

**CARSON WATER SUBCONSERVANCY DISTRICT
BOARD OF DIRECTORS MEETING
September 18, 2013, 6:30 P.M.
Minutes**

Directors present:

Karen Abowd
Carl Erquiaga
Ray Fierro
Don Frensdorff
Don Jardine
Doug Johnson
Greg Lynn, Vice Chairman
Austin Osborne, Storey County
Barry Penzel
Joe Ricci
Ernie Schank, Chairman
Fred Stodieck

Directors not present:

John McKenna, Treasurer
Mary Rawson

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:

Merrie Benesch, private citizen
Nick Charles, Douglas County
Carl Ruschmeyer, Douglas County
Carmen Schank, private citizen
Jack Van Dien, 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 Schank requested that Item #12 be pulled from the agenda for future hearing. *Director Johnson made the motion to approve the revised agenda. The motion was seconded by Director Jardine and unanimously approved by the Board.*

Item #6 - Approval of August 21, 2013, Board Meeting Minutes. Director Osborne requested that staff make a correction to his comments on page 5 of the August 21 minutes regarding the Comprehensive Regional Water System Report as handed out to the Board. The revised paragraph reads as follows:

"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."

Director Jardine made the motion to approve the August 21, 2013, Board meeting minutes as corrected, which were seconded by Director Frensdorff and unanimously approved by the Board, with Directors Johnson and Fierro abstained as not being present at that meeting.

Item #7 - Public Comment.

CONSENT AGENDA

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

Item #9 - Payment of Bills for August 2013.

Item #10 - Discussion and possible action regarding revision of the CWSD Policy for Property and Equipment Control Inventory.

Item #11 - Discussion and possible action regarding surplus of office equipment.

Director Lynn made the motion to approve the consent agenda items #8-11. The motion was seconded by Director Jardine and unanimously approved by the Board. There was no public comment.

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

Item #12 - Discussion for possible action regarding an update by Robert Little of Nevada Department of Agriculture about the Mayweed Chamomile issue and other NDA projects.

This item was pulled from the agenda for hearing next month.

Item #13 - Discussion and possible action regarding a request from Douglas County for funding assistance to complete the regional evaluation component of the Preliminary Engineering Report of the Sierra County Estates, Job's Peak, and Sheridan Acres water systems. Mr. James explained that the Regional Water System Committee met on September 16 to discuss this item. Draft notes from the Committee meeting were handed out, along with two maps of Sierra County Estates and from the Comprehensive Regional Water Management Plan which shows the regional system.

Carl Ruschmeyer introduced himself as the Douglas County Director of Public Works. He explained that over the past several years the Nevada Division of Environmental Protection (NDEP) has issued violations to Sierra County Estates (SCE), and in April of this year, NDEP notified Douglas County that the SCE was a failed water system. The Ninth District Court ordered Douglas County to either take the water system under receivership or voluntarily take over the system. On Sept 5, the Douglas County Board of Commissioners directed the Public Works Department to take over system. Douglas County staff will go to the owners of water system to negotiate a purchase

agreement. Douglas County expects to acquire the assets and liabilities of SCE water system. Douglas County is doing a Preliminary Engineering Report (PER) in order to determine what needs to be done to the system to make it work properly.

Nick Charles of Douglas County referred to the map on page 47 of the Board package to explain that the SCE is located in the Foothill Regional Area. As part of PER Douglas County will complete a pump test and water quality test of the two wells in the SCE water system. On maps handed out he showed the location of the SCE system in relationship to the Sheridan and Job's Peak Public Water Systems. If there is excess capacity in the SCE wells, the excess may be able to be used in neighboring water systems.

Douglas County is requesting \$25,000 funding from CWSD to complete the pump testing and water quality analysis on the SCE system.

Director Abowd asked what the system failure was. Mr. Charles responded that they were in violation of the Lead and Copper Rule, along with some administrative issues, primarily the ability to financially support the system. Director Lynn asked how Douglas County can address these issues. Mr. Charles responded that the county has the ability to address these issues under the umbrella of the existing county-run water systems.

