

CARSON TRUCKEE WATER CONSERVANCY DISTRICT

Special Board Meeting

May 9, 2013

DIRECTORS:

Andre Aldax
Barbara Byington
John Capurro
Greg Dennis
Gwen Washburn
Mike Nevin
Todd Westergard
Ron Penrose

OTHERS PRESENT:

Leo Bergin, Attorney
Lori Williams, Engineer/Consultant
Ed James, CWSCD

ABSENT:

Sal Quilici
Ernest Schank

STAFF:

Trudy Salley
Gwyn Bergin

President Aldax called special meeting to order at 10 a.m.

PUBLIC COMMENT – NONE

USACE River Inspection April 23rd, 2013 –

Director Penrose opened the meeting with an over view of why this special meeting was called. He stated Lori accompanied USACE for an inspection of the Truckee River on April 23, 2013. During the inspection, some items came up with the USACE representative. These questions have raised some concern to both of us regarding items which need to be done on the river pertaining to CTWCD's responsibility of maintaining the channel at 14,000 cfs in relating to sediment build up and vegetation. Also the City of Reno, we believe has some responsibility for some of the vegetation emanating out of the flood walls. This vegetation could be as old as 10 to 15 years or more. Another concern after further review pertaining to the storm drain pipes penetrating the flood walls, they have NO flappers on them. Basically, when you get into a flooding situation, where the water arises above the storm drain pipes you have no flood wall. The flood wall is basically breached. This item probably goes back 10 years.

Director Penrose and Ms. Williams have been reviewing the O & M agreement and trying to determine what our real responsibilities are as a District. Director Penrose and Ms. Williams have also scheduled some meetings: Monday (5/13), they will be meeting with USACE Sacramento Office and then a follow up meeting Tuesday (5/14) with John Flansburg, City of Reno Public Works Director, with the Boards authorization.

The first question the USACE representative asked: Ms. Williams, do you have your O & M Manual with you? Lori's response was well "No" it is back in the office. Lori feels she received a big black mark for not having the O & M manual on her person at time of inspection. About 5 years ago the USACE came out with a new "Inspection" form.

Ms. Williams is going to share the details of each of the concerns, she and Director Penrose feel are alarming concerns. Ms. Williams has prepared a summary under the Martis Creek Agreement for

the Board laying out the details of items they feel we have been doing very well and items they feel we have not been doing so well. We (Carson Truckee District) gave assurances back when the flood project was approved (1970's). We would support or maintain the 14,000 CFS channel. We would prevent any encroachments in the river, unless they were permitted. Over and over again in the agreement it states "you cannot" permit an encroachment without the authorization/determination by the Corps of Engineers District Engineer. Due to their unresponsiveness to some of our requests over the years, Lori thinks we may have allowed/approved encroachments without their authorization. Ms. Williams has not only a summary but photos to share of the areas. Lori feels we may have never permitted nor even had permits brought before the Board on some items. We have an obligation to inform parties this project does not support the maximum flood and then we are obligated to operate and maintain the project at our expense.

One of the important items, we are supposed to have and currently do not have is an "Official Superintendent". It appears our last superintendent may have been Don Casazza who was officially appointed. This is an area we should discuss and appoint; therefore, this item is to be added to the Agenda for the May 16, 2013.

The roles of the Superintendent are pretty clear, he or she is the one that is supposed to run the work force. Has to make sure the semi-annual reports are completed and submitted. Ms. Williams was not aware we had semi-annual reports. Therefore, we are behind on last June (2012) as well as December (2012). She is also unable to find where our previous engineers had completed and/or submitted these semi-annual reports as well.

Another item the Superintendent is supposed to do is a 90 day inspection from the State line down to the Glendale Bridge. While we have done intermittent inspections, we have not strategically or purposely made all of those inspections in 90 days. This goes back as far as Lori can determine. We are supposed to follow a reporting checklist which is outlined in the manual.

Ms. Williams's handouts covered the following areas (copies of all handouts are in the minute's book):

Obligations under the Martis Creek Agreement:

CTWCD & City of Reno & Washoe County provided Local Assurances

CTWCD agreed to Maintain & Operate the project after completion

Assurances include:

- * Maintain the channel capacity at 14,000 cfs
- * Prevent encroachments
- * Maintain channel clear of floatable debris – from Stateline thru Reno
- * Inform interests that Project does NOT provide protection in Maximum Floods
- * Maintain & Operate at own expense

Appoint an "official" Superintendent responsible for Operation and Maintenance

- * Submit Semi-Annual reports to the District Engineer – June 1 and December 1
- * Conduct inspections at least every 90 days
- * Promptly make repairs/pursue maintenance measures deemed necessary by the District Engineer
- * Prosecute encroachers without authorization
- * Provide Maintenance of Project – including growth, deposits, erosion, and repairs
- * Make no alterations to line or grade with District Engineer determination
- * Submit as-built drawings for ALL alterations to the USACE District Engineer

Inspection:

- * By superintendent;
- * Clear of Debris & growth, no restrictions & encroachments, no shoaling, no sloughing, wall conditions;
- * Prior to flood season, after each high water or at least 90 day intervals
- * Use Inspection checklist & Report inspection in semi-annual reports
- * Conform to Project with any improvements

