think, Jon Hoefer. We met again July 30 and finalized the list of invitees.

Before I convened the Core Group, I sent Gary Midkiff, my Assistant Director, and Dave Ziegler, the head of the planning department, to accompany Susan Scholley to Berkley to attend a training session on consensus building techniques. While there, they were introduced to a highly recommended meeting facilitator named Geoff Ball who was one of the instructors. I had been looking for someone who could help us in building consensus among a large number of people with varied interests, so I added Geoff to my list of prospects. Shortly thereafter, we interviewed him and a few other people for the job; and Geoff clearly seemed the best choice. We hired him.

On August 9th, the first Consensus Building Workshop convened in the Valhalla grand hall. There were twenty nine people in attendance plus Geoff Ball. Geoff is the finest meeting facilitator I've ever met or heard of. He was always calm. He would keep the group on point, recognizing when we got into "a stuck place", as he called them, and offered another path to take that would move us along. He worked many, many hours in the evenings between the sometimes two day meetings to have material prepared for the next

day. I can't speak highly enough of his ability. Without him, we would surely have failed.

The Workshops involved representatives from over thirty organizations or government agencies on one day or another. There were thirty seven days of meetings between August 9, 1985, and April 21, 1987. Many of the meetings went on into the evening. We met often in Valhalla, but met in other places such as Granlibakken or school rooms as well.

Before the Workshop began that first day, the participants agreed to attempt to reach consensus on the most important issues to be addressed in the Regional Plan. We were to seek solutions for each issue that would satisfy the needs of each organization represented. We wanted all to agree to each solution. If a person wasn't supportive of such a solution but had no objection to it, that person could "step aside" and let the rest close on the issue.

We tackled the issues progressively, addressing a couple at first that we thought would be easy to work out. Then we plunged into the more contentious matters. We gave regular updates to the TRPA Governing Board and held some joint meetings with them and the TRPA Advisory Planning Commission.

When I look back at those days, I'm amazed at the endurance of those who stuck with us. Occasionally someone might need to miss a session, but nearly always that person sent a substitute. There were thirty-four people besides myself and TRPA staff who participated in some or all of the Workshops.

The work done in providing information on short notice to the Workshop participants by my staff, particularly Dave Ziegler and Gabby Barrett, was outstanding. I'm giving a shout-out to those two and the people of their department.

Following development of the outlines of the various elements of the new regional plan, we convened several small working groups to prepare the ordinances. One group would write an ordinance on one subject, a different group would tackle a different subject. There were over fifty ordinances written. We sent some rough drafts to a firm of lawyers who specialized in writing

such things, but after we got some of their work back, we cancelled the contract. We did a better and faster job with our own people. Later, other teams, mostly lawyers, wrote the rules of procedure.

Now I'll take a little time to reflect on some, but not all, of the various participants in the Workshops.

Marta Adams of the Nevada Attorney General's Office was a quiet presence who helped keep the group from advocating positions that were out of bounds legally.

Don Beck from the Tahoe Sierra Board of Realtors was an ex-fighter pilot who would join the Tea Party if he was alive today. He had strong feelings about keeping government, especially TRPA, from trampling on people's rights. He's the only one who refused to accept the agreements reached by the Workshop participants. He stuck to his beliefs. I admired the guy for that. He was killed in 1991 when he and a passenger plunged into Lake Tahoe while he was flying his stunt plane.

Bev Bedard represented the North Shore Chambers of Commerce and the Tahoe City Advisory Council. I really liked Bev. She could identify issues others might miss and offered sound solutions.

Mike Van Wagenen represented the South Lake Tahoe Gaming Alliance. Mike was a tall, good natured, ex-fighter pilot who contributed common sense ideas and helped foster a feeling of cooperation among the participants. Sad to say, many years later he was killed when the experimental jet aircraft he was flying crashed.

Lois Shellhammer was another who often injected some common sense into the discussions.

Bill Conlon had a good understanding of how various ideas would affect the economic wellbeing of the citizens of the Basin. He helped me a lot later when I included him in a small group to brainstorm ways to deal with the issue of land coverage.

Neil Eskind from the North Tahoe Public Utility District was a guy with eyes behind glasses that smiled when he did, a lawyer

whose observations about various ideas raised helped to gain understanding.

Larry Hoffman represented the Tahoe Sierra Preservation Council. His organization was one that had sued TRPA over policies in the 1984 plan. He had a very quick mind and offered many good ideas of how to address various issues. He had entered fully into the spirit of consensus. He was one of the principal influences in what eventually came out of the Consensus Workshops and helped a lot in the small groups developing ordinances. He's the one who explained how the rights to build a residence on a piece of land in the Basin were like a bundle of sticks, with each stick having value on the open market. They were "fungible". For instance one might be able to sell his excess land coverage to someone who was eligible to transfer in more coverage than he was allotted in order to build his residence. (You may remember that I explained about the concept of "land coverage" when I wrote about the Bailey System).

Larry's organization, The Tahoe Sierra Preservation Council, published The Tahoe Guardian, a newspaper that provided updates on progress in the Consensus Workshops as well as opinion pieces relating to the process. The paper came out bi-monthly. This helped many people to learn just what issues were being addressed.

Leo Poppoff represented the Lahontan Regional Water Quality Control Board. Leo was the scientist in our group. He could analyze and explain all the ramifications of policies affecting various factors of the environment. He was a likable guy, kinda like your favorite uncle.

Dennis Crabb was the City Attorney for South Lake Tahoe. He often delivered cogent observations when a line of thought was straying off the subject and was very good at evaluating the various ideas that were suggested by others in the group.

Clem Shute was and is an astute guy. He was the attorney representing the League to Save Lake Tahoe. I give him credit for having a positive influence on our talks and providing much of the

input that led to the products that came out of the Workshops. He also helped in drafting the ordinances that came later.

Rick Skinner represented the California Attorney General, and with Shute, successfully obtained the injunction by Judge Garcia against TRPA in 1984. That injunction was still in effect during the Consensus Building Workshops. Rick picked up on ideas the Governing Board had adopted in 1984 and carried them further. He made sure that the group addressed the issues that were important to his client, such as rate of growth and land coverage. He's a smart guy and crafted many solutions to the various issues that the group bought in to. Neither he nor Clem appeared to have a sense of humor, though.

Susan Scholley, Dave Ziegler, and Gabby Barrett weighed in regularly with ideas and with advice of what was possible and what was not. They also provided scads of needed information.

Others that I haven't named were invaluable in that their questions and suggestions filled out the wealth of information and points of view we all needed.

