

**CARSON WATER SUBCONSERVANCY DISTRICT
LEGISLATIVE COMMITTEE
February 6, 2015, 2:00 p.m.**

MINUTES

Directors present:

Brad Bonkowski, Carson City
Greg Lynn, Douglas County (by teleconference)
Austin Osborne, Storey County (by teleconference)
Chuck Roberts, Lyon County (by teleconference)
Ernie Schank, Churchill County (by teleconference)

Staff present:

Ed James, General Manager
Debbie Neddenriep, Water Resource Specialist
George Benesch, Legal Counsel (by teleconference)

Director Bonkowski called the meeting to order at 2:00 p.m. at the Carson Water Subconservancy District Conference Room, 777 East William Street, #110, Carson City, Nevada. There was no public comment.

Item #3 - Discussion for possible action regarding approval of the Legislative Committee minutes from February 13, 2013. *Director Lynn made the motion to approve the minutes from February 13, 2013, and the motion was seconded by Director Osborne. Directors Lynn and Schank voted to approve the motion, with Directors Bonkowski, Osborne, and Roberts abstaining for not present at that meeting.*

Item #4 - Discussion for possible action regarding a review of various BDRs/bills that CWSD may want to support, oppose, or monitor during the 2015 Legislation Session. Mr. James handed out a list of BDRs/bills of interest to CWSD. Mr. James provided a brief synopsis of each bill and reviewed how it could potentially impact CWSD:

- **AB 19 (formerly BDR 456)** - This bill modifies when you need to hold a public hearing on the tentative budget. Under the current law, CWSD must hold a public hearing on the third Thursday or Friday in May. The change would allow CWSD to hold the hearing on or before the third Thursday or Friday in May. Since the CWSD Board meets on the third Wednesday of the month this change in law would allow CWSD to hold the public hearing on the tentative budget at our regular board meeting and approve the final budget without the necessity of a special meeting.
- **AB 77 (formerly BDR 346)** - This is a large bill but most of it does not affect CWSD. There is some discussion regarding noxious weeds. Staff recommends monitoring this

bill. Mr. James commented that CWSD is helping to keep an eye on the noxious weed element of this bill.

- **SB 28 (formerly BDR 464)** - This bill would allow government agencies to charge a fee for the actual time it takes for someone to gather information for a public records request. Since we do not get many requests, this bill has very little impact on CWSD. Staff recommends monitoring this bill. Several committee members mentioned that this is an issue with their counties and suggested CWSD support this bill.
- **SB 45 (formerly BDR 361)** - This bill would allow the State Conservation Commission “... *to distribute grants of money to conservation districts in unequal amounts.*” This bill could help or hurt the various conservation districts in the watershed. Staff recommends monitoring this bill. Mr. James noted that this bill allows the state to grant specific amounts based on need. The bill lays out parameters based on specific competitive grant criteria. As is, CWSD would probably support this bill.
- **SB 65 (formerly BDR 366)** - This is a State Engineer's bill. The State Engineer calls this a “clean up bill.” This bill will not change the way the State Engineer administers the water in Nevada. The bill clarifies some of language in the NRS. Mr. James commented that this housekeeping bill has over 85 pages. Mr. Benesch noted a newspaper article about the State Engineer’s visit to Pahrump. He mentioned that the language in this bill is scaring a few people because the definition of perennial yield being “as determined by the State Engineer.” This is a bill which staff recommends monitoring as it could undergo significant changes in committee.
- **SB 81 (formerly BDR 367)** - This bill relates to the designation and regulation of groundwater basins by the State Engineer. The bill also deals with “critical management areas” and perennial yields. Most of what is being proposed does not relate to the Carson River Watershed because our pumping rates are not exceeding the perennial yield; however, this could change in the future. Mr. James believes this bill may get modified if the drought continues and will be actively monitoring it. It changes the name of “critical management area” to “active management area.” Although this bill specifically applies to groundwater, there would be cause for concern if it includes surface water. Director Lynn recommended we keep an eye on this bill.
- **SB 70 (formerly BDR 155)** - This bill makes some general changes to the Open Meeting law. Some of the changes are:
 - Clarifies a “quorum” for a public meeting. This does not impact CWSD since our quorum is defined in NRS.
 - Defines “working days” for posting.
 - Prohibits a member of a public body from designating someone else to attend the meeting on their behalf.

- Requires public bodies to approve the minutes of a meeting at the next board meeting.
- Modifies Attorney General rules regarding Open Meeting Law violations.

Mr. James noted that most of the changes do not impact CWSD, but staff recommends monitoring this bill. Director Bonkowski mentioned that Carson City is monitoring this bill and also asking for amendment regarding when minutes have to be completed. Director Lynn mentioned that he thought it should be brought to NACO's attention. Director Bonkowski explained that there is a four-county coalition which is already in contact with NACO.

- **SB 108 (formerly BDR 598)** - This bill raises the cost threshold on public works projects. This bill does not affect CWSD since we do not do public works projects, but it may help the conservation districts. Mr. James noted that SB108 is sponsored by James Settlemeyer and raises the threshold on public works projects to \$1 million. Director Bonkowski mentioned that the upper limit is going to change to \$5 million. Staff recommends monitoring this bill.

The committee did not make a motion but asked staff to monitor the bills mentioned above.

Item #5 - Discussion for possible action regarding presentation to the legislators on CWSD activities. Mr. James mentioned he would be giving a presentation to the legislative Natural Resources committee on February 19, 2015. The presentation would introduce legislators to CWSD and explain how the district works in the watershed with a focus on floodplain work and water supply. He planned on stressing the need to cooperate. Director Lynn expressed his desire to attend this committee meeting. Director Bonkowski asked Mr. James to email his PowerPoint presentation to the Legislative Committee members.

Mr. James mentioned that Director Fierro requested Mr. James to set up a meeting with Robin Titus to discuss the clearing and snagging account of the State Engineer since funding was not included in the Governor's proposed budget. He has scheduled a meeting February 10, 2015, at 3:15 pm. Director Schank would like to go with Mr. James. Mr. James also mentioned he is planning to attend a meeting the State Engineer is having in Lovelock on February 12, 2015, with water rights holders in the Humboldt River basin. He expects that group will be pushing the State Engineer to consider groundwater/ surface water interactions.

Item #6 - Public Comment - None.

Director Bonkowski asked for further comments. Director Roberts questioned whether SB28 would be punitive if passed since taxpayers already foot the bill for city and county staff to provide public information. Director Bonkowski said it was a cost recovery bill to address certain people who come in and ask for vast amounts of information. He also noted the bill has

thresholds and is discretionary and cannot collect more than the actual cost to provide the records.

Director Schank asked if Robin Titus had put in a BDR to clean up AB380 by defining a farm unit. After a brief discussion, Mr. James found BDR 928 which was introduced by the Assembly Natural Resources Committee.

There being no further business to come before the Legislative Committee, Director Schank made the motion, seconded by Director Osborne, that the meeting be adjourned at 2:45p.m.

Respectfully submitted,

Debbie Neddenriep
Clerk