

CARSON WATER SUBCONSERVANCY DISTRICT
BOARD OF DIRECTORS MEETING
July 19, 2017, 6:30 P.M.
Minutes

Directors present:

Karen Abowd, Chairman
Brad Bonkowski
Carl Erquiaga, Vice Chairman
Ken Gray
David Griffith
Don Jardine, Treasurer
Doug Johnson
Barry Penzel
Chuck Roberts
Ernie Schank
Fred Stodieck
Steve Thaler

Directors not present:

Don Frensdorff
Austin Osborne, Storey County representative

Staff present:

George Benesch, Legal Counsel
Edwin James, General Manager
Brenda Hunt, Watershed Program Manager
Toni Leffler, Administrative Assistant/Secretary to the Board
Debbie Neddenriep, Water Resource Specialist II

Also present:

Aly Cheney, AWG
Gavin Feiger, AWG
Christy James, guest
Carmen Schank, guest
Danna Stroud, Sierra Nevada Conservancy
Judy Wickwire, AWG

Chairman Abowd called the meeting to order at 6:45 p.m. at Turtle Rock Park, 17300 St. Rte. 89, Markleeville, CA. The CWSD/Alpine County Joint Powers Board was convened. Roll call was taken and a quorum was determined to be present. The Pledge of Allegiance was led by Director Abowd.

Item #5 – For Possible Action: Approval of Agenda. Due to some questions about meeting protocol, all action items on this month's agenda were held over for action at the August 16 Board meeting. CWSD's attorney, George Benesch, explained more later in the meeting.

Director Penzel made the motion to approve the agenda as modified. The motion was seconded by Director Stodieck and unanimously approved by the Board.

Item #6 – For Possible Action: Approval of the Board Meeting Minutes from June 21, 2017. *No action was taken at this meeting and item will be held over for action at the August 16 Board meeting.*

Item #7 – Discussion Only: Public Comment – None.

CONSENT AGENDA

Item #8 – For Possible Action: Approval of Treasurer’s Report for June 2017. -

Item #9 – For Possible Action: Payment of Bills for June 2017.

Item #10 – For Possible Action: Explanation of expense items which are more than 5% over budget for FY 2016-17.

Items #8-10 of the Consent Agenda will be held over for action at the August 16 meeting. No action was taken at today’s meeting.

****END OF CONSENT AGENDA****

Item #11 – Presentation and Discussion Only: Alpine Watershed Group on the Squaw Valley Resort grant award for a Hope Valley Restoration and Aquatic Habitat Enhancement Project from the Lahontan Regional Water Quality Control Board and discussion of other activities in the watershed. Gavin Feiger, Alpine Watershed Group (AWG) Watershed Coordinator, gave a presentation on the Alpine Watershed Group programs.

- Water Monitoring has been done for 13 years utilizing 31 volunteers at 32 monitoring sites in the Upper Carson, monitoring for ambient temperature, bioassessment, stream flow, and ground water wells.
- Watershed planning and restoration projects include Markleville Creek Day, a volunteer work day, which will celebrate 17 years at this year’s event on September 8, 2017, 9a-2p. Three major restoration projects are in progress, two completed in 2016, and one completed in 2017. The methods include stream bank stabilizations, weed pulls, native plantings, restoration of user impacts, erosion control, and fuels reduction.
- Planning includes:
 - The West Fork Carson River fuels project and meadow restoration project by the US Forest Service.
 - The US EPA program “Vision Priority” framework was implemented with the Lahontan Regional Water Quality Control Board. The West Carson River was chosen as a priority watershed which allows for faster grant funding and implementation.
 - AWG was involved in the CWSD Carson River Adaptive Stewardship Plan Update to the May 2007 document.
 - Specific projects included:
 - Hope Valley Meadow Restoration repaired a total of 6,045 feet (1.1 miles) of streambank utilizing vegetative stabilization, stabilization of streambank toes,