Larry, Clem, Rick, and I dominated the discussions, as you might expect, since the four of us were using the consensus talks as an alternative for arguments in court or settlement talks. Geoff Ball had created an environment of relative openness and mutual respect that enabled us to come up with sound and workable policies for the TRPA Regional Plan that included input from a wide range of interests and stakeholders.

It's amazing to know that we came to agreement on so many tough issues without anyone blowing up.

In the spring of 1986, though there was considerable work to be done on the ordinances and other features of the Regional Plan, the Attorney General and the League were persuaded to allow 380 more building permits to be issued for that season. Work continued on the Goals and Policies portion of the Plan and the implementing ordinances with participation of the Workshop members.

At the same time, TRPA staff was working on a new EIS to accompany the new Plan.

Then came the first real test of the acceptability of the results of the Consensus Building Workshop, the Goals and Policies. On September 24, 1986, the Governing Board convened in the Board room in the basement level of our offices. All fifteen members were arrayed in their chairs behind the long, desk-like counter from which they deliberated on such matters. Julie Frame sat at one end handling the tape recorder and taking notes. Before them was a room full of people interested in the outcome: newspaper reporters; Workshop participants; curious followers of all things TRPA, including those who thought the Tahoe Regional Planning Compact was unconstitutional; and some of the TRPA staff.

I came to the lectern and presented the Goals and Policies for the Board's consideration. The chairman took testimony from those who had something to say. The Board deliberated for a time, asking questions of myself and others. Then someone made a motion to adopt. The motion passed. The vote was unanimous.

For the rest of 1986 and most of 1987, several workshops were held to clean up loose ends and to finish the ordinances. This work led to the last lap of the race to begin operating under a new Regional Plan: arranging to have the lawsuit with the AG and the League dismissed. In May there were a couple of days discussing how to go about crafting the language that would be in the stipulation for judgment that would be presented to Judge Garcia (Remember? He was the one who issued the injunction). If the judge agreed, the case would be dismissed with prejudice. In the meantime, the Governing Board declared that the new Regional Plan took effect June 1, 1987. (A stipulation for judgment is a legal term which in this case was the document that spelled out matters agreed to that were the grounds for dismissing the case.)

Talks with Rick and Clem commenced in earnest on that same day. Four meetings later, late on June 18, the two of them and

I met in my office. During that meeting the two explained to me that they intended to include some provisions in the stipulation that I considered would constrain TRPA from doing what any legislative body has the authority to do. One such constraint they wanted was that TRPA couldn't amend certain elements of the plan for five years. I got very angry. That idea had been raised and dropped during the Consensus Workshops. There was no support for it then or later. I closed my notebook and left, leaving them in my office to figure out what to do next. (Gathering his papers and closing his notebooks as though he was fed up and going to leave was one of Clem's tricks meant to panic an adversary into giving him more ground. He never actually left, however).

The next day, June 19, was a special meeting of the Governing Board to consider an ordinance that would prescribe the standards for amending the Goals and Policies and would set time frames by which certain unfinished ordinances and other components were to be done. It included some extra findings that would have to be made before certain amendments could be adopted. This ordinance had been negotiated with Rick and Clem of the AG/League and was to be included by reference in the stipulation for final judgement. During the hearing on the matter, there were many objections to the ordinance voiced by members of the audience and later, by some of the Governing Board. When Rick Skinner explained his position that the ordinance should state that certain elements of the plan could not be amended for five years, Jim Reed of the Board declared the idea unacceptable. Jim carried a lot of weight with the League and the A.G., so they backed off.

The Governing Board wasn't ready to vote on the ordinance that day, so postponed further action until the regular Board meeting six days later, on June 24 and 25. The Board directed the staff and legal committee to continue negotiations with the AG and League in the meantime and to report any progress at the next Board meeting.

Board members Henrikson and Sharp reminded everyone that the Board had passed a resolution in May that said if agreement

could not be reached, TRPA would hire outside counsel and go back to court. That served to put more pressure on the negotiators to address the problems raised in the meeting.

In the next negotiating session, Jim Reed, as chairman of the legal committee, explained to Rick and Clem that some changes would have to be made in the proposed ordinance and the stipulation or negotiations would end. Discussion followed and finally the two men agreed on a number of changes and a revised ordinance was prepared.

On the 25th, after a few more hours hearing more questions and explanations, the Board adopted the revised Ordinance, number 87-8. The language of that ordinance was incorporated, by reference, into the stipulation to dismiss the lawsuit. The stipulation did include a controversial item that stated that if the League and/or the A.G. didn't like some proposed amendment to the Plan, they had thirty days to bring their opposition to a court to resolve the issue. I'm not aware that that ever occurred.

The Board passed a resolution that the effective date of the Regional Plan would be set as July 1 instead of June 1 as previously declared.

July 15, 1987, was a milestone in the history of the TRPA. That was the day Judge Garcia accepted the Stipulation for Entry of Judgement to Dismiss. The case of the California Attorney General and the League to Save Lake Tahoe vs The Tahoe Regional Planning Agency was dismissed, with prejudice, as the TRPA had insisted.

That was also the day the City of South Lake Tahoe Redevelopment Agency adopted its preliminary redevelopment plan. It was also the day we, the TRPA staff, held a public forum to inform the citizenry of the new Regional Plan and of what was about to come.

The last gathering of the Consensus Workshop Group was July 25. We had a celebration, and I was presented with a bull-whip by Tom Martens of the League to recognize my efforts in keeping the group together through those many months. The warm feeling

of consensus carried on from there, but with a few notable exceptions that I'll tell you about later.

My gift to myself was to take the month of August off to canoe down the Big Salmon River to and down the Yukon River with my sons, Craig and Eric, and my good friend, Ron Stingley, and his son Shawn.

Even though TRPA now had a Regional Plan in place, there was still much work to be done. There were all those additional ordinances to write, hundreds of applications for projects to process, and some other sticky lawsuits to deal with. The backlog of project applications was a major concern. When I got back, I directed the people in the Project Review Department as well as several in the Compliance Department to work overtime to cut the backlog down. I also worked several evenings and Saturdays doing the same things. About the time the staff was beginning to suffer from burnout, the pending applications were down to a reasonable level, so I cancelled the overtime program.

Annual Average Lake Clarity - 1987 - 81.0 feet

THE 1987 REGIONAL PLAN

Finally, as a result of the collective input of the Consensus Workshop participants, the Advisory Planning Commission members, the members of the Governing Board, interested citizens, and the TRPA staff, the 1987 Regional Plan emerged. It was detailed and comprehensive.

