

CARSON TRUCKEE WATER CONSERVANCY DISTRICT

Board Meeting
August 13, 2013

DIRECTORS:

Barbara Byington
Ed James
Greg Dennis
Ron Penrose
Todd Westergard
Chuck Roberts
Mike Nevin

OTHERS PRESENT:

Leo Bergin, Attorney
Lori Williams, Engineer/Consultant
John Munson, Venture Engineering
Tracy Taylor, State Engineer, NDWR
Bob Zeisloft, NDWR
Dave Wathen, FWMO

ABSENT:

Gwen Washburn
Ernie Schank
John Capurro

STAFF:

Gwyn Bergin
Trudy Salley

Acting Chair Westergard called the meeting to order at 10:10 a.m.

PUBLIC COMMENT - NONE

APPROVAL OF MINUTES AND CHECKS WRITTEN –

Director Penrose made a motion to approve the minutes for July and checks written on Bank of America #9144 - #9152 and Nevada State Bank #2427- #2435. Motion seconded by Director Nevin, motion carried.

FEDERAL WATERMASTER'S REPORT -

Dave presented the water report; copy is included in Minutes book. Farad this morning is at 508 cfs, target is 501 cfs. Little high at Tahoe should drop a little later today. Reno is at 282 cfs, Sparks 253 cfs, Vista 287 cfs, and Derby Dam is at 149 cfs. Lower Truckee at Nixon is at 143 cfs. In the Truckee Canal (at the head) is 160 cfs, Wadsworth 164 cfs, Canal at Hazen 95 cfs. On the Carson River; East Fork Gardnerville is at 53 cfs, West Fork at Woodford is at 15 cfs, Carson City is at .09 cfs (suspect closer to .05 cfs) and Ft. Churchill is at .00 cfs. Storage at Tahoe is at 6225.48 AF, Boca is 30,970 AF, Stampede at 130,322 AF, Prosser at 10,338 AF, Donner at 8,388 AF, Independence is at 16,058 AF, Martis as the dead pool at 820 AF and Lahontan is at 36,810 AF. Floriston rates should be made through the season.

NEVADA STATE WATER MAPPING PRESENTATION

Tracy Taylor and Bob Zeisloft of Nevada Division of Water Resources came to present the mapping project which CTWCD Board has assisted in funding. Tracy began this mapping project back in 1994, at that time he explained to Board this project would take two years; 14 years later it has been a very successful project. Bob explained they use the 1913 Plane tables along with today's auto cad tools to create the new maps and he is amazed at just how accurate they are. Bob stated when he first took over supervising the technicians, Tracy made it clear to Bob his technicians must use the Plane Table Maps. If Tracy is called into court, he wanted to be able to say we created these maps based off of 1913 Plane Table Maps. The 1913 Plane Table Maps show the original ranches, farms, corrals and roads, large areas of land with water rights. Any time a developer wanted to develop a subdivision for example, they would have to go out and purchase water rights from this claims/land in order to dedicate

water rights for their projects.

Tracy explained although the Decree is exact as far as, I have 10 acres with 10 AF of water rights. However, if you really start looking at the plane table maps, you have to start deducting for the dry areas; such as corrals and roads. Otherwise, if you gave everyone exactly what they said they had per the decree, the last guy in would be short water rights. For example: Someone may have 10 Acres with 10 acre feet of water rights, but after deducting corrals & roads they may have truly only 7 acre feet of water rights.

Back in 1994, we were getting boxes of Deeds to change over ownership, as well as applications to change point of diversion and manner of use. NDWP office could not keep up. Originally, CTWCD funded the first position to begin the project by giving funding in the amount of \$70,000. As the mapping project progressed everyone discovered how helpful the project actually was and others such as SPPCo began funding the project as well amongst other entities. Later, Ed James came to NDWP and requested the same mapping for the Carson River.

