

CARSON TRUCKEE WATER CONSERVANCY DISTRICT

Regular Meeting

March 9, 2021

Video Conference via ZOOM

DIRECTORS:

Todd Westergard

Karen Baggett

Mike Nevin

Ernie Schank

John Capurro

Tyler Henderson

Pete Olsen

Ty Minor

John Enloe

ABSENT:

Ed James

Staff

Mary Pat Eymann

GUESTS:

Kayla Dowty, Tri Sage Consulting

Lori Williams, Tri Sage Consulting

Jamie Lohmeier, Tri Sage Consulting

Chad Blanchard, FWM

Leo Bergin, Attorney

1. CALL REGULAR MEETING TO ORDER -

President Westergard called the Regular meeting to order at 10:00 a.m.

2. PUBLIC COMMENT – None

3. APPROVE AGENDA –

Director Schank made a motion to approve the posted agenda; seconded by Director Nevin; motion carried.

4. APPROVAL OF MINUTES AND CHECKS WRITTEN –

Director Capurro made a motion to approve the February 9, 2021 Minutes; financial statements as submitted and checks written on Bank of America #9664- #9669 and Nevada State Bank #3050 - #3052, motion seconded by Director Henderson; motion carried.

5. FEDERAL WATERMASTER'S REPORT – Chad Blanchard

*A complete copy of the Water Report is available at
District Offices or on the internet at troa.net.*

Snowpack is as follows; Tahoe 65%, Truckee 66%, and Carson 69%. Precip to date is only in the 50's, because most of what is received has fallen as snow and no rain to wet the soil. Worst soil conditions in 15 years, will make run off less efficient.

Boca Safety of Dams construction project is wrapping up. Hoping to fulfil the 1st fill requirement using exchanges with Tahoe water.

Irrigation season to start April 1, 2021.

There was discussion about the DRI not cloud seeding this year due to budget constraints. This is the first time in quite a while they have not cloud seeded. Director Westergard asked Attorney Bergin if this is something the District can contribute to? Attorney Bergin was not sure but would check into it and report back. Director Enloe advised that TMWA would contribute \$50,000 if the ski resorts also contributed. The resorts did not and TMWA has not heard back from DRI.

6. DESIGNATE AUDITOR FOR FY 2020-2021, BARNARD VOGLER & CO for \$9800– Staff

- ❖ Director Capurro made a motion to accept Barnard Vogler as the auditor for FY2020-2021; seconded by Director Schank; motion carried.

Director Schank inquired if there was a reason, we did not go out to bid with other firms. Staff advised the firm has been working with the WCWCD for years and are extremely easy to work with.

7. DISCUSS AND REVIEW OF TRUCKEE RIVER WATERSHED PLAN/IMPROVEMENT PROJECT WITH POSSIBLE BOARD DIRECTION – Kayla Dowty

This is regarding the Steamboat Canal project discussed last month. The project has been put on hold by the NRCS at this time. As discussed last month Superintendent Penrose drafted a letter to NRCS removing anything regarding jurisdiction the District might have regarding the NEPA process. The letter has been re-drafted and forwarded to Chairman Westergard and Attorney Bergin for review, then signed by Superintendent Penrose and sent.

8. DISCUSSION AND POSSIBLE ACTION ON PARTICIPATION IN THE ONE TRUCKEE RIVER VEGETATION MANAGEMENT PLAN – Kayla Dowty

The District received a request to participate in the One Truckee River Vegetation Plan (*a formal request was provided to the Board and is available at District offices*). The District is being asked to participate in a technical working group to develop the vegetation management plan. The average commitment would be 1-2 hours per month over an 18-month period. It was suggested that perhaps due to the high number of hours required for the commitment to participate perhaps a letter be send with information of what the District can and cannot do, and provide information regarding 408 permit process.

Director Schank – Are they planning on being in the River with mechanical equipment?

Kayla Dowty – They would be advised that any type of work that require equipment of excavation would require a 408 permit. Ms. Dowty does not think that is what they are planning, but it is not clear in the information provided.

Lori Williams – Vegetation management other than the removal of floating debris in the River that can cause flood blockages is not our business.