There were over sixty ordinances covering eleven categories. Those categories were: General Provisions, Planning, Land Use, Site Development, Growth Management, Subdivisions, Shorezone, Grading and Construction, Resource Management, Water Quality, Air Quality, and Transportation.

There were a large number of Plan Area Statements along with the accompanying maps that were similar to zoning regulations and zoning maps.

There were growth management provisions that set limits on the number of residential units that could be approved by each of the six local jurisdictions for the next five years.

There were limits set on the number of square feet of new commercial floor area that could be approved.

There were to be no new subdivisions that could add to the development potential in the Basin.

No net increases of tourist accommodation units (motel/hotel rooms) were allowed.

Redevelopment programs were constrained by unique rules, like the one that required a project to remove three existing motel/hotel units for every new one created.

There were limits on the amount of land that could be covered with impervious surfaces (surfaces that water would run off from rather than seep into).

Transfer of land coverage could be done in some instances.

Fees to mitigate impacts on water quality would be charged on new projects.

Fees to mitigate impacts on air quality would be charged on projects.

There were prohibitions on disturbances on stream zones, areas of high water table, and very steep or highly erodible lands.

Cutting of trees over six inches in diameter was prohibited unless okayed by the TRPA, based on a report by a licensed forester, and only to remove hazard or diseased trees or to result in thinning of overstocked stands of trees, or when specified in an approved timber harvest plan.

All new projects would be required to install and maintain Best Management Practices (BMP) such as infiltration trenches or sediment retention ponds.

All existing development, including homes, would have to retrofit the property with BMPs.

There were limits on the height of new buildings and constraints on the color of buildings in view of scenic viewpoints or of the lake.

The IPES program established the priorities for the granting of building allocations. (The next section explains IPES)

There were rules regarding construction in the vicinity of lake shores.

Sensitive and Uncommon plants were protected.

Fish and wildlife habitat was protected.

Acceptable noise levels were specified for human activity.

There were a myriad of other provisions governing human activities, and there were procedures spelled out for the processing of applications, including findings needed to be made prior to approvals.

Direction on preparation of environmental impact reports was included.

The new Regional Plan adopted in 2012 contains most of the provisions of the 1987 Plan, but incorporates some important differences. If you really want to get into it, the folks at the TRPA would be happy to accommodate you.

Annual Average Lake Clarity - 1987 - 81.0 feet

POST SCRIPT

The approved 1987 Regional Plan contained three particular features without which agreement by the consensus group and the Board would not have been possible. They were the growth management provisions, the Individual Parcel Evaluation System, and the land coverage transfer provisions.

To prevent development in the Basin from absorbing “the entire capability of the region” for further development before the new Regional Plan was adopted, the 1980 Compact set limits on the number of residential units that could be authorized in each jurisdiction (the five counties and the City of South Lake Tahoe) for the years 1980, 1981, and 1982. There were also limits set for commercial development. The effect of all that, of course, was to manage growth temporarily.

One outcome from the Consensus Workshops was that the new Regional Plan had to continue to have growth management provisions. In fact a certain number of allocations for residential units in each jurisdiction for the next several years was agreed to. The local jurisdictions could distribute the allocations in whatever manner they choose. A person couldn't get a building permit to build a residence without an allocation.

One of the major objections to TRPA policies in the old plan was the simple application of the land capability classes, the so-called Bailey classifications, to determine the maximum amount of allowable land coverage that could be created on an individual parcel. There were exceptions to those policies, but they were limited. There weren't many safeguards to protect against impacts

on the watershed other than those Bailey land coverage coefficients.

In issuing allocations, it made sense that the least environmentally sensitive vacant parcels from a watershed impact standpoint should have higher priority, and that land coverage wasn't the only factor that should be considered. In fact TRPA had recognized that before I arrived and had adopted a program called "case by case" in 1981. That program would have the staff visit individual lots, apply most of the criteria as in the Bailey system, and then assign the lots into one of three categories, high, moderate, and low risk. Preference for the issuance of building allocations would go to the low risk lots. Officials in California didn't like that, so the program was applied only in Nevada and on a trial basis. Later, as one of the compromises the Governing Board made in adopting the environmental thresholds in August 1982, it was extended to August 1983; but it wasn't continued after that.

Nevertheless, many of us still believed that the suitability of a parcel to be developed certainly should depend on more factors than just the Bailey classification. So, as the Consensus Workshops were rolling along, I came up with an idea. Actually I had been mulling it over for several weeks. I called it an individual lot evaluation system, something like "case by case". Some on the staff called it MILES, the Morgan Individual Lot Evaluation System. We changed it to IPES, the Individual Parcel Evaluation System. That made sense since the term "lot" usually applies to building sites in a subdivision. Parcels, well you know what I'm saying.

I envisioned IPES to result in every parcel having a numerical score. With IPES tied to a residential allocation system that limited the number of building permits that could be issued each year, only the higher scored parcels would be eligible to be built on and therefore the environmental impacts would be limited. I needed to sell this idea to a lot of people.

As I mentioned earlier, the Forest Service and the California Tahoe Conservancy had active programs for the purchase of environmentally sensitive parcels. Consequently, over time,

assuming those programs continued, the inventory of sensitive vacant parcels would get smaller. With progress in other programs to reduce erosion and to restore disturbed lands, TRPA would lower the score needed to be eligible to be built on thereby allowing some of the more sensitive lots to be built upon.

The one most important meeting in which I was able to sell my IPES idea was one in the Governor's mansion in Carson City on February 17, 1987. Governor Bryan; DeArmond Sharp, the Governor's Appointee to the TRPA Board; Roland Westergard, Director of Nevada's Dept. of Conservation and Natural Resources; Larry Hoffman; and a couple of others were present. I explained how the system would work.

There were approximately 16,000 vacant parcels or building lots. Each would be examined by a team of three; a soil scientist, a hydrologist, and an engineer or planner. There would be five or six crews to do the job in one year or three crews to finish in two years. Cost would be about \$770,000.

As I explained, based on parameters identified in the Workshops, factors to evaluate would be road, sewer, water, and electrical service availability; condition of drainage or erosion control features; parcel size; soil; slope; presence of stream environment zones; amount of excavation to gain access; and the Bailey capability rating. A cut off line would be drawn at a number to be set arbitrarily and moved downward year by year as progress was made in the acquisition programs and in the installation of erosion control features in the various jurisdictions. Owners of any parcels could apply for an allocation to be granted by the respective local jurisdictions, but only the parcels above the line would be eligible to be built upon. An owner could challenge his/her score by hiring professionals with credentials the same as the TRPA teams to evaluate the parcel. He/she would present the results to the Governing Board which could approve a change in IPES score.

