

# CARSON TRUCKEE WATER CONSERVANCY DISTRICT

April 12, 2011

## **DIRECTORS:**

Andre Aldax  
Ernest Schank  
Mike Nevin  
Barbara Byington  
John Capurro  
Ron Penrose  
Todd Westergard  
Gwen Washburn

## **OTHERS PRESENT:**

Leo P. Bergin, Attorney  
Matt Setty, Engineer  
Dave Wathen, Water Master's office  
Bret Tyler, Washoe-Storey CD  
Jim Shiffer, Washoe-Storey CD  
Kerrie Herring-Bird, Washoe-Storey CD  
Robert L. Holley, DVCD  
Austin Osborne, Storey County

ABSENT: Sal Quilici, Greg Dennis

President Aldax called the Regular meeting of the Carson Truckee Water Conservancy District to order at 10 a.m.

## **APPROVAL OF MINUTES**

There being no corrections or deletions to the minutes of March 8, 2011. Director Schank made a motion to approve minutes, seconded by Director Washburn. Motion carried.

## **FEDERAL WATERMASTER'S REPORT –**

Dave Wathen presented the water report, a copy of which is attached to these minutes. As of April 1<sup>st</sup> the Floriston target is 500 cfs, note Farad is at 1150 cfs with just the natural runoff. Reno 1100 cfs, Truckee River at Tracy 1280 cfs, the canal is still shut down due to repairs. Truckee River below Derby Dam is 1270 cfs, Nixon 1310 cfs. On Carson River, east fork at 762 cfs, west fork at 219 cfs and at Fort Churchill 928 cfs. Tahoe elevation 6225.76 AF an increase of 1/100<sup>th</sup> overnight, making minimum releases. The Tahoe rim is 6223.00, 2.76" above the rim. Boca storage 33,132 AF – could begin storing above the flood control levels as of April 10<sup>th</sup> (Boca's flood control is 32,600). Stampeded 172,238 AF releasing 120 cfs, actually passing some water release, this is a precautionary drawdown. Prosser 10,622 AF with release of 205 cfs, Donner 4,411 AF, releasing 86 cfs, Independence 14,587 AF releasing 21 cfs. Martis is dead pool passing inflow of 116 cfs. Lahontan 193,373 AF with releases of 938 cfs. TCID started precautionary drawdown releases a week ago with an increase yesterday. Snotel as of this morning: Truckee River 165%, Lake Tahoe Basin 181%, Carson River 157% , well above average in all our basins. East Walker 201%, West Fork River of 159%, Walker Lake elevation change 310% and Humboldt River – lower by Imlay 154%. April 1 forecast was received from NRCS; the expected rise on Tahoe is 2.3 feet from April to high which is 167% of normal. Minimum releases will be made until we start needing water, 6227.83 AF give or take. This is much higher than we have seen in a long time. Legal limit is 6229.1 AF.

**Presentation of project/Request for Funding – Storey County**

Austin Osborne, Storey County Senior Planner presented the Board with the Request for Matching Funds and a letter discussing the project description with a backup sheet showing project areas, funding and in kind match information. The budget has more detail, more explanation and a few revisions on the in kind match (a copy is available in the office).

Mr. Osborne introduced his other guests: Kerrie Herring-Bird, administrative officer, Washoe-Storey CD, Bret Tyler, Director; Jim Shiffer, Director; and Robert L. Holley, DVCD. All of these entities are in a co-operative/collaborative partnership.

A power point presentation was presented covering the following:

The proposal for Storey County to request funding for weed abatement to take place in two regions: 1 - Six and Seven Mile Canyons (an area about 15/20 square miles)

2 – Gold Hill, Gold Canyon, American Flat (25 square miles)

Each of the regions is approximately 136 acres, including a fifteen mile stretch of varying widths from ten to seventy five feet.

There is a significant weed source which remains approximately two miles toward the highest portions of both canyons. The 2011 scope of area to be covered will render the entire Six and Seven Mile Canyons watershed area treated. In order to effectively reduce noxious weed sources for the entire Carson River Watershed area within Storey County, this request includes funding to expand the foresaid abatement program to the southwestern region of the county, including Gold Hill, Gold Canyon, and American Flat. This 25 square mile area is identified as having an emerging presence of noxious plant species. Abatement there at this time is considered an early treatment and will prevent the invasive take-over experienced in Six and Seven Mile Canyons.

