

**CARSON WATER SUBCONSERVANCY DISTRICT
BOARD OF DIRECTORS MEETING
August 21, 2013, 6:30 P.M.
Minutes**

Directors present:

Karen Abowd
Don Frensdorff
Don Jardine
Greg Lynn, Vice Chairman
Austin Osborne, Storey County
Barry Penzel
Mary Rawson
Ernie Schank, Chairman
Fred Stodieck

Directors not present:

Carl Erquiaga
Ray Fierro
Doug Johnson
John McKenna, Treasurer
Joe Ricci

Staff present:

George Benesch, Legal Counsel
Brenda Hunt, Watershed Coordinator
Edwin James, General Manager
Toni Leffler, Administrative Assistant
Debbie Neddenriep, Water Resource Specialist

Also present:

Jenifer Davidson, Town of Minden
Ron Hames, Alpine County
Bob Pohlman, Windhaven HOA
Ryan Russell, Attorney for Town of Minden
Jack Van Dien, private citizen

Chairman Schank called the meeting to order at 6:33 p.m. Turtle Rock Park, 17300 State Route 89, Markleeville, California. 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 lead by Ed James.

Item #5 - Approval of Agenda. Item #10 will be moved off the Consent Agenda for discussion. *Director Jardine made the motion to approve the revised agenda. The motion was seconded by Director Stodieck and unanimously approved by the Board.*

Item #6 - Approval of July 17, 2013, Board Meeting Minutes. Director Abowd noted a small error on the first line of page 6 of the minutes and requested that "golf course" be made plural to reflect "golf courses." *Director Abowd made the motion to approve the July 17, 2013, Board meeting minutes as corrected, which were seconded by Director Stodieck and unanimously approved by the Board.*

Item #7 - Public Comment.

CONSENT AGENDA

Item #8 - Approval of Treasurer's Report for July 2013.

Item #9 - Payment of Bills for July 2013.

Item #11 - Discussion and possible action regarding CWSD being the applicant for a grant from FEMA for SR 88 Project.

Item #12 - Discussion and possible action regarding ratification of the General Manager's execution of the Memorandum of Agreement with Bureau of Reclamation for the Plan of Study for the Carson River Watershed.

With item #10 pulled from the consent agenda for discussion, Director Lynn made the motion to approve the consent agenda items #8-9 and #11-12. The motion was seconded by Director Penzel and unanimously approved by the Board. There was no public comment.

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

Item #10 - Discussion for possible action regarding grant application for 319(h) funding. Ed James explained that this is a grant to supplement the various grants we already have instead of applying for additional funds for each grant. The funding will be used to print additional watershed maps, updating and maintenance of the Children's Museum Exhibit in Carson City, create a Watershed Pledge, create watershed survey to get a baseline of public understanding of the watershed to measure progress against, conduct additional outreach and education, hire an AmeriCorps person to help CWSD and Linda Conlin with her program, and include Clear Creek in the CWSD newsletter, "The Flow", as well as support Clear Creek work day. We will request between \$30,000-\$36,000 from NDEP. Match will be staff time and volunteer time working at the Clear Creek work day.

Director Lynn mad the motion for approve application for the 319(h) grant. The motion was seconded by Director Abowd and unanimously approved by the Board.

Item #13 - Discussion and possible action regarding approval of the updates to the Regional Floodplain Plan. Mr. James explained that the 2008 Regional Floodplain Management Plan must be updated every five years. Douglas County and Carson City gets a discount for FEMA's National Flood Insurance Program (NFIP) rates because of this plan. Storey County may be able to use it also.

Brenda Hunt explained that the main reason we put this plan together was for long-term management strategies for floodplains. The original Plan was adopted in 2008. Section 5.2 of the Plan calls for an update as needed, but not to exceed five years. It was updated quickly this year because Douglas County and Carson City were already audited by FEMA and required the update in order to maintain and improve their Community Rating System (CRS) scores so that their residents can receive a discount toward flood insurance. The lower the rating number, the greater the discount that is given. The more requirements a county meets, the lower the rating. Lyon County and Churchill County do not participate. Director Osborne explained that Storey County

has also been audited and has updated their Floodplain Ordinance which is being reviewed by FEMA. Storey County is not averse to the document but has some concerns with the Mark Twain area which will be worked out with Mr. James.

