

**CARSON WATER SUBCONSERVANCY DISTRICT
BOARD OF DIRECTORS MEETING
June 19, 2013, 6:30 P.M.
Minutes**

Directors present:

Karen Abowd
Carl Erquiaga
Ray Fierro
Don Frensdorff
Don Jardine
Doug Johnson
Greg Lynn, Vice Chairman
John McKenna, Treasurer
Austin Osborne, Storey County
Barry Penzel
Mary Rawson
Ernie Schank, Chairman

Directors not present:

Joe Ricci
Fred Stodieck

Staff present:

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

Also present:

Merrie Benesch, private citizen

Chairman Schank called the meeting to order at 6:55 p.m. in Conference Room A of the Business Resource Innovation Center (BRIC) Building, 801 E. Proctor St., Carson City, Nevada. 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 Director Frensdorff.

Item #5 - Approval of Agenda. *Director Johnson made the motion to approve the revised agenda. The motion was seconded by Director Abowd and unanimously approved by the Board.*

Item #6 - Approval of May 15, 2013, Board Meeting Minutes. *Director McKenna made the motion to approve the May 15, 2013, Board meeting minutes, which were seconded by Director Johnson and unanimously approved by the Board, with Director Abowd abstaining as not being present at that meeting. Director McKenna also made a motion, seconded by Director Johnson, to*

approve the May 16, 2013, FY 2013-14 Tentative Budget hearing minutes. This motion was also unanimously approved by the Board.

Item #7 - Public Comment. Brenda Hunt introduced our new Watershed Assistant Courtney Walker.

CONSENT AGENDA

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

Item #9 - Payment of Bills for May 2013.

Item #10 - Discussion for possible action regarding approval of Agreement #2013-2 with Alpine Watershed Group to Help Fund the Upper Carson River Watershed Programs.

Item #11 - Discussion and possible action regarding approval of Addendum to Interlocal Contract #2012-5 with Lahontan Conservation District to carry over funds for a Lower Carson River Task Force.

Item #12 - Discussion and possible action regarding approval of Interlocal Contract #2013-3 with Lahontan Conservation District for Lower Carson River Clearing and Snagging.

Item #13 - Discussion and possible action regarding approval of Interlocal Contract #2013-4 with Dayton Valley Conservation District for Middle Carson River Restoration and Stabilization Projects.

Item #14 - Discussion for possible action regarding approval of Contract #2013-5 with River Wranglers for the Carson River Work Days and Vegetation Management Projects.

Item #15 - Discussion for possible action regarding approval of Interlocal Contract #2013-6 with Carson Valley Conservation District for Confluence of the East and West Forks Carson River Streambank Restoration and Vegetation Management.

Item #16 - Discussion for possible action regarding approval of Interlocal Contract #2013-7 with Carson Valley Conservation District for Buzzy's Ranch Streambank Rehabilitation.

Item #17 - Discussion for possible action regarding approval of Interlocal Contract #2013-8 with Lyon County for development of a water rights GIS data base.

Item #18 - Discussion for possible action regarding approval of Interlocal Contract #2013-9 with Douglas County for funding assistance for the Lands Bill.

Item #19 - Discussion for possible action regarding approval of Interlocal Contract #2013-10 with Indian Hills GID for development of a Regional MS4 Stormwater Management Plan.

Item #20 - Discussion for possible action regarding staff attending the Soil and Water Conservation Society Annual Conference in Reno on July 21-24, 2013.

Item #21 - Discussion for possible action regarding approval of Resolution #2013-2 for augmentation of the FY 2012-13 budget to reflect the corrected Beginning Fund balances due to the FY 2010-11 audit.

Item #22 - Discussion for possible action regarding revisions to Section 5.7 - Medical Insurance of the CWSD Personnel Policy Manual.

Item #23 - Discussion for possible action to surplus outdated or unneeded office equipment.

Director McKenna made the motion to approve the consent agenda items #8-23. The motion was seconded by Director Penzel and unanimously approved by the Board. There was no public comment.

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

Item #24 - Discussion for possible action regarding the Nevada Department of Agriculture's proposed relaxation of the restriction on Mayweed Chamomile seed in turf and restoration seed mixes sold in Nevada.