Mr. Osborne is requesting \$14,300 which will be applied toward the \$27,800 total costs for weed mapping and inventory, including the use of GIS mapping, purchase and application of herbicides, payment for labor, including expanded hours of operation for existing American Reinvestment and Recovery Act (ARRA) crews currently employed by Dayton Valley Conservation District. The request will be matched with \$12,780 (47 percent of total costs) by the participating entities as follows:

Storey County - \$5,880 (21.7%)

Dayton Valley Conservation District - \$6,500 (24%) = 47%

Washoe-Storey Conservation District - \$400 (1.4%)

Initial treatment will begin in April and May and will check back in June and August.

After further discussion, Director Schank moved to approve the request for funding in the amount of \$14,300 to cover weed abatement in Storey County. Director Washburn seconded said motion. Director Nevin abstained from voting, motion carried.

### **Truckee River Channel Clearing Project**

Matt Setty stated JBR staff met with the Army Corps of Engineers (ACOE), NDEP, Nevada Division of State Lands (NDSL) and Washoe County Health Department on March 24 to discuss the removal of the large box culvert extension in to the river. The ACOE indicated the project can likely be permitted under a Nationwide Permit #3. NDEP will require a 401 permit which has a \$200 fee associated with it. NDSL will waive their encroachment permit fee.

Property owners have been approached and will give a land access agreement which is being drafted and will be reviewed by Attorney Bergin. The Agreement will be for site access during construction work. The property is currently owned by a bank due to foreclosure. Property manager for the bank is willing to grant access with appropriate access agreement.

Mr. Setty anticipates we can move forward with the project, the first or second week of September during low flows; hope to be out of the river by October.

Director Penrose asked how the bid process would be conducted. Engineer Setty stated that he

had actually contacted five contractors: Granite and Q&D (who are not interested in bidding); Northern Nevada Excavation, DF Drumm and Peavine Construction (who will be submitting bids).

Attorney Bergin stated he had discussed with Matt regarding whether this project would be a Davis/Bacon project or not. As long as we can accomplish the project under \$100,000 we will not have to pay Davis/Bacon wages. Mr. Setty thought bids are expected to come in under \$100,000 which will allow this to be bid as a non-Davis Bacon project.

Matt stated he would have Attorney Bergin look over the bid sheets, and then will be sent out to the contractors. JBR is preparing a cost estimate for the entire project, including permitting and monitoring requirements for consideration by the Board of Directors.

### **Tentative Budget 2011-2012 –**

Ms. Estrella presented a copy of the worksheet to the Directors which are used to make up the figures for the Budget. 2011-2012 estimated figures show following General Fund revenue:

- CTX receipts of \$197,744
- Fair Share of approximately \$4,269
- Interest \$480
- Other income \$400
- Expenses: total estimated \$118,255

The second page shows Utility Working Capital Fund – which is the fund we make grants from:

- Interest \$1,500
- Expenditures - \$317,500 \* actual worksheets may be seen in office

Ms. Estrella gave an explanation of the \$160,000 figure under Dayton Valley Conservation District; \$80,000 was granted last year and \$80,000 granted last month. The money granted to Storey County is set aside in the Projects to be determined figure.

Director Byington asked whether the revenue could change due to legislation budget constraints. No one is aware of anything that would affect us at this time, the Budget just has to be balanced and agreed on.

Director Westergard asked if there is anything the District could do for the people in Hazen. Director Schank stated he could give a general explanation of the situation. “Prior to 1903 the Railroad moved their yards from Wadsworth to Sparks, before the adjudication of the Truckee River. Apparently, Railroad gave up any right to take water out of river for the locomotives. A deal was made with the USA which would give Railroad water at two sidings; one being Gilpin and the other was Hazen. At Hazen, the USA made an agreement with Railroad that they would build a reservoir at Hazen (a three million gallon reservoir), maintain it, build a pipeline to the rail siding. Two reasons they needed the water: one was for the locomotives and one was for fire protection. Railroad had a right to a million gallons a day. An additional pipeline to US Reclamation service yard where the main BOR facility for the Newlands Project was for a few years. A tank that held 10,000 gallons, by 1906 BOR had phased out the facility. The USA agreed to supply water to 16/18 hotels and some residences, a fee was charged for hookups and the people paid the fees until around 1933. The price was raised and since then no payments by the individuals have been paid. The infrastructure was owned by the Railroad until approximately 1984 when Paul Freitag, attorney of Sparks bought the system and some town sites (which he is always in arrears on the property taxes). Mr. Freitag was going to transfer the water to a parcel in Reno/Sparks area for development. He went to the State Water Engineer’s office, TCID opposed the transfer. He only owned an infrastructure, did not actually own any water rights.