If an owner of a parcel below the line received an allocation, the owner could return it unused or could sell or transfer the

allocation to others with parcels scored above the line. That came from Larry Hoffman's notion of "fungibility".

I was able to gain acceptance of the program by the group at that point, so IPES had cleared one hurdle. The Workshop participants and the Governing Board liked it, so it was included in the Regional Plan.

At this point I want to recognize the men who inspected all those parcels during 1987 and '88 and collected the data that resulted in IPES scores for each. They were led by Gary Shellhorn of the TRPA staff and were experienced professionals, some of whom were retired soil scientists from the Soil Conservation Service. They worked long and hard and were key to the success of the IPES program.

Also I want recognize the two men who took on the difficult job of writing the ordinance that implemented IPES, Greg George and Bob Twiss. Yes, that same Bob Twiss who was part of the Forest Service's team that laid the groundwork for the first management plan for the LTBMU and also produced the Bailey maps. He had also been the Board Chairman of the CTRPA for a short time.

Another feature I worked up had to do with the idea of transferring land coverage from one parcel to another. That idea had gained support in the planning circles before I arrived. Larry Hoffman's notion, again, that a person owning a piece of property had rights that could be sold, the "fungibility" concept; and that could apply to land coverage, too. You see, according to the Bailey system, every parcel was entitled to some coverage, from 1% to 30%, depending on the capability rating. If a person didn't need all the coverage he/she was entitled to, the extra could be sold. But there was one thing lacking, someone to buy those land coverage rights. If someone gained an allocation from his local government, but decided not to use it to build, he could put it on the open market. Allocations would no doubt be in demand and could be sold easily on the open market. Land coverage could be sold likewise, and in

some cases the ordinances actually allowed someone to transfer coverage to a parcel. But where would one go to buy coverage he might be eligible to add to a parcel? (Is this getting to be too complicated for you? I don't blame you. To work in the system at Tahoe you have to be educated in how things work. Either that or hire a consultant).

Ok, back to selling or buying land coverage. I had an idea that it would be very helpful if there were land coverage banks to sell to and to buy from, so I pursued it.

In early 1987 I formed a special task force to explore the feasibility of establishing banks. A woman I had met in my association with the Rim Trail organization was in the business of facilitating conferences. Her name was Samatha Graff. I contacted Sam, and, after assembling a small team, had her set up a place to meet for a couple of days. My team included Dennis Machida, the Executive Director of the California Tahoe Conservancy (CTC); Bill Conlon, a local accountant who was involved in the Workshops; a person from Nevada and two others, one nominated by The Tahoe Sierra Preservation Council; and one nominated by the League (I think) but whose names I have forgotten.

We met for a couple of days and considered whether or how a coverage bank would work. The CTC had been buying up all manner of land around the basin including commercial as well as residential property and with that had acquired coverage rights. That agency seemed an obvious choice to act as a bank on the California side. It could sell some of that coverage. We agreed to give it a try. Dennis said he'd present the idea to his governing board. He did and his board accepted the responsibility. That program continues to this day. It appears to be a big success.

The Nevada Division of State Lands, under the direction of Administrator Pam Wilcox, also created a land coverage bank that operates similarly to the CTC's.

Since the dust settled in 1987, millions of dollars and gigawatts of human energy have been invested in erosion control

projects and water quality protection by the two states and the local governments as well as by many individuals and by the Forest Service. Highway improvements, newly created open spaces, settling basins within the urban areas, improved streetscapes, and redevelopment have all contributed to improving Tahoe's physical environment.

There is also much to be done in such matters as fire hazard reduction, in controlling the presence of unwanted aquatic species, and in expanding scientific knowledge about the lake. Those of us who worked hard in the 1970s and '80s left plenty of work for our successors. If you have a mind to, pitch in. You'll be happy you did.

Annual Average Lake Clarity - 1987 - 81.0 feet

THE TRPA STAFF

As I said earlier, one of my priorities upon taking the position of Executive Director was to reorganize the TRPA staff. I began that in the first weeks I arrived. The first thing I did was to move Greg George out of his position as head of the Project Review Department and into a new position in the Planning Department which was headed by Dave Ziegler. Greg had become something of a lightning rod in the organization, and I knew some of the Governing Board expected me to fire him. Greg had gotten crosswise with some applicants, and they had made a lot of noise about him at some of the Board meetings. I moved him right away before the Board had a chance to direct me to send him on his way. Greg had talents, but customer relations wasn't one of them. That decision of mine earned me some points with my Board right away.

I immediately went looking for a new head of Project Review and not very much later had hired Jerry Wells, who lived in Oregon, for the position. That was one of my best decisions. Jerry served the agency very well for a long time.

I knew several of the staff from my days sitting in on the Governing Board as the Presidential Appointee's field representative. There was a strong nucleus of men and women on that staff. I had no reservations about them when I took the job.

I want to recognize some of them, those with whom I was in the closest contact. I can't name them all, but at one time there were forty people on the staff. Let's go alphabetically.

Rick Angelocci was in the Project Review Department and particularly valuable because he had worked for the CTRPA before coming to TRPA. Until the TRPA Regional Plan was put into effect, we had to follow CTRPA's ordinances for activities in California.

Lyn Barnett was in Project Review, also. He had green blood in his veins. A very sharp man.

Gabby Barrett in the Planning Department had been with TRPA longer than anyone, I think. He was sort of our historian, but much more than that. He almost single-handedly developed the area specific parts of the Regional Plan. Those are called Plan Area Statements and are akin to the zoning provisions one would find in county ordinances. Gabby would take on any task assigned to him and never complained about being overworked. At least he didn't complain to me.

Steve Chilton was in charge of the Compliance Department and had a small staff that followed up with projects that were underway around the Basin. Occasionally he had to cite someone for violating ordinances. He's a cool, calm individual. He taught me a technique he'd used sometimes when a confrontation with someone was unavoidable. He would arrange to address the problem while both he and the other were sitting. People don't get as angry when sitting as when standing. (I suspect the same holds true when both are lying down).

Jim Dana was our Finance Director. TRPA handled hundreds of thousands of dollars during the course of a year. He kept track of the income and outgo. He issued the paychecks to our personnel and made sure that we had enough money to keep paying people even if the appropriations from the states were late. We always passed the audits that took place annually. His was a tough job.

Julie Frame was in charge of the office administration, was clerk to the Governing Board, and kept the minutes of all their

meetings. She saw to it that memos I'd write were typed expeditiously and were spelled korrekctly. Her department maintained the filing system and typed and assembled the APC and Governing Board packets each month. She also oversaw the individuals who handled the front desk. Having a good public face was imperative. There is no way to describe how valuable Julie was. I'm told that some of the officials who worked for the City or the counties tried to get her to go work for them. She turned them down.