Director Penzel asked why Douglas County residents would be held to a higher classification when there is a dispute with FEMA over what areas fall within the floodplain. Mr. James noted that the dispute over the area that constitutes the floodplain is a separate issue from the rating system for the amount that residents pay for flood insurance. Ms. Hunt explained that a county can do a series of activities to get a reduction in the rate in their insurance and the "6" rating for Douglas County gets it about a 20% discount in rates.

The Plan revisions are shown in red and include the new demographics from the 2010 census; floodplain protection mechanisms and FEMA Risk MAP information, new emergency contact information, additional appendices, and progress reports from the counties and CWSD (Appendix H). Director Osborne noted that page 59 of the Board package (page 10 of the report) Storey County's Master Plan of 1994 is correct but Storey County is creating a new 2014 Master Plan. Ms. Hunt explained that the process of updating the Regional Floodplain Plan included gathering information, CRC River Corridor working group review, county staff review, progress report updates, adoption of revisions/updates by CWSD Board, and adoption of updates by county boards. Presentation to Douglas County and Carson City is tentatively scheduled for September 5.

Ms. Hunt is anticipating future updates in 2016 after completion of the FEMA Mapping Activity Statement (MAS) projects that will include updating FEMA floodplain maps, a floodway delineation model, and updated protocols. Director Penzel expressed his concern that we are working on updates but haven't received credit from FEMA for any of the scientific information updates which have already been done. Mr. James explained that Douglas County won the argument with the scientific panel. FEMA's argument back to Douglas County was that FEMA may be wrong but the maps will stay the same until new mapping is done.

Director Jardine asked for classification for California. Mr. James explained that Alpine County is in Zone D which hasn't been mapped previously. With the new floodplain mapping a small portion of Alpine County near the Woodfords area will be included in CWSD's mapping project MAS #4.

Director Osborne asked if Storey County decides to become a signatory to the Regional Floodplain Plan, could they be included in the next update, to which Ms. Hunt responded that it would be included. Director Penzel asked if every update requires a CWSD Board action. Mr. James explained that the plan is a CWSD document so it does receive CWSD Board approval. After CWSD approves the update, staff will take it back to the counties for their approval on updates.

Director Lynn made the motion to adopt the revisions and updates to the Regional Floodplain Management Plan 2013. The motion was seconded by Director Stodieck and unanimously approved by the Board.

Item #14 - Discussion for possible action regarding review and acceptance of the Comprehensive Regional Water System report.

Mr. James gave an overview of the Comprehensive Regional Water System Plan which CWSD has been working on for the past two years. As history he explained that the Bureau of Reclamation (BOR) grant funded most of the Plan with CWSD matching with in-kind services. The goal is to evaluate ways to meet future municipal water demands while minimizing the impact on the environment and agriculture. The Plan does not supersede any water purveyors water master plan. The grant requires that the Plan include evaluation of runoff patterns and climate changes, development of a Regional Water Conservation Plan, evaluation of banking water and leasing programs, and evaluation of future regional systems. Mr. James mentioned that:

- There is limited storage in the upper watershed (less than 10,000 AF).
- Work done by DRI shows that the runoff patterns changed.

- All water is allocated in the Carson River system.
- All groundwater basins are fully appropriated and exceed the perennial yield, but we are not pumping more than the perennial yield.
- Reclaimed water is a valuable resource and will increase in the future, so it is important to recognize it as a potential water resource for irrigation.
- The largest threat to water resources is water quality.

Mr. James explained that the pipeline from Minden to Carson City was necessary because the water quality standards changed (ex., arsenic standard decreased from 50ppb to 10ppb). The pipeline is much lower cost than each water purveyor building their own arsenic treatment plant.

The runoff pattern has changed. The Desert Research Institute (DRI) study focused on the East Fork. There is more runoff water in March and less in June than in the past. The West Fork shows a similar shift. A study of temperatures at Twin Lakes near Bridgeport, California shows that the minimum temperatures are getting warmer. There are future predictions that we will receive more rain and less snow, so we need a plan in place for the potential of change.