Ms. Hunt reported that she attended a Nevada Department of Agriculture (NDA) meeting on May 24 to allow comment on the proposed relaxation on the restriction on Mayweed Chamomile seed in turf and restoration seed mixes sold in Nevada. The Nevada Department of Agriculture's proposal to relax NAC 587.173, the code that regulates noxious weed seed. Ms. Hunt explained that there is a noxious weed list and a noxious weed seed list. The Pacific Northwest Producers claim that Nevada's ban on Mayweed Chamomile seed in seeding mixes sold in Nevada is causing financial hardship. There will be a hearing before the State Agricultural Board probably in August or September regarding this issue.

The proposed regulation change is to make an exception for Mayweed Chamomile seed from the noxious weed seed list for Nevada but not take the plant off the noxious weed list. Currently all noxious weeds on the list are listed on both weed and weed seed lists.

Ms. Hunt explained that Mayweed Chamomile is also called stinking chamomile because of its pungent odor. It is native to the Mediterranean but is now present in the northwest and western U.S. It invades moist disturbed, overgrazed areas, wetlands, and riparian areas. It has prolific seed production of about 960,000 seeds per plant. It causes rashes and blistering and may alter the flavor of milk from dairy animals. It is very competitive with native plants and is currently reported by Mike Hayes in the floodplain in Douglas County, but UNCE Herbarium records indicate it is in Carson City, Lyon, and Douglas Counties. It is a costly seed cleaning exercise to prevent Mayweed Chamomile seed from being in turf and restoration seed mixes. It has no habitat value. It is showing resistance to certain herbicides.

Local weed groups and county staff have expressed concerns to CWSD and to the NDA. Ms. Hunt provided the Board with letters of concern from the Washoe Tribe, Dayton Valley Conservation District (DVCD), and Carson City Weed Coalition. The United States Forest Service (USFS) is also opposed to relaxing the weed seed listing. Ms. Hunt reported that some Northwest Pacific Seed Producers participated in the conference by phone, and a specific cost benefit analysis has not been provided to the NDA, nor is the potential economic impacts to Nevada known if this weed seed is allowed.

Action options include: 1) drafting a letter similar to the DVCD or Carson City Weed Management Cooperative opposing changes to the regulations, for our Chairperson's signature; 2) continue to research the situation and garner additional support on a watershed and state-wide basis; 3) propose a compromise solution with additional research; or 4) put Mayweed Chamomile on the restricted weed seed list which limits the amount of seed in a mix.

Director Schank noted that, as an agricultural producer, he would rather see a weed added to noxious weed list than taken off. Mr. Benesch noted that the Pacific Northwest Producers aren't meeting their burden of determining our impact. The problem is compounded if the seed mix is being used for re-vegetation. Director Frensdorff asked the cost of cleaning the seed vs. loss of business to Pacific Northwest Producers. Director Lynn stressed that we should take note of fact that it is listed on same list as Whitetop. Director Schank asked Mr. James if CWSD would be stronger in presenting our case if we send a letter to all the county boards we represent asking to

allow us to give testimony on their behalf. Mr. James responded that he has directed Ms. Hunt to talk with other watersheds because the issue is statewide and we should know opinions of other counties that have a large amount of agriculture. Director Fierro mentioned that Lyon County has three conservation districts so Ms. Hunt should talk with the other districts besides DVCD. He asked why Nevada and Colorado are the only states opposing the effort to exclude Mayweed Chamomile from the noxious weed seed list. Ms. Hunt responded that she has talked with the weed manager for Colorado, and they only listed Mayweed as a noxious weed in 2006. She is trying to find out the reason why it is not on the other state lists and has a call into Idaho. Her research has indicated the plant is a problem in Oregon. It could be a weed that's just starting to become a problem. Director Fierro noted that he would expect it to be a problem to the dairy industry.

Director McKenna said he felt removing Mayweed Chamomile from the noxious weed seed list is a marketing ploy by Pacific Northwest Producers. Director Abowd agreed that if the plant is a prolific producer and they have it in their area, it's a cash cow for Pacific Northwest Producers.

Director McKenna made the motion for staff to take appropriate action in opposition to taking Mayweed Chamomile off noxious weed seed list. The motion was seconded by Director Fierro and unanimously approved by the Board.