I'll mention Curtis Jordan here because he was the closest one to being an IT for us. If he wasn't so friendly and outgoing you might have thought of him as a geek because of his bent toward things electronic.

Gary Midkiff was the Assistant Executive Director. Gary had been assigned as the Acting Executive Director when Phil Overnyder, the previous Executive Director, left the agency. For a year and a half he held the outfit together while it labored to finish a Regional Plan in 1983-84. Then, in the summer of 1984, TRPA's Plan was assaulted from several directions in the form of lawsuits. When I arrived in 1985, I gave him the responsibility over the business end of things such as finding and setting up new office space for our growing organization and putting together the annual budgets with Dana's help. He represented TRPA on Chambers of Commerce and represented TRPA in the difficult sessions regarding the subject of redevelopment, and he providing direction to staff on matters I was too busy with the Consensus Workshops to handle. We talked over issues on a regular basis. I had every confidence in Gary and consider him today to be a good friend.

Susan Scholley was our in-house counsel. She came to us from the legal firm of Shaw, Heaton, Doescher, and Owen that had been under contract to TRPA for quite some time and which would still handle some of the highest profile lawsuits. Susan was assigned to me organizationally, but was the attorney to the Board. I can't say I ever supervised her. She was a co-equal as far as I was concerned. We worked closely together when circumstances called for that, but she had all the latitude on legal affairs she wanted.

When TRPA was under the court imposed injunction, she made a great many trips to the Federal Court in Sacramento, seeking exceptions to the injunction for many worthy projects such as watershed improvement projects. She knew the attorneys from the A.G.'s office like no one else. She's a cool character. Susan was/is considered a really good attorney by others in her profession. I wholeheartedly agree.

When Susan was expecting her first child, she thought she would resign and be a full time mom. I convinced her that she could be a good mom and still keep her hand in the legal business. I arranged for her to work part time for TRPA, sometimes at home, and to farm out work to other firms as needed.

Andrew Strain didn't work directly for me, but I spotted in him an outstanding talent. He was in the Planning Department and had a range of skills that no one else had. He eventually left the TRPA a few years after I did and is, at this writing, a senior executive with Heavenly Mountain Ski Resort.

I mentioned Jerry Wells earlier. His calm demeanor, the experience he'd brought with him from previous jobs, and his quick mind made him the perfect man to be in charge of the Project Review department. That's the department that has the job of applying the agency ordinances to proposed projects. I told Jerry that I wanted his people to treat a person who applied for a permit as a client. If a person was helped through the maze of regulations and ordinances, he'd appreciate it. Satisfying TRPA's requirements is tough enough as it is without an applicant having to deal with a person with an attitude. I tried to remember that myself.

Now, we come to the head of the Planning Department, Dave Ziegler. His name comes up often in this memoir because he had the most important role in crafting such critical documents as environmental impact reports and water quality management plans. He is very conscientious and absolutely dependable. I could and did ask of him to do many very difficult tasks. He always came through.

There were several other people that helped make my time and the time of others easier, the Mikes and Kathys and Pauls and

Susan and Roxie, and others; all contributed to a special period of accomplishment by the TRPA.

One thing I did right after I became the Executive Director was to review the pay scales of the staff. I found that many were being paid considerably less than comparable positions elsewhere at Tahoe, so I adjusted their pay upward.

I also caused the TRPA to withdraw from the State of Nevada's public employee retirement system (PERS), partly because hardly anyone stayed long enough with the TRPA to be vested with any retirement pay. At the time, an employee wouldn't receive any retirement pay unless he/she worked for TRPA for ten years. But that wasn't the only thing that caused us to withdraw from Nevada PERS. Less than a year after my arrival, PERS informed us of a program change in their system. The rumor was that the system was in financial trouble, some of which was from having invested money in a dog track in Las Vegas that went broke. Like I said, it was a rumor.

Well, I'll continue on. We, the TRPA, were told that henceforth, when we hired a new employee, that employee's salary was to be reduced by 5% from the level he or she would have ordinarily started. This was because the Agency (any agency in Nevada PERS, I suppose) would have to send PERS an amount equal to 10% of that new employee's salary instead of the previous arrangement where the employee and the Agency would each send PERS 5% of that employee's salary. Under the old system, if an employee left with less than ten years tenure, he/she would get back the 5% he/she had sent to PERS, and PERS would keep the 5% the Agency sent. Instead, PERS intended to keep the entire 10%. Bad deal.

We withdrew, but not before having our lawyers fence with the PERS lawyers. Instead we created something like a 401K years before that program came into being elsewhere.

TRPA had a crude set of personnel policies when I arrived, but they were inadequate. Several months after I settled in, I rewrote

the personnel policies. As I remember, what I wrote was less than twenty pages long.

Now some of you might wonder how I did those things without asking the Governing Board for permission. And wasn't there a set of personnel regulations to follow? And retirement systems, too? Well, yes and no. The Compact says that "Agency personnel standards and regulations shall conform insofar as possible to the regulations and procedures of the civil service of the State of California or the State of Nevada as may be determined by the governing body of the agency", but the Board had never made such a determination.

There is also this phrase in Article X of the Compact: "It is intended that the provisions of this compact shall be reasonably and liberally construed to effectuate the purposes thereof." I took full advantage of that provision.

One last item for this chapter is that of moving TRPA from its location in a more or less round building across from Barton Memorial Hospital in South Lake Tahoe to an equally unusual building at Round Hill in Nevada. Some may have thought that in those days, being close to a hospital was a good idea for TRPA. Instead, the building we moved to had in its basement level, a liquor store and a gun sales business. It had all the ingredients needed for some deranged person to do something big to get his name in the newspapers. People got a lot of laughs over that.

A few months later, the owner of the building cancelled the leases of the liquor store and the gun shop, and we took over the entire building. I really liked that building. The staff had assigned me the only office with a shower.

Annual Average Lake Clarity - 1985 - 79.4 feet

THE SPIRIT OF CONSENSUS FADES

Seeking to resolve the issues that led to the lawsuits of 1984, with the attendant injunction, was not the only contentious matter that involved the TRPA in 1987. One such matter of particular interest to the City of South Lake Tahoe was redevelopment. The Consensus Workshops didn't address that, but the City wanted to work out the policies regarding redevelopment by a sort of consensus approach. A group of interested stakeholders was assembled that included Rick Skinner and a representative of the League; sometimes that was Clem Shute. I assigned Gary Midkiff to represent TRPA. The redevelopment group began meeting in mid-1987 and carried on with several more meetings into 1988. They even had a session in Monterey. By early 1988, our relations with Rick and Clem had begun to break down. Our relations were probably affected by another "consensus" activity that I'll address later, that being the issue of use of the South Lake Tahoe airport.