Director Abowd asked where the upstream storage mentioned on page 23 of report might be located. Mr. James explained that part of the Basin Plan with BOR is to determine where smaller reservoirs may be located. This could include underground storage. It will probably not be on the main stem of the East or West Forks. Director Schank noted that any storage added to the system will have to meet muster by State Engineer and not violate the Alpine Decree.

Director Penzel noted that if you look at the flood chart, everything begins in Alpine County. What about population increases in Alpine County that would tax water that comes out of Alpine County. Director Jardine responded that Alpine County only has 4% of private land so there can't be a lot of population increase; their 30 year projection is for an increase of about 20 people. CWSD is working with Alpine County to avoid groundwater well drilling in Alpine County for the purpose of importing water to Douglas County. Director Jardine mentioned that Alpine County has an ordinance that prohibits the export of water out of the county.

Snow packs over time show decreases at Blue Lakes and Ebbets Pass. The comparison between gauges on the West and East Forks and at Carson City shows less water in later months. Comparing Carson City to Ft. Churchill gauges is reversed.

Goals of Regional Water Conservation Programs include:

- Providing water conservation programs for consideration by water purveyors and promoting a consistent water conservation message throughout the watershed.
- Preserving water and avoiding water waste to balance the resources among agricultural users, environmental needs, and municipal customers, not for growth.
- Identifying programs which complement purveyors' conservation plans and programs.
- Identifying measures and methods which motivate water customers to avoid waste and conserve water.

Director Abowd noted that water conservation leads to increased water use rates for municipalities. Mr. James explained that our program focuses on long-term savings which will decrease the need for new wells.

Suggested actions include promoting education and outreach, promoting water metering and volumetric rates, promoting residential landscape surveys, promoting the Lyon County demonstration project, and pursuing grants to help fund large landscape audits and ET controllers.

Discussions are already occurring about tying systems together to create a Regional Water System. We have identified potential shortfalls. We are not promoting taking water from Douglas County to downstream users. The Plan promotes providing improved water quality and a cheaper water rates to the community like with the connection through Carson City to Lyon County. The Plan's purpose is to identify issues to help make better decisions.

Director Osborne noted some minor changes to the information about Storey County. Storey County wants to make it very clear that they have no intent of abandoning the current siphon system but might discuss the potential of a secondary system as a backup only for emergency purposes. They are working to update the current system and plan to use that system for the next 100 years. Storey County would like to beef up the Storey County information in the Plan. Director Schank noted that connection to a regional system is intended to be a two-way emergency supply. Director Osborne stressed that Storey County is not averse to sharing water under emergency conditions.

Director Schank noted that report should reflect that the City of Fallon and the Naval Base are tied together. Also the Paiute Tribe and City of Fallon are tied together but have separate treatment systems.

Mr. James explained that it is important to present the report to all the water purveyor boards, promote water conservation, promote coordination among various water purveyors on meeting future water demands, and work with BOR, water purveyors, and counties on identifying future regional water projects. Mr. James suggested having an advisory committee in each county and maybe even between counties to have discussion with all water purveyors in the area. He noted that everything we do follows the Alpine Decree and Nevada Water Law.

Alpine County Supervisor Ron Hames asked why not seek additional storage in higher elevations where the evaporation is less. Mr. James mentioned that all sites will be evaluated. There are a lot of things to do before you could get to the point of actually storing water, including investigating environmental issues, institutional issues, financing, etc. We need to identify areas of potential shortage and how to get water there.

Director Osborne mentioned that the draft Regional Water System Plan describes a 7,000 home project proposed in Storey County. He stated that the proposed housing project is located in Lyon County, not Storey County and that Storey County has no residential uses proposed for the USA Parkway area. Director Osborne also stated that most industrial buildings currently located at the Tahoe-Reno Industrial Center are low-water users, such as warehouses. He stated that the Tahoe-Reno Industrial Center focuses on water conservation and re-use of its water resources.

Public Comment: Ryan Russell, the attorney representing the Town of Minden, informed the Board that the Town of Minden did not authorize or commission the draft of the Comprehensive Regional Water System Report, and provided no information used in the drafting thereof. The commonality of the drafter of the report and the Town of Minden's engineer, Resource Concepts Inc. (RCI), does not equate to the Town's consent to or authorization for the report or anything therein. Mr. Russell

did further inform the Board that the Town of Minden would consider in good faith any proposals made to it in the future in due course.