Director Lynn asked about the high carbonic acid content in the water. Mr. Charles explained that the limestone in the ground is releasing carbonic acid which eats copper and brass fittings in the homes. Director Penzel noted that taking over this water system is not a voluntary thing for Douglas County. If Douglas County had waited to be address the SCE system in receivership, they would end up with all the responsibility and none of the authority.

Mr. James noted that this small system might be able to be brought into the regional plan and would meet the criterion under Regional Water System funding. The Regional Water System Committee heard the discussion and recommended approval of the funding from the Acquisition/Construction Fund.

Director Fierro made the motion to approve the Regional Water System Committee's recommendation of providing Douglas County with \$25,000 in financial assistance for pumping assistance and lab analysis of the Sierra Country Estates water system. The motion was seconded by Director Jardine, and unanimously approved by the Board.

Public Comment: Jack Van Dien noted that the NRS statute governing this gives specific instructions that costs of default are to be spread among the residents of the failed water system but doesn't prohibit public funding to assist.

Director Stodieck asked if these properties have been billed for water in the past. Director Penzel responded that the residents paid a fee until December of 2012 and then stopped paying their general system fees. They are in arrears. The development is about 20 years old. Director Johnson noted that there are valuable homes in that area so there are legal ramifications going back and forth. Homeowners didn't want Douglas County to take over system, but if Douglas County didn't take it over the Court would give Douglas County the system in receivership and then Douglas County would have no authority over it.

Director Fierro explained that the Regional Water System Committee made the decision in the affirmative because CWSD has determined that a regional water system is good as a whole.

Mr. Charles was asked to explain the costs related to the testing that needs to be done on the water system. He explained that there is the physical work of testing the pump system where a rig comes out to the site and pulls the existing pumps and puts other pumps in. The cost just to pull the wells and do the physical pumping is about \$15,000. The remaining expense will be engineering fees to collect pump test data and do an analysis to determine the yield of these wells and the sustainable pumping rate. The water quality analysis will be done by HDR Engineering. Director Abowd asked what cost will be borne by the residents. Mr. Charles responded that the cost of engineering

will be about \$52,000 following guidelines adopted by Rural Utility Service and EPA. Director Schank asked about the expense to treat the carbonic acid. Mr. Charles responded that Job's Peak and Sheridan Acres have air stripping units costing over a million dollars each. Douglas County is considering tying into the water line to the Job's Peak water system and utilizing their treatment system. However, the concern here is that the treatment system is not large enough to meet all the residents' needs at full build out.

Item #14 - Discussion for possible action regarding entering into an agreement with NDEP for funding under Section 208 Clean Water Act. Brenda Hunt explained that CWSD is the Section 208 Clean Water Act Planning Agency for the Carson River. Every three years CWSD receives \$40,000 to be used for planning and water quality testing or a pilot project. In the current 208 Plan one of the recommendations is to look at stormwater and urban runoff. Brenda did a poll of the staffs in all the counties who were overwhelmingly interested in Low Intensity Development (LID). The Scope of Work handed into NDEP to utilize \$40,000 to cover staff time and hire a consultant to look at available LID information to see what the best approach might be for the Carson River watershed. The plan is also to look at policies or ordinances that can be used to enhance promotion of LID practices. This project will be similar to the Non-Point Source Pollution Education for Municipal Officials (NEMO) which Sue Donaldson has been doing, but the NEMO funding ends in December 2013.

Mr. James noted that there will be no cost to CWSD. The Scope of Work has been submitted to NDEP. The project must enhance water quality and cannot be used for projects. It is Federal money through the State. Ms. Hunt noted that this study is consistent with the Floodplain Management Plan.

Director Johnson expressed his concern that the Federal government or State might be asking us to promote something that might end up trickling down as ordinances with our name attached. Mr. James noted that we will be working from the ground level up with all counties. The counties ultimately control what they want to adopt. This will provide information to county staffs.