In early 1988, Rick and Clem introduced a new tactic in regard to the redevelopment talks. They wanted to have the parties sign a "stipulation and consent to judgment" as a mechanism for agreement on the rules applying to redevelopment. It's a legal procedure to settle differences that otherwise would be litigated in a court of law. It requires the actual filing of a lawsuit by one of the

parties. If the court accepts the case and the “settlement agreement” then the agreement has the force of law and is binding on all parties that have signed the agreement. But there actually were no legal issues. The two apparently wanted to make sure that any agreement reached on redevelopment could not be changed in the future without their concurrence.

I was unhappy, no not unhappy, I was irate when I heard about the suggestion. Did every issue of consequence have to result in a judgment by a court? The two men had made their pitch to Chester Gibbs, our Governing Board Chairman while he was at one of those Monterey meetings. When Chester got back, he consulted TRPA’s staff counsel and the legal committee about the proposal. The result was that TRPA refused to go along with the idea; so we all soldiered on, including Rick and Clem, until we finished work on the ordinance that covers redevelopment several months later.

The issue over the use of the airport came to my attention in early 1986. At that time there were at least three active lawsuits involving the TRPA, The City of South Lake Tahoe, the Federal Aviation Authority, the California Attorney General, the League to Save Lake Tahoe, and AirCal. Some were suing one or more of the parties involved and at the same time being sued by another. The first suit was in 1977 when the California Attorney General sued AirCal, the California Public Utilities Commission, and the Civil Aeronautics Board. At least one of the suits had moved to appellate court. It was a legal quagmire.

The antagonists had thought that the situation would be a good candidate for use of consensus techniques, considering the success the Consensus Workshops were having regarding the TRPA Regional Plan. The litigants agreed, so a group was formed and talks commenced.

Susan Scholley, TRPA legal counsel, was the TRPA representative for this one. The California A.G.s representative was Ken Williams. The Federal Aviation Administration had a

representative as did AirCal. Clem Shute represented the League to Save Lake Tahoe, and the City was represented by Dennis Crabb. Laurel Ames, previously the Executive Director of the League, also was involved as representing the Tahoe Airport Review Committee, an organization that apparently was created so that Laurel could have a seat at the negotiating table. The group proceeded without a meeting facilitator as was the case in the redevelopment discussions. The issues included noise standards, flights and passenger limits, who had authority to regulate the number of flights and to set noise levels, compliance with the California Environmental Quality Act as well as the TRPA regulations, and the absence of an airport master plan.

After a year of slow and painful progress, the group produced an Interim Service Agreement that included a program of work which set forth a procedure for completing a master plan for the airport. Several months later, while the group was working toward the master plan, a major breakdown occurred over the issue of how to account for airplane traffic: by flights or operations. The City was considering scrapping the Interim Service Agreement. When I learned of this, I counseled restraint and offered to act as a facilitator. The members of the group agreed to give that a try, and we had two quite productive sessions.

The principal issue from the very beginning was aircraft noise. This matter had been hotly debated at City Council meetings and at meetings of the City's Airport Commission. A technical matter was at the heart of the issue; that being TRPA's noise ordinance and what that ordinance set as the maximum limit for the airport operations. There were two categories addressed in the ordinance, one for single events and the other for longer periods, each measured differently and each based on a different standard. The only specific reference to the airport was the single event standard. Ken Williams was upset with comments I had made at an Airport Commission meeting regarding the noise ordinance, though he wasn't at the meeting. He asked me, in a very offensive letter, to remove myself from participation in the consensus talks. I was

happy to do so, as I had plenty else to do instead of participating in a seemingly interminable process.

It wasn't until much later, September 1992, three years after I had left the TRPA, that agreement was finally reached to use the TRPA noise standards, though that required the TRPA Governing Board to modify the language in the noise threshold having to do with when the single event noise standard would be applicable. A limited number of commercial flights permitted was also agreed to. Resolution of the lawsuits also occurred after I left the TRPA.

All that energy expended in reaching agreement over the various issues seems to have been in vain, because today, in 2015, there is no scheduled commercial service at the airport.

Another example of the California A.G.'s people reverting back to their old practices had to do with TRPA's approval of the Placer County Administrative Center project. On July 22, 1988, the A.G. sued TRPA over that. I considered that to be a hostile act, but not unexpected, given what Rick Skinner had said at a meeting of the Nevada Legislative Subcommittee for the Review and Oversight of the TRPA.

A few months before, Larry Hoffman had castigated both the League and the A.G. before the Subcommittee. He felt they were acting in bad faith in dealing with a number of issues since the Regional Plan was adopted.

At that same meeting, Tom Martens of the League had delivered a more than adequate rejoinder. That exchange caused many of us great concern. I called for informal discussions, so we met on May 10. I hoped to bring about a renewal of the "spirit of consensus", but was only partly successful. At the next meeting of the Nevada Sub-committee, Rick Skinner retaliated against Hoffman. In the course of his remarks he explained, quite innocently I suppose, that the A.G.s office quite frequently filed suit so they would be assured a seat at the bargaining table when an important issue was involved. No mention of a law needing to be violated, only

as needed to gain some negotiating leverage. So the A.G. had filed suit over the Administrative Center.

The A.G.'s lawyer in that case, Ken Williams, I believe, commenced negotiating with Placer County without informing TRPA. In August, a month after the filing of the suit against TRPA, Susan Scholley, TRPA's counsel, was advised that a settlement was being drafted which involved having the County make significant changes in its project. Susan responded that TRPA, having not had the opportunity to participate in settlement talks regarding a suit in which TRPA was the defendant, wouldn't sign the settlement agreement. Instead, we'd be happy to participate if we were invited.

The Administrative Center was never built. I don't know why.

In spite of those rough patches in our dealings with members of the A.G.'s staff, Susan Scholley and I were on friendly terms with them by the time each of us retired from the TRPA. In fact, in two instances we found them to be on our side in major lawsuits filed against the TRPA.

Annual Average Lake Clarity - 1988 - 81.0 feet

THE 208 PLAN

If you were to ask me to tell you, in one word, why there are so many land use regulations at Tahoe; I would tell you, “The Lake”. Okay, that’s two words, but you get the picture. If I had three words, I’d say, “The Lake’s clarity.”