Bob stated the new maps show the original ranch land now being parceled on the index of the map you will see the claim number. Below the claim number you see the parcel number along with the acreage of each parcel. Now, if you go out purchase water rights, you can go down to the NDWR and look at the claim file, you will see a Claim summary in the claim deed file. What this means is when a new Report of Conveyance and Abstract of title is submitted to NDWR, they can look in the claim file and will find all of the ownership information up to the point of this new submittal. In the past they were inundated with 15 – 20 years of backlog. Today, they are current and up to date, thanks to the mapping project. Important information pertaining to these TR MAP's is White areas = Irrigation Rights, Hatched areas with 5 digit number = Permit which stripped the water rights (no water), XX Areas = dry areas no water. White areas mean dig deeper maps may not yet be updated, continue your research.

Tracy stated you would think there would be a lot of disagreements with owners, this is not the case, and Tracy has never had to go into Court to defend any of their work. These maps are signed by both the State Engineers office as well as the Federal Water Masters office. Said maps have a lot of clout and are correct! Overall, the mapping project has been very highly supported, successful and overall great for the community. Mr. Taylor really wanted to stress his appreciation to the Board as this project began with NDWR and CTWCD by being the first Board to fund the project.

REVIEW AND DISCUSS ENCROACHMENT PERMIT – MARRIOTT COURTYARD HOTEL 340 E. Second Street.

Ms. Williams presented the fact Venture Engineering did go back and revised their plans from their previous submittal based off the storm drain inflow. They have also estimated where the 14,000 flow level is. Basically, the storm drain now shows above the 14,000 cfs; however, the rip rap they are planning on excavating into the bank, and they are basically opening the flood channel so there is no impediment to the 14,000 flow, this is clear in the Engineering design. Rip Rap is the only thing that may be marginally below the 14,000 cfs level. Their design is in cutting into the bank and has no adverse effect to the flow of the channel. Engineering wise the Board should feel comfortable recommending the project is adequate, sufficient, and has no impact to the flow channel. Ms. Williams asked the board, if they would like to issue an Encroachment Permit basically for the Rip Rap only. Ms. Williams stated Mr. Munson's approach on his engineering process was a great process.

Attorney Bergin stated in his 30 years on this Board, he has not had an applicant come in and fess up to exactly what they are doing such as Mr. Munson. We have had maintenance items but in all candors in the size of what Mr. Munson has brought to us we have not seen anything in front of us requiring us to issue an encroachment permit.

Director Penrose asked Mr. Munson if he had an issue with the encroachment permit requirements and will this process delay the project, should the Board decide to require an encroachment permit. Mr. Munson replied he has no problems with the requirements and this process

may delay his project.

The last day to perform any work in the Truckee River is October 15, 2013 this year.

Director Penrose made a motion in recognition of the good faith effort, Mr. Munson has undertaken to modify the design to mitigate the encroachment issue and in fact you are right at the boundary of the 14,000 cfs plus or minus not knowing exactly where it is because of the current state of modeling. Based off this information we do not require an encroachment permit for this project. Motion seconded by Director Roberts, motion carried

DISCUSS STATUS OF USACE Inspection -

Ms. Williams shared copies of the Truckee River Equipment Access Points and Limitations from Nevada State line to the Glendale Bridge. There is a draft version 2 in for revision but she wanted to share the work product being worked on with the City of Reno. Version 2 is fixing some of the comments and adding all tree debris as identified. Part of the benefit of where we can place equipment into the river was due to thorough inspection of the river and identifying more trees in the river. Ms. Williams and Director Penrose met with the City of Reno last week and they have agreed to perform removal and thinning from Booth Street Bridge, Booth street rip rap down to Bridge Street, using their internal labor.

Once, we receive the 14,000 cfs flow model, she and Ron will mark some elevations with the City of Reno, we will know what flap gate penetrations the City needs to work on. Also, with the 14,000 cfs flow model we will be able to start surveying and modeling the shoaling. This is something CTWCD will do. Finally, we agreed our portion will be removal of the tree debris along the river. This narrowed our scope of work down from removal of vegetation thinning and removal from the downtown area to removal of the logs and debris in river.