John Enloe – TMWA has been involved with One Truckee River since its inception. He feels there will be conflicting issues since certain stake holders will be wanting to plant vegetation where we will not want them to. Mr. Enloe feels we should keep involved and attend key meetings to make sure they do not do things contrary to what the District would want.

Todd Westergard – Do they have meeting agendas?

Lori Williams – in the letter drafted to send to them it was stated that if they are planning on planting any vegetation in the flood channel (14,000 cfs) that they need to involve the District to determine if a permit is needed. It is unknown what type of vegetation they are going to plant. Certain types would interfere with the flood channel.

Kayla Dowty – Would it be beneficial for someone to attend at least the kick-off meeting to determine the need to attend any future meetings?

- ❖ Director Schank made a motion to have someone from Tri Sage attend the kick-off meeting and evaluate what and how they intend to accomplish their goals and then follow up with a letter based on what is said at this meeting; seconded by Director Enloe; motion carried.

9. UPDATE AND REVIEW OF LETTER FOR THE RTC ARLINGTON BRIDGE PROJECT – Kayla Dowty

Ms. Dowty and Superintendent Penrose attended the stakeholder working groups for this project. As follow up to this a letter was drafted and provided to the board (*available at District offices*).

10. DISCUSSION OF GRANTS PROVIDED BY THE DISTRICT FOR CURRENT FISCAL YEAR (2020-2021) AND POSSIBLE GRANTS FOR 2021-2022 INCLUDING DISCUSSION OF THE GRANT PROCESS – Kayla Dowty/Lori Williams

A copy of proposed changes to the District project funding process and forms was provided to the Board and is available at District offices.

The current 2 application process is being combined into a single application with a “Standard Agreement” form that would be made specific to each applicant. It was made clear what the Board would pay for in grant funding with specific regard to payroll. Not to pay for applicant salaries but more specifically to pay for boots on the ground. The process of payment was also changed to make this more flexible as to if payment was made after project completion or not. Funding could be made available prior to the project if needed. A “Grant Agreement” was also proposed to firm up what the Board has approved for each recipient.

Director Schank thought that perhaps prior to the meeting where applications are awarded a committee meet with applicants for a question-and-answer type session where more specific information could be gathered and then make recommendations to the full Board on projects.

- ❖ Director Schank made a motion to add to the current red-line version of the agreement and to create draft grant agreement as discussed and to add to the process document that “at the discretion of the Board a sub-committee may be formed to view applications and make recommendations to the full board”, and that applications would be due in January and the sub-committee meets in February for review by the full board in March; applicants should also be prepared to make a presentation to the board or a committee if requested; motion seconded by Director Enloe; motion carried.

11. DISCUSSION AND POSSIBLE BOARD DIRECTION REGARDING ENCROACHMENTS, PERMITS AND REQUESTS– Lori Williams/Kayla Dowty

See Engineer’s Report

See Martis Creek Agreement, which is referenced in this agenda item

Tri Sage read an article in the RGJ this month that reported on a new apartment complex at 700 Riverside Drive that was breaking ground in early March. Per the new inundation maps (*available at district offices and provided to the Board*), this parcel floods at 14,000 cfs. This is an odd circumstance as this parcel is outside the river channel and is obviously not flagged by the City of Reno to require a 408 permit. The Board’s input is required on this matter to determine how properties like this one should be handled with the City of Reno.

In the past the City was advised to flag all properties adjacent to the Truckee River, this parcel is not adjacent and therefore would not have been flagged. This is the first project of this nature as not being, specifically on the River. According to the inundation map provided there are several parcels that could be in the 14,000 cfs flood channel. Depending on how the Board handles this project could present a president as to how other future developments are handled.

Todd Westergard – What is our due diligence? We need to let City of Reno know, what ever entity approved this flagging or referring to the District.

Lori Williams – The most stringent option would be to advise the developer to stop construction and advise them they have to get a 408 permit. Potentially the City of Reno or the developer could then come back to the District and say “no we aren’t doing that”. The next option could be to notify the City that they approved this project and that the project is in the 14,000 cfs flood channel and we are going to require you (City of Reno) to notify the developer that this is what the parcel looks like during a 14,000 cfs event. TRFMA has been working with the City on this problem on Riverside. The water does not stay in the River. At a minimum Ms. Williams feels the City of Reno should be put on notice that this is an issue. And perhaps the District can assert they have to get a 408 permit, they are making changes to what is the current flood channel.