Sure, there were plenty of reasons for the creation of a bi-state planning and regulatory agency for Tahoe back in 1969; and though there were many facets of Tahoe’s environment that needed to be protected; it was clear that the most important feature in the Basin to protect was the lake. It’s still the principle reason for there being a TRPA, but TRPA has not been alone in focusing on the lake.

In 1968 the federal Environmental Protection Agency designated Lake Tahoe as an Outstanding National Resource Water under the guidelines of the Clean Water Act. That designation carries with it the EPA’s policy of non-degradation. So the feds were in the act early.

California’s Porter-Cologne Act in 1969 preceded the first Tahoe Regional Planning Compact by several months, and part of that Act applied specifically to Tahoe. It included the requirement that all sewage generated on the California side had to be exported from the Basin. (I wrote about that in the segment about the Cinder Cone. The treated sewage effluent from the South Lake Tahoe area is discharged into a reservoir near my home in Alpine County). The law also set up organizations for the nine different regions of the state with their mission being to protect California’s water

resources. One of those regions included the Tahoe Basin, the Lahontan Regional Water Quality Control Board.

TRPA was in a game of catch-up. California and Nevada had already set maximum levels of various constituents, such as nitrates and phosphates, to be found in stream flows that discharged into Lake Tahoe (they were not always the same in both states). The first version of the Compact required TRPA to adopt those or higher standards in its ordinances, thereby resulting in overlapping jurisdictions at Tahoe. However, TRPA's first Regional Plan wasn't adopted until December 1971, so the matter of overlap didn't occur right away...

When that Plan was finally adopted, it included a feature not in either state's set of regulations. That was the Land Capability System, commonly called the Bailey system, which I've written about previously. This system put the TRPA a step ahead of the other regulatory bodies.

Then came the federal Clean Water Act in 1972. One element in the Act was Section 208 which directed the states to identify watersheds or regions with similar characteristics and to prepare plans for each area to regulate sources that might pollute the waters of the United States. The Act identified two categories of sources: point sources (think of the discharge of treated sewage from sewage treatment plants) and non-point sources (think of highway drainage or surface runoff from golf courses). California and Nevada agreed that the Tahoe Basin was a region that ought to be subject to just one plan. Such plans are called Water Quality Management Plans and have become known as 208 Plans.

I need to mention that the U.S. Congress had given the states authority over federal lands regarding water quality protection, so when I was in the Forest Service we followed these matters closely.

Okay, let's get into what I said earlier about overlapping jurisdictions. For instance, in my time if you owned a marina and needed to dredge it so sailboats could come in or go out, you needed permits from the TRPA, the Corps of Engineers, a State

Lands department, and, in California, the Lahontan Regional Water Quality Control Board. I don't know if that situation has been sorted out yet, but I'm sure the agencies are trying.

That situation, as troublesome as it was for marina owners, was not as contentious as getting the approval of every government agency that had a say in 208 Plans. First you must realize that a 208 Plan for the Tahoe Basin has to be consistent with the Regional Plan of the TRPA and vice versa. So, having been designated as the 208 Planning Agency in 1974, and having a Regional Plan by then, the TRPA adopted its 208 Plan in 1978 and sent it to the two states for approval so it could go to the federal Environmental Protection Agency (EPA) for its approval. Nevada approved it. California didn't. That meant that TRPA would have to revise its Plan.

About that time negotiations between the states over a revision of the Tahoe Regional Planning Compact weren't going very well. Whether it was fear that TRPA might go out of business, or that it might not go out of business but didn't know how to do a proper job writing a 208 Plan; California prepared its own 208 Plan for the California side of the Tahoe Basin in 1980. It included application of TRPA's Bailey system. I mentioned that 208 Plans can affect a wide range of activities. Well, the California side plan had in it that of the estimated 16,000 vacant lots in the Basin, only 4,000 would be able to be built on. That was a shock to a lot of people.

The two states did finally agree on a new Compact; and in 1981 the TRPA adopted a new 208 Plan. It incorporated some of California's plan, particularly as applied on the California side. The two states approved it, and then it went to the EPA which also approved it.

In 1983, California made a few technical amendments. A year later, that Plan was out of date because the TRPA had adopted a new Regional Plan with some features that needed to be incorporated into a new 208 Plan. But!!! California sued TRPA over

its adoption of the Regional Plan, so it wasn't about to approve a new 208 Plan based on that 1984 Regional Plan.

Well, if you've been reading what I wrote earlier, everything turned out all right. When TRPA's 1987 Regional Plan was adopted it had some new features, such as IPES, that had to be included in the 208 Plan, so it did one more 208 Plan. It was adopted by the Governing Board in 1988 and sent to the two states. Nevada ratified it in November 1988. California didn't adopt it until April 1989. EPA approved it that same year. Some features of the 1987 Regional Plan, like the IPES program, had to wait until EPA gave its approval of the 208 Plan.

That was the 4th 208 Plan in ten years. That Plan and the 1981 Plan were put together by Dave Ziegler and his small staff. I'm certain that nobody else in the Agency could have done that. As I told you earlier, Dave had come to the TRPA from the EPA in Washington, D.C. He was/is a very smart man. He had a good grasp of all the relative factors that entered into preparing the 208 Plan as well as all the other elements that were included in the 1987 Regional Plan. It was no surprise to me when he was selected as my successor as Executive Director when I retired from the TRPA.

By the summer of 1989 I had seen TRPA through the development of its new Regional Plan, through the lifting of the federal court injunction and the dismissal of the California AG and League to Save Lake Tahoe lawsuit, and through the adoption and approval of a new 208 Plan by all the necessary agencies. TRPA was operating as it should; the two states were providing enough funds; and the organization was fully staffed with competent personnel. I could consider doing something else. So I did. I retired.

Oh, by the way. Do you remember the judge whose pier was almost buried by a delta caused by debris flows out of Blackwood Creek in 1965 and later years?

Well, after twenty three years his patience grew thin and he hired some equipment to move some of the material. The equipment was operating in the lake and also had damaged the

habitat of a sensitive plant called *rorippa subumbellata*... To operate in the lake at that location one needs permission of Placer County, the California Fish and Game Department, the California State Lands Commission, the Lahontan Regional Water Quality Control Board, the Corps of Engineers, and TRPA. He had no permits from any of them. After prolonged negotiation, the judge agreed to pay a fine of \$5000 to the TRPA. I signed the document that settled the case in the spring of 1989.

Annual Average Lake Clarity - 1989 - 77.4 feet

CLOSING

So what was it all about, those twenty-five years I was in the public arena at Tahoe?