Maintenance:

- * Immediately remedy adverse actions
- * Keep side drains open & unobstructed
- * Stabilize channel alignment with protections /rock
- * Remove sediment and debris
- * Remove vegetation growth before flood season
- * Repair damage to dikes & floodwalls
- * Add stone protection if inspection reveals scour

Operation:

- * Patrol both banks during High Water & remove debris
- * Inspect following High Water & remove debris & repair
- * Install plywood along railings as designed at 10,000 cfs; stockpile plywood

Preparation:

- * Inspect all projects
- * Repair all flap gates on culverts
- * Make arrangements for assistance

Summary of June 15, 2010, Inspection Report:

Letter Notice: 2 years from February 7, 2011 to correct “unacceptable” items to minimally acceptable

Unacceptable Items:

- *Unwanted Vegetation Growth – 15 ft. vegetation free zone with 8ft root free zone at floodwalls
- *Vegetation growing in flood walls
- *Encroachments-Box Culvert at Idlewild Drive causing erosion, remove & restore banks
- *Flap Gate & pinch valves – culverts and pipes without flap gates noted

Minimally Acceptable Items:

- * Flood preparedness Training – no written flood response plan and contact numbers; plywood stockpile and installation plans not available; sandbag availability uncertain
- * Vegetation and Obstructions-Vegetation in Shoals and rip-rap
- * Shoaling upstream of Arlington, downstream of Virginia & Downstream of Center (plus now Lake)

Consequences for Corrections NOT completed within 2 years – See Inspection Report Template
 * May drive System/Project Rating to “Unacceptable”

- * May lead to notifications for regional officials
- * May become ineligible for Rehabilitation Assistance
- * May need to enter a System Wide Improvement Framework Process-LOI, worst first

RECOMMENDED CORRECTIVE ACTION PLAN as of 5/19/13: (Ms. Williams)

Authorize full legal review of Martis Creek commitments from various sources, agreements and actions to understand the obligations of each party.

Authorize meeting with USACE in Sacramento to explore options for time extensions & notifications.

Authorize discussions with City of Reno regarding participation in the corrections

Authorize “Unacceptable” Rated Items to be pursued EXPEDITIOUSLY including:

- * Develop project plans to remove Unwanted Vegetation and clear “vegetation free zone”; including: acquiring appropriate permits, solicitation of bid/proposals, contracting for the performance of work, manage work, and document/report corrective actions.
- * Develop project plans to remove Box Culvert and restore both river banks to correct erosion and meandering: Including acquiring appropriate permits, solicitation of bids/proposals, contracting for the performance of work, construction management, and document/report corrective actions.
- * Develop project plans to install flap gates on all penetrations into the flood project area or provide documentation showing that flood waters at 14,000 cfs do not inundate the conduit: Including acquiring appropriate permits, solicitation of bids/proposals, contracting for the performance of work, construction management, and document/report corrective actions.

Authorize “Minimally Acceptable” Rated Items to be pursued including:

Evaluation of Shoals and in channel vegetation to assess the impacts on the 14,000 cfs capacity and the need to remove such shoals and vegetation;

Develop a written Flood Response Plan and integrate the CTCWD plans with local agency plans including verification of City of Reno Plywood stockpile and installation plans sufficient for flood walls in required sections.

Authorize validation and update of the HEC-RAS model for the purpose of flood channel repairs as well as for the evaluation of encroachment requests to maintain the 14,000 cfs capacity. This may include survey and collection of benchmark data.

Designate a “Superintendent” for the project and delegate appropriate decision making authority for the Superintendent to operate and maintain the Project in accordance with the Martis Creek O & M Manual.

Authorize the Superintendent to perform all function required under the Martis Creek O & M Manual Inspections at 90 day or flood intervals, reporting, operations and maintenance activities followed with reporting to the District monthly on activities, needs, expenditures etc.

Ms. Williams’s current critical points/requests are:

Legal review of the O & M agreement

Legal review of City of Reno agreement (unclear as to who is responsible for what)

Authorize Ron & Lori's meeting with the USACE on Monday, May 13 2013.
Authorize Ron & Lori's meeting with the City of Reno on Tuesday, May 14, 2013

COUNSELS RECOMMENDATION:

Mr. Bergin stated our best course of action at the present time is to recognize we have a problem. Approve for Director Penrose and Ms. Williams to move forward with their scheduled meetings next week with USACE and City of Reno. We need to Re-act but not Over Re-act. We need to use this time as the "Fact Findings" period.

Director Byington made a motion to approve moving forward with Director Penrose & Ms. Williams meetings next week with both the USACE and City of Reno. Motion seconded by Director Dennis, motion carried.

PUBLIC COMMENT –

Mr. James stated there are funding sources available through the State of Nevada. There may be funding sources to assist with these types of issues; however, they do not come easy and may take up to 4 years. He also recommends checking with the Flood District regarding the modeling, as they may have the current topography of the River bottom.

There being no further business, President Aldax adjourned the special meeting and announced the Public Hearing on the Final Budget meeting will be held Thursday, May 16, 2013 at 10:00 am.

Andre Aldax
President

Gwyn S. Bergin,
Secretary/Treasurer