Karen Baggett – Can we send a letter to the City stating that they must notify the potential builders in this area could we require them to send the District a copy so we could know they did notify them?

Leo Bergin – Yes and the letter could be sent and sent to someone who will forward it to the correct person.

Kayla Dowty – How does this affect adjacent business as well, what is the elevation.

A letter will be drafted notifying the City of Reno that a 408 permit may be required for this property and

that it's up to the CTWCD Board if a permit may be required and to stop granting permits due to the issue of being in the flood channel. This then gives the District time to get more information from the City.

Tri Sage will reach out to the City of Reno Planning Commission and Community Service via email and copy District Attorney and Chairman to hold off on things and then for this Board based on the City's response form a letter or request a meeting to discuss. This meeting would also entail all potential parcels that could flood.

The full set inundation maps will be forwarded to the Board and possible uploaded to the website. The file is extremely large.

12. DISCUSSION AND POSSIBLE BOARD DIRECTION REGARDING MAINTENANCE DEBRIS REMOVAL WORK, EMERGENCY DEBRIS/DEPOSIT REMOVAL WORK AND AUTHORIZATION FOR EXPENDITURES FOR SUCH WORK – Lori Williams/Kayla Dowty

See Engineer's Report

Working with the City of Reno on further debris removal using left over money that was previously approved by the Board.

13. DISCUSSION AND POTENTIAL ACTION REGARDING ISSUES THAT MAY ARISE DURING THE 2021 REGULAR SESSION OF THE NEVADA LEGISLATURE WHICH COULD POTENTIALLY IMPACT CONSERVANCY DISTRICTS, GENERALLY – Karen Baggett

Ms. Baggett is sending the Board information on an ongoing basis.

BDR 48471 has become SB 155, this would change the qualifications of the State Engineer. The position appears could become more of an administrator with a background maybe in water and engineering or not. The hearing for this has not yet been scheduled.

Todd Westergard advised that this came up last session and is unsure why it has come up again. It might have been pulled last session. Mr. Westergard believes the consensus of this Board was to oppose this but is not sure if we went on the public record. Mr. Westergard and staff will investigate this.

- Director Schank made a motion that the District does NOT support the State Engineer being allowed to serve and not have an engineering degree and that if need be Chairman Westergard testify at any potential hearing; seconded by Director Enloe; discussion: Director Enloe how much of what we are charged to do is directly affected the State Engineer's Office? Director Westergard stated that he did not appear last time this was brought up in the legislature and does not believe anyone from the Board did. Director Westergard recalls that while we did not testify did make comments to people about this. Director Baggett will track the Bill and let the Board know. Lori Williams stated she felt under the Martis Agreement the powers of the District are very broad. Director Enloe withdrew his second to the motion; the motion was not voted on.

14. ENGINEER/CONSULTANT REPORT – Lori Williams/Kayla Dowty

See Engineer's Report

Last meeting Chad Blanchard, FWM advised the District of a working group to study the operation of the Truckee Basin water management. There are 2 workshops that are upcoming that will be attended by Tri Sage and the Superintendent. Ms. Dowty will keep the board updated on this.

15. SUPERINTENDENT REPORT – Ron Penrose

Nothing to report – Mr. Penrose was not present.

16. LEGAL COUNSEL REPORT – Leo Bergin

Nothing to report.

17. SECRETARY/TREASURER REPORT – Mary Pat Eymann

Nothing to report.

18. PUBLIC COMMENT - None

19. BOARD COMMENTS AND REQUESTS FOR FUTURE AGENDA ITEMS

Future Agenda Item Requests:

- #10
- #11

Board Comments: none

- Director

20. ADJOURNMENT -

There being no further business, President Westergard asked for a motion to adjourn the meeting. Director Capurro moved to adjourn, Director Henderson, seconded said motion, motion carried.

****The next meeting will be Tuesday, April 13, 2021 at 10:00 a.m.****

Todd Westergard,
President

Mary Pat Eymann,
Secretary/Treasurer