- meander cutoff protection, floodplain benches, log crib bank stabilization and hand labor for head cut repair and was completed in October 2016. Upcoming AWG plans in Hope Valley will complete “bookends” created by American Rivers/USFS, all on CA Fish & Wildlife land.
- Carson Meadows Assessment, working toward prioritization of impaired areas. There will be a Carson Meadows stakeholder meeting at River Fork Ranch in Genoa on July 26, 10a-1p.
 - Faith Valley and Forestdale Meadow Restoration Planning
 - Markleville Creek restoration project includes: floodplain restoration, sewer realignment, and public access to the river for recreation.
 - Grover Meadow Restoration Project at Grover Hot Springs State Park where CA State Parks is building a new ADA trail, conducting weed management., meadow restoration, streambank stabilization native plant demonstration garden, trail decommissioning, and interpretive signage.
 - Markleevillage Fuels Reduction Project with funding from Sierra Nevada Conservancy in partnership with Alpine County, Carson District USFS, and Alpine Fire Safe Council. The project goals include maintaining wildland fire buffers around the rural, residential areas of Markleevillage; protection of municipal water sources from adverse effects of wildland fire; and improvement of the overall forest/watershed condition.
 - Alpine County Hazardous Fuels Reduction Project funded by Sierra Nevada Conservancy in partnership with Alpine County. Objectives include fuels reduction along 41 miles of Alpine County roads and school and community-based watershed education.
 - The East Carson River Riparian Restoration utilizing funding from the CA State Parks Off-Highway Motor Vehicle (OMV) Recreation Program. Projects include road to trail conversion, stream bank stabilization, weed pulls, and native plantings.
 - Youth Education working with Sierra Nevada AmeriCorps Partnership. Activities include classroom presentations, Trout in the Classroom Program, and Snapshot Day.
 - Outreach includes Alpine Aspen Festival by AWG and Friends of Hope Valley. Last year 700,000 people were reached through media, there were over 850 participants and over 45 volunteers. Events included food, 30 educational activities, three bands, four guest presenters, and 20 organizations involved. This year’s event will be held on October 7-8, 2017. Director Abowd reported that Kaffer had donated a package for this year’s Aspen Festival to the Greenhouse Project in Carson City which raised \$1,200.

No action is required for this item; receive and file.

Item #12 – Presentation Only: Sierra Nevada Conservancy on their Watershed Improvement Program. At Director Griffith’s invitation, Danna Stroud, the Mt. Whitney Area Representative of the Sierra Nevada Conservancy (SNC), gave a presentation. She explained that SNC was created in 2004 in California by bipartisan legislation. There are six regions and a governing board involving 22 counties and 25 million acres; a 13-member governing board composed of six county representatives and 7 state appointees with 3 non-voting federal agency liaisons (BLM, USFS, BOR).

Sierra Nevada Region is the origin of more than 60% of California's developed water supply. It is a major urban water source for San Francisco, with 85% coming from the Tuolumne Watershed, and the East Bay with 90% coming from the Mokeulmne Watershed. The Sierra significance involves carbon, air quality, and climate. The Sierra Nevada stores massive amounts of carbon, exhales clean oxygen, and is a climate mitigation bank which stores and/or provides, cool water, cool air, climate refugia, and more.

The State of the Sierra Nevada's Forests report was released in March 2017, an update of the 2014 report. More than 80 million trees have died since 2014; combined with an estimated 30 million more killed by wildfire for a total of more than 110 million trees dead in three years. Drought, bark beetles, and wildfire are natural occurrences in the Sierra, but what is happening today is not natural or normal.

Watershed Improvement Program (WIP) is a partnership between the USFS and California with targets of increased funding for watershed restoration, identifying and addressing key policy issues, increasing the infrastructure available for processing. It focuses energy and resources to create synergies. SNC has a MOU with Region 5 of the USFS. SNC works to increase funding to leverage existing dollars and looks for more sponsors (Nestle, Coca-Cola, NGOs, and organizations). Its task is to expedite policies to work across jurisdictions (like CA/EPA hurdles). They address infrastructure issues like what to do with the trees/biomass that will start to come off the mountains. If we get everyone in the same room to collaborate, we find solutions.