Item #26 - Discussion for possible action regarding an increase in Public Employees

Retirement System premiums and cost of living adjustment. Mr. James explained that when putting budget together, he was aware that PERS would raise rates, but he only recently received guidelines for implementing changes in the PERS retirement contribution from Carson City. Employees that participate in the Employer-Pay Contribution Plan would offset this increase by reducing their salary by 1%. To offset the salary reduction, some entities gave their employees a cost of living adjustment (COLA).

Mr. James noted that there are two ways CWSD can handle the PERS requirement: 1) CWSD can do nothing and those employees who participate in the Employer-Pay Contribution Plan will see a 1% salary reduction. 2) CWSD could give employees a 1% COLA, and staff who participate in the Employer-Pay Contribution Plan would see no change to their salary, while the staff who participates in the Employee-Employer Contribution Plan would receive a 1% COLA increase. Should the Board wish to grant a 1% COLA to staff, the total impact to the salary budget for FY 2013-14 would be approximately \$632.

Director Johnson made the motion to give staff a 1% COLA increase. The motion was seconded by Director McKenna and unanimously approved by the Board.

Item #25 - Discussion for possible action regarding accepting the Regional Water

Conservation Plan. Mr. James explained that Debbie Neddenriep has done a lot of work on this Regional Water Conservation Plan. The goal is to identify how water conservation programs can be used to enhance water supply and reduce future capital costs for water purveyors throughout the watershed. We will be ahead of the curve by having this in place, as other areas are starting to work on programs.

As part of the Conservation Plan, CWSD conducted several pilot projects related to landscape surveys, large landscape audits, Evapotranspiration (ET) controllers, education and outreach, the Old Minden Court House matched sprinkler head project, and the Lyon County demonstration garden. Even though the surveys showed that people felt the landscape surveys were helpful to reduce water waste, few actually carried out the suggestions because of the cost of re-landscaping. To help with the large park water audits, CWSD contracted with Reno Green Landscaping to evaluate the large parks' irrigation efficiency. Reno Green also installed several ET controllers.

Many of the park operators found the ET controller did save them water and they lowered staff time for managing sprinkler systems. They saved more in spring and fall than in peak summer months. Ms. Neddenriep worked with Linda Conlin to enhance water conservation education in schools. The ET controller at the Old Courthouse in Minden had a reduction of water use but the side without the ET controller did not, primarily because they discovered system leaks. The Lyon County demonstration garden has been successful.

Pilot program objectives were to: 1) conserve water and avoid water waste to balance the resources among agricultural users, environmental needs, and municipal customers; 2) identify programs which complement purveyors' conservation plans and programs; and 3) identify measures and methods which motivate water customers to avoid waste and conserve water.

This report will be incorporated in a Regional Comprehensive Water System Management Plan. Proposed actions include education and outreach, metering all residential water users, setting a preferred irrigation period, providing information material to homeowners, and working with the various water purveyors on conducting landscape surveys for homeowners. Staff also plans to develop information material regarding the demonstration garden and pursue grant opportunities for irrigation audits for parks, schools, and large green belt areas, upgrade irrigation systems, and purchasing ET controllers.

Ms. Neddenriep noted that people are open to landscape surveys. Some places used them as information instead of the negative strategy of water police. It provides a positive way to reduce residential water bills and is a good outreach and education tool.

Director Osborne noted that water conservation was common sense when he was a kid. Today people need to be re-educated about water conservation in an arid area when they move here from wetter areas. Director Penzel noted that when conservation is stressed, the utilities have to raise rates, and we lose veracity with the customers. Our program needs to be meaningful and explain the rewards to conserving water. Mr. James noted that we are asking people to act responsibly to avoid water waste, not change their lifestyle.

Director Schank commented that the City of Fernley put in a water treatment plant a few years ago to treat underground water supply. They also put in a purple pipeline system for wastewater which wasn't hooked up because Fernley was concerned that they couldn't make their water treatment plant payments.

McKenna made the motion to accept the Regional Water Conservation Plan report and instruct staff will go to each water purveyor to present the report, as well as look for grants. The motion was seconded by Director Abowd and unanimously approved by the Board.

Director Schank noted that the Paiute-Shoshone Utilities and the Department of Defense for the Fallon Naval Air Station are two additional water purveyors in Churchill County.

