

CARSON TRUCKEE WATER CONSERVANCY DISTRICT

Regular Meeting

April 8, 2025

DIRECTORS:

Todd Westergard
Karen Baggett
Ernie Schank
John Capurro
Ed James
Eddy Quaglieri
Mike Nevin
Ty Minor (Zoom)
Pete Olsen (Zoom)

ABSENT:

Tyler Henderson

Staff

Mary Pat Eymann

OTHER:

Kayla Dowty, Engineer (Zoom)
Lucas Foletta, Attorney (Zoom)
Chad Blanchard, FWM

GUESTS:

1. **CALL REGULAR MEETING TO ORDER –Quorum present**
2. **PUBLIC COMMENT – limited to no more than three minutes per speaker ***
None
3. **APPROVE AGENDA**
 - ❖ Director Schank made a motion to approve the agenda; seconded by Director Capurro; motion carried.
4. **APPROVE MINUTES FOR MARCH 2025, FINANCIAL STATEMENTS AND CHECKS WRITTEN AS SUBMITTED –**
 - ❖ Director Capurro made a motion to approve the minutes and financial statements as presented; seconded by Director Schank; motion carried.
5. **WATER MASTERS REPORT AND DISCUSSION – Chad Blanchard.**

A complete copy of the Water Report is available at District Offices or on the internet at troa.net and the SNOTEL report at wcc.sc.egov.usda.gov/reports/SelectUpdateReport.html
6. **DISCUSSION AND POSSIBLE ACTION REGARDING THE GRANT TO BE PROVIDED TO THE CARSON WATER SUBCONSERVANCY DISTRICT (CWSD) PURSUANT TO THE INTERLOCAL**

AGREEMENT ENTERED INTO BY AND BETWEEN THE DISTRICT AND CWSD.

Worksheets from Director's Westergard and James were provided to the Board and are available at District offices.

Director Westergard - Basically we decided to fund the Riverside Drive project, but that really is a special project. It's not something, it is kind of a onetime expenditure. I wouldn't call it capital project. That's kind of along those lines. And what I was thinking is, instead of finding that entirely with the annual revenue that we use, use money that we already have to fund, to the extent of about \$100,000 with then \$30,000 coming from that this year's revenue, and then that would, that would free up money for grants if we decided to fund the grants for the Truckee side.

Director James – Basically I did the same worksheet as Todd did but just added the interest in the other income. And also used a pro-rated amount consistent with the receipts received for the admin expenses.

Director Schank – Does that include the money we approved last year to go to Dayton Valley?

Director James – It's going to be taken out of that. So, 57,000 that this board approved is actually going to the Dayton Valley Conservation District based on the agreement. Under the agreement, we would then tell you where the funds are going. But I need to know how much is available before I can tell you.

Director Westergard - The difference and correct me if I'm wrong, there's basically three differences between my calculation and Ed's. One is mine doesn't include the interest in the revenue. The second is the prorated administrative fees. I didn't, I didn't prorate them. I just added them all up and then subtracted those from the revenue. And then the third is the stream gauging. I didn't take out the stream gauging from the from the grant, so to speak, money too, to the sub district. Because we don't take out the line items for the benefit of Washoe. The ILA refers to the annual receipts, tax receipts, and so that's what I used to figure out the grant money. I didn't use interest, because the ILA doesn't contemplate it or provide for that specifically. And secondly, kind of similarly, it just talks about administrative fees as determined by the solely by the district. So, I didn't, I didn't prorate those because, again, there wasn't any mention about in the ILA about prorating. I'm throwing those things out there, just because that's the letter of the agreement.

Director Schank - Interest certainly is not a constant thing, seeing that over the years. So, it isn't something that you can bank on, but it certainly is right now. It is income. I don't know if we need to address it by making some kind of amendment. But we probably, you know, at least this board ought to have something maybe in the minutes as to how to treat it.

Attorney Foletta - in terms of just process, I don't think we need to make any sort of amendment. I think, I think that what we should do is the board should approve the methodology as it deems appropriate here, whatever that is, and then we'll, we'll convey that to the CWSD group, and then they, if there's still a concern at that point, they can, send the communication back, and we can start to hash it out through you the chair and Mary Pat and myself, or whatever. In terms of the elements of the calculation. Just a couple of thoughts. One is on interest. I mean, I agree the agreement doesn't specifically contemplate it. I guess I'm a little unsure if, if using sort of a snapshot in time in terms of what the contributions are from this particular ILA counties, in this year, is a fair representation of what the interests, their entitlement to interest, would be if we sort of allow them to access that bucket. Over time I think those numbers may fluctuate a little bit in terms of what those receipts look like. I'm just, I'm not sure we're using the most refined instrument we can there to cut those things up, if that's what the group wants to do. On the admin fees, I kind of have the same question my mind is sort of like, is, is that really a fair allocation of admin fees, the pro rating using that percentage basis. I'm not sure that that the admin expenses of the district cut that closely or are tied that specifically to those percentage differences in. The stream gage. I think that's just a decision for the board. So those are kind of my thoughts. I realize at the end of the day, it's really not a huge difference in terms of funds, but that's kind of where I'm coming from on it. I'd rather be simple here and then, rather than over complicate things and commit to something of the long term that's using kind of what really should be a more fluid calculation.

