

CARSON TRUCKEE WATER CONSERVANCY DISTRICT

Board Meeting
April 9, 2019

DIRECTORS:

Todd Westergard
John Capurro
Ernie Schank
Tyler Henderson
Tyler Minor
Karen Baggett
Ed James
Mike Nevin

ABSENT:

John Enloe
Pete Olsen

GUESTS:

Lori Williams, Engineer
Leo Bergin, Attorney
Ron Penrose, Superintendent
Chad Blanchard, FWM
Matt Setty, NV Environmental
Nick Brothers, City of Reno
Staff

1. CALL REGULAR MEETING TO ORDER -

President Westergard called the Regular meeting to order at 10:00 a.m.

2. PUBLIC COMMENT – None

3. APPROVE AGENDA –

Director Schank made a motion to approve the posted agenda; seconded by Director Capurro; motion carried.

4. APPROVAL OF MINUTES AND CHECKS WRITTEN –

Director Schank made a motion to approve the March 2019 Minutes and financial statements as submitted and checks written on Bank of America #9547- #9552 and Nevada State Bank #2900 - #2906, motion seconded by Director Capurro; motion carried.

5. FEDERAL WATERMASTER'S REPORT – Chad Blanchard

A complete copy of the Water Report is available at District Offices or on the internet at troa.net.

Natural flow came up about 2300 cfs overnight. Currently passing water everywhere.

Boca is being brought down due to the Safety of Dams construction project. Originally it was going to be brought down to 18,000 but due to upcoming weather it will be brought down to 10,000.

SNOTEL Report percentages of median: Lake Tahoe Basin 224%; Truckee River Basin 183%; Carson River Basin 197%; Walker River Basin 179%, Upper Humboldt 150%.

Director Schank advised that the Carson releases are allowing free water as of last week with the rest going out into the Carson sink.

6. DISCUSSION AND POSSIBLE ACTION REGARDING “MONO COUNTY V. WALKER RIVER IRRIGATION DISTRICT: ORDER CERTIFYING A QUESTION TO THE SUPREME COURT OF NEVADA” AND POSSIBLE ACTION BY CTWCD– Todd Westergard/Leo Bergin

Currently in the process of filing the Amicus Brief which is due on April 19th. Attorney Bergin gave a review of what the lawsuit is about. It's about a petition to call into play the “Public Trust Doctrine”. This issue has been before the US Supreme Court in which the Court said it's up to the individual States on how to allocate this decision. The State of Nevada has taken the position thru the Department of Water Resources and is applying the water rights as decided by the Legislature. Mr. Bergin is confident that we are in a pretty good position. Mr. Bergin will have copies at the next meeting of the Brief. Part of the issue is TROA, which is that water is being governed by the State of California and Nevada. Nevada has its own ability to adjust the public interest, entered into TROA which limits what the State of Nevada can do in re-appropriating water rights with 3rd parties.

Mr. Bergin advised that they are also representing TMWA, which is good for this District because it will lessen the expense. Mr. Bergin will get the Brief out to the Board as soon as it is complete.

7. REVIEW/DISCUSS 2019-2020 TENTATIVE BUDGET TO BE VOTED ON AT MAY 14TH PUBLIC HEARING – Mary Pat Eymann

A copy of the Tentative Budget was provided to the Board and is available at District offices.

Director James questioned why the interest income was so low since money had been moved to the LGIP which is paying higher. This will be adjusted for the final version. There is also over \$300,000 in the Checking account, should some of this be moved to the LGIP. Money will be moved to the LGIP.

A request has been received from CVCD for funding projects. The total requested was \$55,000. In the past the District has put out the availability of funds in the Spring. This money comes from the “Projects to be Determined” account. It was decided to review the policy of the District for project funding at the next meeting. It was also decided to contact Conservation Districts that the District would have limited funding available. Notice will be put out now with a deadline and reviewed at the next meeting (5/21/19) for distribution.

President Westergard also reminded the Board of the breakdown of funds received from each county.

8. PRESENTATION BY NEVADA ENVIRONMENTAL CONSULTING AND ALCHEMY AERIAL REGARDING SUPPORT AND SOLUTIONS FOR THE MONITORING AND MANAGEMENT OF THE FLOOD CHANNEL – Matt Setty

The company does debris removal which the District used last year. Mr. Setty also has a commercial pilots license as well as a drone license. They do a lot of fuels management work and mapping. The drones can be used to do mapping for encroachments on the River.

Director Schank thought one use would be to mark points in flooding for future floods to see if there is a build of debris.

Ms. Williams and Mr. Penrose will keep this company in mind for future needs of the District. They are also going to get rates for potential projects. If anything in the meantime came up where the need was an emergency it could be handled under the emergency clause.

9. DISCUSSION AND POSSIBLE BOARD DIRECTION REGARDING ENCROACHMENT PERMIT REQUESTS– Lori Williams

See Engineer’s Report

10. DISCUSSION AND POSSIBLE BOARD DIRECTION REGARDING MAINTENANCE DEBRIS REMOVAL WORK, EMERGENCY DEBRIS/DEPOSIT REMOVAL WORK, FEMA PROCESS FOR COST RECOVERY AND NEXT STEPS FOR REMAINING WORK TO BE COMPLETED – Lori Williams

See Engineer’s Report

11. DISCUSSION AND POTENTIAL ACTION REGARDING ISSUES THAT MAY ARISE DURING THE 2109 REGULAR SESSION OF THE NEVADA LEGISLATURE WHICH COULD POTENTIALLY IMPACT CONSERVANCY DISTRICTS, GENERALLY – Director Baggett

Director’s are provided with a update from Director Baggett via email, available at District Offices.

12. ENGINEER/CONSULTANT REPORT – Lori Williams

See Engineer’s Report

13. SUPERINTENDENT REPORT – Ron Penrose

Nothing to report

14. LEGAL COUNSEL REPORT – Leo Bergin

Nothing to report

15. SECRETARY/TREASURER REPORT – Mary Pat Eymann

Nothing to report

16. PUBLIC COMMENT - None

17. BOARD COMMENTS AND REQUESTS FOR FUTURE AGENDA ITEMS

Future Agenda Items:

- Review/discuss policy for funding requests
- Review received funding requests

Board Comments:

18. ADJOURNMENT -

There being no further business, President Westergard asked for a motion to adjourn the meeting. Director Schank moved to adjourn, Director Baggett, seconded said motion, motion carried.

****The next meeting will be the Public Hearing on the Tentative Budget
Tuesday, May 21, 2019 at 10:00 a.m.****

Todd Westergard,
President

Mary Pat Eymann,
Secretary/Treasurer