The connection is urban-rural dependence. Urban areas can't survive or thrive without rural resources. Rural areas can't do this alone, financially since there is less than one million in Sierra Nevada population and 25 million acres. SNC wants to initiate conversations with downstream users about where their water comes from, to connect and communicate, and to share ideas/suggestions about how to communicate with users. The challenge is to convert downstream users into advocates. The solution will not come overnight or by one person but needs collaboration for care of the Sierra Nevada.

Ms. Stroud shared two websites for further information: www.restorethesierra.org (WIP) and www.sierranevada.ca.gov (agency)

Director Griffith thanked Ms. Stroud for coming and noted that she has been a great support for Alpine County water quality improvement, etc.

Director Roberts asked about the downed trees. Mills have been shut down and biomass facilities have not been started yet. Perhaps there could be compounds which could utilize the timber for different purposes. This is not just a dead tree issue, but a health issue too. It is an unhealthy forest system as is. Director Griffith explained that if you can take forest materials and make a product which will last 100 years, if is counted as sequestry material.

Director Johnson noted that the mission statement includes having everybody work together. TRPA learned a lot from the Angora Fire and the value of forest thinning. Ms. Stroud mentioned that voracity and intensity of the fires caused people to come together for better forest management. There has been a Prescribed Fires MOU negotiated between past adversaries.

Director Schank mentioned water not meeting water quality standards. If dead trees are not removed, do they contribute to the degradation of the water quality? Ms. Stroud responded that as dead trees become flammable, they become fuel for fires which cause water quality problems. She offered to find an answer to Director Schank's question. Director Jardine noted that 95% of Alpine County is federal and state owned, and more than 50% of the watershed in Alpine County is wilderness.

Ms. Stroud stressed that everyone who uses the area loves it; we need to find common ground for the health of the watershed. Ms. Hunt mentioned that CWSD is working on a Watershed Health Campaign and is interested in working with SNC on synergistic messaging possibilities.

No action is required for this item; receive and file.

Item #13 – Presentation Only: Update on the East Fork Carson River rafting trip on July 6, 2017. Mr. James noted that Shane Fryer coordinated the whole rafting trip and everyone had a good time. Mr. Fryer explained that they started out with 11 captains volunteering their time and equipment and 58 participants. The trip was funded by a NDEP 319 grant for NPS pollution, the purpose was to introduce the public to the river. About 1/3 of the participants were agency personnel, 1/3 from counties, and 1/3 from non-profit organizations and the public.

Mr. Fryer noted that this part of the Carson River is a Class 2 river which the group negotiated with a few mishaps. He commented that losing Pat Fried's business, Great Basin Sports, was a great loss to the watershed because she had experience and equipment available to get more people on the river. We need to manage these river resources for economic and many other benefits. When the tour started the flow was about 1,800 cfs at Hangman's Bridge and reduced to 1,600 cfs over the course of the trip. It was a positive event despite a few casualties. There were great discussions about issues, weeds, water quality, Leviathan, common ground, partnerships, etc. Brenda Hunt complimented Mr. Fryer on the excellent job he did in organizing the river float.

Director Griffith mentioned that on September 5 at 6p, Muscle Powered Recreation, a recreational business opportunity, will meet at Turtle Rock Park.

No action is required for this item; receive and file.

Item #14 – Presentation Only: Review of the four "Floodplain as Community Assets" videos completed by Orange Tree Production Studios. Mr. James complimented Debbie Neddenriep, Brenda Hunt, and Shane Fryer for putting these videos together. Ms. Neddenriep explained that these are FEMA grant funded videos. The purpose of these videos is to make people aware of how important the floodplains are to the watershed. Tom Sheckal served as narrator. CWSD staff worked with Orange Tree Production Studios who did a wonderful job. Ms. Neddenriep introduced the three videos and one PSA and noted that the videos have messages aimed at elected officials and developers and explaining the value of agricultural lands along the river.

Director Schank asked why the counties are not listed in the acknowledgements. Ms. Neddenriep took note to consider including them. Director Penzel asked how the video aimed at developers will be distributed. Ms. Hunt responded that CWSD has given presentations to the

Builders Association of Western Nevada (BAWN) in the past, and we will give the video as a presentation for them to disseminate.

No action is required for this item; receive and file.