Director Schank – I think what we ought to do is, if we're using percentages on the administrative, we ought to use the same sort of percentages, at least initially interest.

- ❖ Director Schank made a motion for this year at least to try it out to make the interest the same as we have made it in terms of the other calculations on administrative to include the interest portion given to CWSD for the ILA (effectively using Director James worksheet); seconded by Director Nevin; motion carried.

In summary interest will be included, do not prorate administrative fees, and then add back in stream gauging.

Director Schank - But I think as soon as we kind of get this figured out as to how we're going to do it, that we ought to have a joint letter between our board and the CWSD board that we send out to all of our constituents six way into them the granting process and who they should go to if they want granting I think being very open about that.

Attorney Foletta - we could certainly work it up and then have it up and then have it in front of the board for the next meeting or at least prior to the next grant cycle.

7. DISCUSSION, DIRECTION TO STAFF AND POSSIBLE ACTION REGARDING THE 2025-2025 TENTATIVE BUDGET. BUDGET TO BE APPROVED AT THE PUBLIC HEARING (5/20/25)

A copy of the Tentative Budget as well as a budget worksheet were provided to the director's and is available at District offices.

Changes made to the worksheet:

- 1) Change account #7000 (Riverside Dr) name to Contingency Fund with an amount of \$30,000, or whatever is leftover after funding the grants.
- 2) Add the \$100,000 from original #7000 account to # 6011 (projects to be determined)
- 3) Split account #8001 into 2 separate ones with an amount of \$1,000,000 in each.
- 4) Account #8001 "Channel Emergency Fund"
- 5) Account #8002 "TBD"

- ❖ Director Schank made a motion to make a "Channel Emergency Fund" account and to cap it at \$1,000,000 for FY2025/26; seconded by Director Baggett; motion carried.

Director Schank inquired if we should establish at a later date the criteria for utilizing channel emergency funds. Attorney Foletta advised that we should. What we could do is we could do is a memo to the budget file, and then we'll put that memo, and we'll describe it there, and then we could put that in front of the board for its approval. That way it's there for posterity and for guidance later, if there's an issue.

- ❖ Director James made a motion to utilize \$100,000 out of contingency for FY25/26 to be applied for the Riverside Drive project; seconded by Director Quaglieri; motion carried.

Director James – Per the Trial Balance we have two (2) Nevada State Bank accounts with a total of over the FDIC guarantee of \$250,000. It is suggested that we close the MMA account and transfer the excess funds to the LGIP account. The LGIP account can be accessed for funds within a day or two if the District needs funds.

- ❖ Director James made a motion to close the MMA account and to move the funds to the LGIP; seconded by Director Schank; motion carried.
- ❖ Director Schank made a motion to approve the "Tentative Budget" as presented and that the changes discussed be made on the Final Budget version; seconded by Director Capurro;

motion carried.

8. DISCUSSION, ACTION AND POSSIBLE APPROVAL OF USGS STREAM GAUGING PROGRAM FOR 2025-2026 IN THE AMOUNT OF \$9,293 AND SIGNING OF THE JOINT FUNDING AGREEMENT.

- ❖ Director Schank made a motion to approve the USGS Stream Gauging program for FY 25/26; seconded by Director Nevin; motion carried.

9. DISCUSSION AND POSSIBLE ACTION FOR GRANTS AWARDED BY THE DISTRICT – Kayla Dowty

Complete applications are available at District offices and are provided to the Board.

Summary of Grant request amounts:

1. City of Reno – request of \$10,821 for Truckee River Pathways & Riverbanks Tree Removal Equipment.
2. City of Reno – request of \$70,000 for John Champion Park Cement Repurposing.
3. Churchill County Mosquito Vector – request for \$20,000 for noxious weed program.

- ❖ Director James made a motion to approve all 3 grant requests for stated amounts; seconded by Director Nevin; motion carried.

Engineer Dowty - I'd also like the board's approval to make some slight modifications to the grant agreement. I think Mary Pat and I both realize that we don't have clear language of when the grant disbursement requests need to come into the board. Obviously, it's clear that the grant needs to be completed during the fiscal year, but I think it would help if we added a requirement that grant disbursement requests are submitted to the board no later than, like, June 1 or maybe earlier. It's made our budgeting difficult. We have amended the grant cycle to where it makes sense which is fiscal year related. But in the grant agreement, we haven't included when we'd like to see both the acknowledgement that the projects are going to be completed as well as the final disbursement requests.