Item #27 - Discussion for possible action regarding the USGS Dayton Stream Gauge. Mr. James mentioned at the last Board meeting that funding for the Dayton gauge was going to be reduced because CTWCD was not going to continue to fund it. Mr. James reported that he has talked to the Federal Water Master, State Engineer, Lyon County, Dayton Valley Conservation District (DVCD) to determine what need there is to continue operating the gauge and potential funding sources for the \$5,400 no longer paid by CTWCD. DVCD was the only one who found a

strong need for the gauge but didn't have money to fund it. They suggested marking the nearby Dayton bridge with a staff gauge as an alternative.

Mr. James mentioned the following alternatives: 1) CWSD can do nothing and let the gauge become inoperable. 2) CWSD can pay the extra amount. 3) CWSD can work with the USGS and DVCD to put a staff gauge on the Dayton bridge. Mr. James suggested that if the gauge is not funded, CWSD give DVCD the additional funds for their restoration projects since funding was minimized in the budget. Perhaps next year we can add funds in our budget for putting a staff gauge on bridge.

Director McKenna made the motion to not pay for gauge and give DVCD additional funds for its restoration projects. The motion was seconded by Director Johnson and unanimously approved by the Board.

Item #28 - Discussion for possible action regarding the General Manager's annual review. As Chairperson of the Administrative Committee, Director Abowd explained that on May 29 the Administrative Committee met and did the General Manager's review. His performance was reviewed and the committee discussed comments made by the Board. The Administrative Committee recommended that Mr. James meet with Board members regarding any concerns the may have and give Mr. James a satisfactory rating and a merit increase. Director Lynn noted that varied ratings are indicative of communication issues.

Director Lynn made the motion that Mr. James receive a satisfactory review rating eligible for a merit increase. The motion was seconded by Mr. Fierro and unanimously approved by the Board.

Item #29 - Discussion for possible action regarding the water supply projections for this summer. Mr. James explained a graph which showed that the East Fork of the Carson River is at about 30% of average, as is the West Fork. At the Carson City gauge the river is dropping lower to about 10% of long-term average. At the Ft. Churchill gauge the river is now at about 2% of long-term average. Lahontan Reservoir has been going down after an early peak in April when it was up to 125,000 af. Marlette Lake filled in early May and is now slowly dropping due to evaporation. The State will begin pumping water out of Marlette Lake around July 1.

Item #30 - Staff Reports

General Manager - Mr. James reported: 1) On June 7, Mr. James and Ms. Hunt went to Lost Lakes and noticed quite a bit of water coming out of outlet works, so water may need to be released so that outlet can be repaired. Mr. James hurt his back trying to move tree. 2) Mr. James is now a Carson Truckee Water Conservancy District (CTWCD) Board member and proposes that he not accept the \$80/meeting plus mileage payment since he is representing CWSD and attending the CTWCD meetings while being paid by CWSD. Director Schank suggested having the payment come to CWSD to set up a scholarship fund. 3) Staff put on the Carson River Watershed "Get on the Bus" tour on June 12-13. The passenger list was diverse, with more people from out of town/state than usual. The speakers gave interesting presentations, and the tour received great reviews. 4) On June 6, Mr. James and Ms. Hunt gave the Carson City Board of Supervisors an update on CWSD activities, flood projects, and water supply.

Brenda Hunt reported that staff is updating the Regional Floodplain Management Plan because the counties will need it to get points during their FEMA audits for the region having a plan.

Legal - Mr. Benesch had nothing to report. He asked Director Schank about the status of the lawsuits on behalf of TCID. Director Schank responded that the Supreme Court said that TCID was premature in bringing lawsuits and to let it go through channels.

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

Item #31 - Directors' Reports

Director Osborne reported that Rich Wilkinson and the DVCD crew had completing spraying in Storey County and had done a great job which Storey County appreciated. He also reported that Storey County is in the middle of updating its Community Rating System and will revisit the possibility of joining the FEMA Charter.

None of the other director had specific reports to make, but those who attended the bus tour and/or the Marlette tour before today's meeting thanked staff for very informative tours. The Board also thanked Director Abowd for a wonderful meal at Adele's tonight.

There was no public comment. *There being no further business to come before the Board, Director Rawson made the motion to adjourn, seconded by Director Lynn, and unanimously approved by the Board.* The meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Toni Leffler
Secretary to the Board