Truckee River Flood Management Authority (TRFMA) informed Lori this morning, they are sending their model out for QC review for one week. So one week from now we should their model in our hands for our engineers to load. The good thing is TRFMA has been running their model at 14,600 cfs. So they have virtually run their model at our flow rate for us, this had been part of their QA/QC review, which means we should have some good calibration right at the flow rate which means less work for us.

Ms. Williams began drafting a scope of work for our debris removal and began wondering where this property was located; therefore, she began looking at property ownership, rights of access. Some of the property is State Lands; she has contacted them and was informed their normal process for right of entry for such work is about 90 days. They will try to do it in less time. Lori is now in dialogue with State Lands, she also has some questions out to the regulatory branch of the US Army Corp of Engineers. Much of the work will have to be done manually by a contractor; however, it would be nice to be able to reach in the river with an excavator remove the debris and place it in a truck. She has read the maintenance exclusions in the US Army Corp permitting requirements and it is unclear to her what you can do with and/or without a 404 national permit; unless it's an emergency.

CHANNEL CLEARING CONTRACTOR –

Ms. Williams posed the question to the Board, do we want to leave it on the back of the contractor or do we want her to work directly with contractor to obtain Rights of Entry. Ms. Williams feels there are some advantages to her working directly with the homeowners as well as public land owners rather than the contractor. For example, she feels the City of Reno will be more willing and in a more timely fashion to issue a Right of Entry permit to CTWCD rather than to the contractors.

Ms. Williams asked in the interest of time, does the Board want to do some competitive bid process and advertise. Or do we want to go to three or four contractors, particularly the contractors on our emergency list and get some cost proposals and move forward.

Director Dennis made a motion to approve Ms. Williams facilitate the process in regards to access so this is taken care of prior to awarding the jobs to a contractor and create a bid package to give

to the contractors working up cost proposals for the projects. Motion seconded by Director Penrose, motion carried.

ENGINEER/CONSULTANT REPORT -

Ms. Williams again said on the finalization of sharing her monthly report, she and Director Penrose have been working very closely with the City of Reno and they have been extremely helpful in getting us some mapping information, taking on some of the challenges in regards to the de-vegetation.

Also, Kerri Lanza, City of Reno did let Lori know CTWCD should be receiving their application for an Encroachment permit in the next week for the Virginia Street Bridge. Ms. Williams did let Kerri know the Board will be looking for some access to the river on the City of Reno's application.

Ms. Williams and Director Penrose have a meeting scheduled on August 21st at 10 a.m. in Sacramento with USACE flood group. Kerri Lanza, City of Reno will be riding along and attending said meeting. Christine Hansen, USACE Regulatory will be involved via conference call. Lori and Ron will be attempting to meet with Christine prior to the meeting on Tuesday, as well as emailing the agenda to the USACE Flood Navigation prior to Tuesday's meeting.

The meeting will be to show USACE the District has been working with the other entities as well as living up to our obligations and responsibilities in accordance to with the Martis Creek Agreement. They will show the short term scope of work in regards to who will be taking responsibility for each area of work to be done on or in the Truckee River as well as a map showing access points. Kerri will be sharing some of the City of Reno's Flood response protocol.

The most challenging areas for access in Ms. William's perspective are the downtown areas.

LEGAL REPORT – Nothing to report

PUBLIC COMMENT - NONE

BOARD COMMENTS and/or REQUEST FOR AGENDA ITEMS –

Director Penrose spoke with Jay Aldean, TRFMA, he is scheduled to present at our September meeting.

There being no further business, Acting Chair Westergard adjourned the meeting at 12:10 a.m. Announced the next meeting will be held Tuesday, September 10, 2013.

Todd Westergard
Acting Chair

Gwyn S. Bergin,
Secretary/Treasurer