Mr. James noted that every water utility is doing a great job but communication will be a critical element in getting a regional perspective.

Director Penzel noted that these are draft maps and reports. Mr. James is looking for corrections to give back to the consultants. Director Penzel pointed out that there are several discrepancies in the report. A water system inside Indian Hills (Ridge Peak) needs to be added and Sheridan Acres and Job's Peak are misplaced. Mr. James noted that there are many small water systems not listed. We are just trying to get larger systems. Also, the consultants will be asked to take the system sizes off the map. Director Schank requested that different systems be shown in different colors. Mr. James stressed that the information we got is a starting point; there will be more information will be included. Director Penzel suggested a declaration that this is a "talking paper" for discussion purposes.

Bob Pohlman commented that some of small water systems need to be on the map, perhaps on an appendix of how much water they are using each year. Also septic locations, like Ruhestroth, need to be pointed out. He supports what the plan does but suggests more information. Director Penzel added his supports to Mr. Pohlman's comments.

Director Stodieck suggested shading areas of municipal water/sewer systems vs. wells/septics. Director Penzel suggested stating rules for connection to water/sewer systems, i.e., that water system requirement includes houses within 600' of a water system. In Ruhestroth, the problem can be cured with water and sewer system. Mr. James noted that we didn't have enough money to go into that much detail for this report, but it will be tied to other reports. This is designed as a discussion point with water purveyors. Director Schank asked if staff could make corrections to this report, to which Mr. James responded that they could. Director Schank likes the idea of a note as to how this report is intended to be used. CWSD may direct its management to make addendums into the future so it is a working document.

Director Lynn suggested that we keep in mind that this report is designed to create a nexus of conversation between water purveyors. Specific changes are not necessary to the purpose of initiating the dialogue. Director Schank agreed that the document should state that the report is to create a dialogue between communities to protect our precious water resource and use it wisely. Mr. James suggested calling it a Working Paper and asked permission to take it to the water purveyors and direct management to add a disclaimer. The motion is to include the changes offered as comments and provided to staff.

Director Lynn made the motion that, pending changes mentioned in the minutes and additional of the disclaimer, the Board accept the Comprehensive Regional Water System Report as a working paper and conditionally authorize CWSD staff to present the Report to the various water purveyor and county boards in the watershed. The motion was seconded by Director Jardine and unanimously approved by the Board.

Item #15 - Discussion for possible action regarding an update on the 2013 water picture for the Carson River Watershed. Mr. James explained that he expects water levels to continue to

decrease through late September. We can expect to see an almost dry Lahontan Reservoir when we go to Churchill County for our October meeting.

No action was taken on this item; receive and file.

Item #16 - Staff Reports

General Manager - Mr. James reported: 1) There is an office storage issue and staff is looking for storage space. Director Schank suggested renting a storage unit. Director Abowd suggested checking with Carson City Public Works for space. 2) The MAS #4 grant was approved to complete the modeling project from Alpine County to Lahontan Reservoir.

Director Stodieck asked what the staff report on page 73 of the Board package is about regarding Mr. James giving a deposition. Mr. James explained that one neighbor suing another over the lack of noxious weed control. CWSD was incorrectly cited as being the source of a map. Mr. Benesch talked with the attorney for the case and told him we were willing to appear for deposition but didn't have any information. Mr. James is not expected to have to testify.

Brenda Hunt reported that on October 29-31, the Nevada Weed Management Association Conference will be held at John Ascuaga's Nugget. Staff also handed out a registration form for the 2013 River Symposium on November 5-7 in Reno.

Legal - Mr. Benesch reported that on July 31, the Ninth Circuit Court gave an opinion upholding the District Court regarding limiting the water transfers to the Carson Pasture wetlands to the consumptive use amount. Director Schank explained that if the State can only transfer the consumptive use portion, they will have to purchase additional water rights.

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

Item #17 - Directors' Reports

None of the directors had anything specific to report.

There being no further business to come before the Board, Director Lynn made the motion to adjourn, seconded by Director Abowd, and unanimously approved by the Board. The meeting was adjourned at 8:29 p.m.

Respectfully submitted,

Toni Leffler
Secretary to the Board