Director Osborne noted that Storey County is not formally involved but is interested in the information. Ms. Hunt stressed that CWSD will work with Storey County staff.

Director Lynn made the motion to enter into an agreement with NDEP to utilize the funding under Section 208 of the Clean Water Act to promote green infrastructure/LID practices throughout the Carson River Watershed. The motion was seconded by Director Abowd and unanimously approved by the Board.

Item #15 - Discussion for possible action regarding CWSD Board members attending the 2013 Nevada Water Resource Association River Symposium on November 5-7, 2013. Mr. James explained that the Nevada Water Resource Association (NWRA) will be holding a River Symposium in Reno on November 5-7, 2013. Mr. James and Ms. Hunt as CWSD staff will be attending. NWRA events are a good opportunity for the Board to gain knowledge about state and local water issues, and Mr. James encouraged the Board members to attend. The symposium will be talking about the four major streams flowing into the Great Basin. If any Board member is interested, CWSD will cover their costs of attending. It is good to find out what is going on in the other watersheds.

Director Osborne asked whether CWSD would cover it if the Storey County Assistant Planner went in his place. The response was that CWSD does not wish to set a precedent of paying for county

staff to attend events. Director Osborne mentioned that if Storey County pays, he would like to send her with CWSD staff.

Director Schank asked if the symposium is tailored for county planners. Mr. James said it's for decision makers, planners, and anyone interested in the watershed. Mr. James explained some of the topics to be covered on pages 56-58 of the Board package.

Director Schank said he would like to attend the first day.

Director Fierro made the motion to authorize CWSD to cover the costs for Board members who are interested in attending the NWRA River Symposium and/or the Walker River Bus Tour. The motion was seconded by Director Johnson and unanimously approved by the Board.

Item #16 - Discussion for possible action regarding an update on the 2013 water picture for the Carson River Watershed. Mr. James gave a slide presentation on the Carson River flows. For the East Fork at Gardnerville the flows are well below the average for this time of year, but we are better off in the upper watershed than in 1977, the drought year of record. At the Carson gauge, the water level is going down and has impacted the Carson City induction wells. Compared to 1977, this year's flows were a little higher in the summer but the current levels are lower for September. We will start seeing the flow coming up when the nights get colder and trees become dormant. In the Marlette System, there is still water available to Carson City. At Franktown Creek, the flow went back up when the Marlette System was turned on. The base flow is pretty stable. At Lahontan Reservoir on September 16, the water level was just under 4,000, but it going back up. The prediction is that we are headed for above-normal temperatures for the next month and expecting a warm fall through December and normal precipitation.

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

Item #17 - Staff Reports

General Manager - Mr. James reported: 1) The Carson Truckee Water Conservation District (CTWCD) is dealing with some major financial issues on the Truckee River. Without CTWCD support next fiscal year a lot of the Carson River conservation districts will be hurting for funding. 2) Staff and a work crew put in the Lost Lakes gate put and measuring gauges. Unfortunately, the shaft broken in the gate. 3) Staff will be conducting a workshop in Alpine County to discuss Lost Lakes water use options.

Ms. Hunt reported that Harley Davidson Financial's two work days were cancelled because of concern over smoke from the Rim Fire. Will probably be rescheduled in October. 2) This weekend series of events in the watershed: Kiwanis Cleanup Day in Carson City, Green Living Festival at River Fork Ranch, and Markleeville Creek Day. Ms. Hunt encouraged everyone to participate in one of these events.

Legal - Mr. Benesch had nothing to report.

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.

Director Johnson commented that the Bison fire and flash flooding will be a concern this winter and anytime it rains.

There being no further business to come before the Board, Director Lynn made the motion to adjourn, seconded by Director Johnson, and unanimously approved by the Board. The meeting was adjourned at 7:53 p.m.

Respectfully submitted,

Toni Leffler
Secretary