Water actually belongs in Lahontan, the water amounts to 2 or 3 second feet a day for 365 days a

year. The water is not potable; however, there are two houses that actually use the water for domestic purposes. Bureau of Reclamation have State people trying to see if wells can be drilled.

Director Washburn stated that Churchill County got involved several years ago and because there were so few people, no loans, grants or other funding from the county could not be obtained. Director Schank went to the County and asked if the Railroad was ever taxed by Churchill County, never billed and never paid any taxes.

Director Westergard asked if the District were to undertake a capital project, do we have some leeway as far as generating revenue. Attorney Bergin stated that we do, the question is what we could do legally if they have no water rights. Director Westergard stated he was changing subjects and talking more generally, if in any given year if the District decided to undertake a capital project and not be tied to this budget. Ms. Estrella stated we are tied to the budget for the funds received from CTX and fair share from the different counties; however, we can tax each one of the counties or properties within the counties. Ms. Estrella mentioned that the District has never used this right. Director Westergard wondered in order to generate revenues, would we have to be equal among all the counties/jurisdiction. Attorney Bergin stated that it be benefit related. Director Byington stated you would have to look at the whether the maximum was being charged in taxing district; you would have to request school district, i.e. or someone else to lower their tax. President Aldax stated that Carson Subconservancy District can tax up to .10 cents per hundred for a project.

Director Westergard stated that the time might be right to think about upstream storage on the Carson River. Engineer Setty has old files on the Watasheamu Reservoir, reading the briefings are pretty interesting.

President Aldax stated the Budget for 2011-2012 still needed to be approved. Director Byington questioned the increase in office expense this year and wanted to know if there would be a problem with reducing it back to \$1,000. Ms. Estrella stated the increase was due to computer purchase sharing; therefore, there would not be a problem.

A motion was made by Director Schank to approve the Tentative Budget as presented. Seconded by Director Nevin, motion carried.

## **SECRETARY/TREASURER'S REPORT**

Ms. Estrella presented the financial report for the month of March, checks written on Nevada State Bank #2187 – 2194 and checks written on Bank of America #8970 – 8978. Ms. Estrella noted \$80,000 was released to Dayton Valley Conservation District for previous years grant funds. Director Byington moved to approve checks written, seconded by Director Westergard, motion carried.

## **PUBLIC COMMENT – None**

## **LEGAL REPORT**

Nothing to report

## **ENGINEER REPORT**

Matt has been in contact with the City of Reno regarding the repairs requested on the flood walls. City of Reno will provide Carson Truckee Water Conservancy District a schedule of repairs.

## **DIRECTORS REPORTS**

Director Schank has a topic for discussion; it goes along with what Director Westergard

mentioned earlier with regards to funding. TCID has to replace all of the turn outs in Fernley reach of which there are 33, some are going to be consolidated down to 17. Until TCID can get this accomplished the water cannot be turned back on for those people in the Truckee division: all of Fernley, Hazen, and Swingle Bench. Director Schank asked if there was an appetite to loan some short term funds for 90 days or less, has this ever been done or is it possible. The monies would be paid back with hydro-electric generation funds as they come back in.

Attorney Bergin stated he would have to go to the books and see if it is possible. Attorney Bergin asked how much money would be requested. Director Schank said that the maximum amount that could be borrowed at any time is \$500,000 without going out to a bond for approval of the voters. The problem they are having is lending institutions to turn around in a quick manner. Every day that it goes on is a day longer the people will have to go without water.

Attorney Bergin would have to check with the Local Government Investment Pool about withdrawals. Mr. Bergin asked what interest rate TCID would be paid willing to pay. Term of repayment would be within 90 days. TCID would have to give an assignment of funds as the securing document. Mr. Bergin stated he would have to see if we can do this legally and how long it would take to get from LGIP.

Ms. Estrella informed the board Brian Landaburu, Fuze sent an email stating the layout of our website was completed and he would present it to the office later in the week for additional approval before he proceeded further.

There being no further business, President Aldax adjourned, and next meeting will be on Thursday May 19, 2011.

---

Andre Aldax, President

---

Gwyn S. Estrella, Secretary/Treasurer