Item #15 – For Possible Action: The General Manager’s annual performance review results.
This item will be held over for action at the August 16 meeting. No action was taken at today’s meeting.

Item #16 – Staff Reports

General Manager - Mr. James reported that the next Board meeting will be in Carson City but field trip which was planned to the Carson City Wastewater Treatment Plant is postponed until October.

Legal –Mr. Benesch explained that the current legal issue is over whether we may have implemented the Joint Powers Agreement (JPA) with Alpine County incorrectly. At minimum, the notice at the top of the agenda will include the CWSD Board of Directors and the CWSD/Alpine County JPA Board. He is investigating how to make sure we are implementing the Open Meeting Law correctly. This issue was not brought forth as an Open Meeting Law complaint to the Attorney General but address the possibility of error pre-emptively.

Director Schank expressed his concerned that taking no action on the payment of bills could impede business. Mr. Benesch explained that delaying this action to the next month would be ok.

When Mr. James was asked who brought up this matter, Director Roberts explained that his concern is broad based about the JPA Board misnamed on the agenda and how to properly call the meeting to order. CWSD is a Nevada statutory board onto which the JPA attempts to add two members from Alpine County. Referencing the stipulation that one appointee from each county must be an elected official, Director Roberts noted that putting restrictions on county appointments to the CWSD Board conflicts with NRS. He is concerned that when the roll is called, everyone is addressed as “Director”, even the Storey County advisory member. We are having people not on the CWSD Board making motions. It is problematic doing business as CWSD vs. JPA. He feels it is a ball point pen issue that may have a simple remedy. Perhaps the statute could be amended by adding two members from Alpine County. His concern is that there is no demarcation between the two boards.

Director Johnson suggested that CWSD is still being able to do business if Alpine County is noted as non-voting members. Director Thaler mentioned that the Attorney General can give an advisory opinion without it Open Meeting Law complaint. Mr. Benesch said that he intends to pursue that.

Director Roberts suggested that if the JPA is proper and in good standing, the Agenda should be segregated into CWSD and JPA actions. Mr. James explained that the NRS specifies the number of Board members from each county, but CWSD suggested that one be an elected official. Carson City is the only county that has specified in their Charter that both members be elected officials. Director Schank asked that the JPA and NRS that created CWSD and added Churchill

County be emailed to the Board. He also noted that CWSD's policy about officers needs to be addressed.

Mr. Benesch explained that he is inclined to go with Director Roberts to the Attorney General's office and explain the concern.

Correspondence – As included in the Board package and handed out at the meeting.

Item #17 - Directors' Reports

Director Schank reported that as of Monday, there were 156 days of cautionary draw down from Lahontan Reservoir. It ended up with 300,560 af of water in Lahontan. A total of 885,800 af of water reached Lahontan Reservoir and over 500,000 af was passed through. TCID successfully prevented flooding any houses. They re-created a new floodplain out of an old floodplain in Carson Lake which hasn't been used in 100 years. They have learned a lot about protection. Director Schank noted that TCID has the first claim against FEMA that was for prevention instead of actual damage. The total cost will be about \$9 million in the work that was done, but he expects that it would be much less than damage recovery would have been. CWSD might want to consider ways of prevention instead of damage recovery in the future. Director Schank reported that HR 2939, the Water Right Protection Act, was co-sponsored by Representative Amodei to prevent USFS and BLM from taking water rights from individuals. He suggested sending a letter to Representative Amodei commending him and giving our support.

Mr. Benesch asked if the situation with Lahontan and the Carson River has an impact on the recoupment, which was an action brought against TCID saying that they were taking more water than what they were entitled to. Director Schank responded that it did not. The Pyramid Lake Paiute Tribe is still fighting for 84,000 af of water that they think they deserve, and Court ordered the Tribe and TCID to negotiate.

Director Griffith welcomed and thanked everyone for coming to Alpine County for this meeting.

There were no other Directors' reports.

Item #18 – Discussion Only: Public Comment. None.

There being no further business to come before the Board, Director Abowd adjourned the meeting at 8:42 p.m.

Respectfully submitted,

Toni Leffler
Secretary