What I think it was about was engaging in matters of temporal importance to the people who lived, worked, or played in one of the country's great gifts from nature. Most of what I was doing was satisfying, though some of it was very difficult, sometimes unnecessary, and sometimes even harsh so far as some people were concerned. But all the while and whatever I was doing, I had the support of many people, especially my wife, Carole.

During that time, I and my staffs, both Forest Service and TRPA staffs; as well as members of the Consensus Workshops; members of the TRPA Governing Board and the APC; and several members of Congress and of the two state legislatures invested a great amount of time and energy into caring for Tahoe's environment. The same is true of many others in various state and federal agencies as well as many private citizens and several in various fields of academia. Not to be overlooked were the staffs and members of the governing bodies of the five counties in the Basin and the City of South Lake Tahoe.

Were there any accomplishments involving us that really mattered in the grand scheme of life of the Tahoe Basin? Probably. Time will tell.

Annual Average Lake Clarity - 2014 - 77.8 feet

APPENDIX

TRPA GOVERNING BOARD 1985 -1989

Nevada Members

Washoe County Commission

Jim King -1/83 to 12/86

Dianne Cornwall - 1/87 to 12/92

Douglas County Commission

Bob Pruett - 1/83 to 1/89

Bruce Kanoff - 2/89 to 12/92

Carson City Board of Supervisors

Stan Hansen - 1/83 to 5/88

Gene Scrivner - 6/88 to 12/88

Kay Bennett - 1/89 to

Nevada Secretary of State

Wm. D. Swackhamer - 12/80 to 12/86

Roy Hibdon (Representing Swackhamer - 11/83 to 12/86

Frankie Sue Del Papa - 1/87 to 12/90

Director, Nevada Dept. of Conservation and Natural Resources

Roland Westergard - 1/83 to 1/90

Nevada Governor's Appointee

Tony Clark - 12/83 to 12/85

F. DeArmond Sharp - 1/86 to 1/88

Charles Deaner - 3/88 to 5/89

Drake Delanoy - 6/89

Nevada At-Large Member

Peggy Twedt - 10/83 to 11/85

David Miller - 12/85 to 3/88

Wayne Chimarusti - 12/88 to 12/94

California Members

South Lake Tahoe City Council

Norman C. Woods - 3/78 to 9/88

Keith Klein - 10/88 to 6/94

Placer County Board of Supervisors

Erik Henrikson - 1/85 to 12/88

Mike Fluty - 1/89 to 8/90

El Dorado County Board of Supervisors

Thomas Stewart - 1/71 to 12/86

John Cefalu - 1/87 to 12/90

Governor of California Appointee

Alexander Haagen - 4/83 to 2/88

William Cronk - 7/88 to

Governor of California Appointee

Chester Gibbs - 4/83 7/91

California Assembly Speaker Appointee

James Reed - 1/81 to 12/89

California Senate Rules Committee Appointee

Joseph Houghteling - 10/84 to 6/86

Presidential Appointee (nonvoting position)

Rex Hime - 6/83 to 10/89

CONSENSUS WORKSHOP PARTICIPANTS

Marta Adams - Nevada Attorney General's Office
Shirley Allend - American Association of University Women
(Mary Harrington)
Ken Barrow - Incline/Crystal Bay Advisory Board
Craig Beck - North Tahoe Advisory Board
Don Beck - Tahoe Sierra Board of Realtors
Bev Bedard - North Shore C of C, Tahoe City Advisory Board
Jim Broadway - Environmental Protection Agency
William Chidlaw - Tahoe Shorezone Representation
Bill Combs - TRPA Advisory Planning Commission
Bill Conlon - South Shore Chambers of Commerce
Lew Dodgion - Nevada Division of Environmental Protection
Neil Eskind - North Tahoe Public Utility District
Jon Hoefer - U. S. Forest Service
Larry Hoffman - Tahoe Sierra Preservation Council
(Greg Lein)
Heidi Hopkins - Sierra Club
Del Laine - Tahoe Transportation District
Mike Lee - Tahoe Basin Association of Governments
(Dennis Crabb)
Leo Poppoff - Lahontan Regional Water Quality Control Board
(John Cefalu)
(Dale Sare)
Lois Shellhammer - League of Women Voters
Clem Shute - League to Save Lake Tahoe
(Tom Martens)
(Dwight Steele)
(Fritzi Huntington)
Rick Skinner - California Attorney General's Office
(Ken Williams)
Mike VanWagenen - Gaming Alliance
John Weidman - Utility Districts

(Parentheses indicate alternates to the principal representatives)

ACRONYMS AND SUCH

A.G. - California Attorney General
APC - Advisory Planning Commission
Bf - board feet (of lumber)
BLM - Bureau of Land Management
BMP - best management practice
BuRec - Bureau of Reclamation
CALTRANS - California Department of Transportation
CEQ - Council on Environmental Quality
CEQA - California Environmental Quality Act
COE - Corps of Engineers
CSU - California State University
CTC - California Tahoe Conservancy
CTRPA - California Tahoe Regional Planning Agency
DCSID - Douglas County Sewer Improvement District
DOE - Department of Energy
DOI - Department of Interior
DOJ - Department of Justice
DOL - Department of Labor
DOT - Department of Transportation
EDA - Economic Development Agency
EIS - Environmental impact statement
EPA - Environmental Protection Agency
FHA - Federal Housing Administration
FTE - Full time equivalent
HUD - Department of Housing and Urban Development
IPES - Individual Parcel Evaluation System
IRS - Internal Revenue Service
League - League to Save Lake Tahoe
LEIS - Legislative Environmental Impact Statement
LRWQCB - Lahontan Regional Water Quality Control Board
LTBMU - Lake Tahoe Basin Management Unit

Mg/l - milligrams per liter
NDOT - Nevada Department of Transportation
NEPA - National Environmental Policy Act
NFMA - National Forest Management Act
NRA - National Recreation Area
NSA - National Scenic Area
NTPUD - North Tahoe Public Utility District
NTRPA - Nevada Tahoe Regional Planning Agency
PCT - Pacific Crest Trail
PERS - Public Employees Retirement System
SEZ - Stream Environment Zone
S.P. - Southern Pacific Land Company
STPUD - South Tahoe Public Utility District
SUP - Special Use Permit
TBAG - Tahoe Basin Area Governments
TCG - Tahoe Coordinating Group
TCID - Truckee-Carson Irrigation District
TCPUD - Tahoe City Public Utility District
TSPC - Tahoe Sierra Preservation Council
ULI - Urban Land Institute
USDA - United States Department of Agriculture
USFS - United States Forest Service
VIS - Visitor Information Services
WFRC - Western Federal Regional Council
W.O. - Washington Office of the Forest Service
YCC - Youth Conservation Corps

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