Director Schank inquired about receiving quarterly reports from recipients. Ms. Dowty advised that generally we do get them. Perhaps we should make the quarterly report more of a form.

- ❖ Director Schank made a motion to create a form, a quarterly form that would require grant recipients to indicate an anticipated completion date and of the funds that they have currently applied for be in that fiscal year, and if an extension is needed it be to the District by January 31 of the fiscal year of the grant, and that all disbursement requests are submitted to the Board no later than June 1 of said FY; seconded by Director Quaglieri; motion carried.

❖

Engineer Dowty, Attorney Foletta and Staff will work together and get the agreement revised.

10. DISCUSSION AND POSSIBLE ACTION REGARDING THE DISTRICT'S LEGAL COUNSEL – Lucas Foletta

I'm just, I'm changing law firms. I'm going to Holland and Hart for McDonald Carano and McDonald's wonderful. But Holland and Hart has a little better of energy and environmental footprint for me to work from, and so that that actually happened effective last Monday. I'm happy to keep working with this group. I think it's a great board, and I like the work that it does. My proposal would be to continue to work with the group on the same terms as we've been working under with McDonald Corona. So, we've got a letter to that effect to Mary Pat and we just need the board to approve it. If that's your pleasure, if you want to stay with McDonald Corona, you could certainly do that or take your work anywhere you like, but the firm would, I'm sure, provide somebody for you if that's what you want to do.

- ❖ Director James made a motion to retain Lucas Foletta at Holland and Hart as the legal counsel for the District; seconded by Director Schank; motion carried.

11. ENGINEERING/SUPERINTENDENT REPORT – Kayla Dowty

See engineering report.

A. Riverside Drive Inundation and possible involvement of the District.

A copy of the report from JUB for the 30% downstream portion was provided and is available at District offices.

Quick update. Last month, we did get a draft in our local agreement from TRFMA that includes three parties, TRFMA, City of Reno and Carson Truckee. Lucas reviewed that along with me. He said he thinks it makes sense for Carson Truckee to be a party to the agreement. One of our concerns is that they tried to write it to split into two separate Interlocal agreements that involved funding the berm separate from the flood wall. And we noted that that's a concern for us. We need secure funding for the entire project in order to move forward with the design. So Lucas and I jumped on a phone call, I think it was last week with the city of Reno and TRFMA, we let them know that we were concerned about that they completely understood and agreed that they were just kind of trying to make this easy and get the first one done quickly, but they're happy to do two separate in our local agreements that are executed together in order to move the overall project along and note that there's secure funding for both phases of the project. So, I think Lucas, if I remember right, they are going to push that along at their June, their June board meeting and send us a draft of the second agreement so we can review them together. That means that we will have secure funding for the overall project.

In terms of just design progress JUB has submitted a 30% review set to both us and the City of Reno. We reviewed that all together last week and provided quite a few comments. City of Reno is obviously taking kind of the lead at the design review, because they're most concerned about the path and tree impacts, and so we've submitted quite a few comments to JUB they are going to resubmit. They're going to consider those comments and resubmit a 30% probably in the next week or two, and then they'll be moving along with a 60% design. Again, the berm is intended to get constructed this fall, so that plan set does need to get finished up pretty quickly here so it can go out to bid. On the flood wall portion, as we all know, that needs a permit from the Army Corps. And in order to get that done, we need to get both the biological and cultural surveys done this year, and we don't want to miss the biological windows specifically. I have asked JUB to prepare proposal, and they weren't able to get that done ahead of this meeting, but they will. We'll send that over to the board for the May meeting.

B. Maintenance debris removal work, emergency debris/deposit removal work and authorization for expenditures for such work.

See engineering report.

A complete report with photos was also proved to the Board and available at District offices.

Nothing additional.

C. Encroachment permits and requests.

See engineering report.

D. Miscellaneous items

Nothing additional.

12. LEGISLATIVE REPORT AND UPDATE – Attorney Foletta, Director Baggett

Attorney Foletta - This Friday is the first committee passage deadline, meaning all bills that were introduced and have been referred to Committee, with the exception of so called exempt bills, have to come out of the first committee. So typically, we see a number of bills that just die at this deadline. And presumably that will be the case here, and it's really, this is a good deadline, because that means we're going we're going to cut away a bunch of kind of noise that doesn't make it through this first over this first hurdle, and we can get a better idea of really what's out there. But that's really big process, headline. And then I know that the state and the legislature has been working on this kind of so called omnibus bill, 104, with the water buyback program. And, you know, kind of fleshing that out, that should come out of committee. There is a, there's a fiscal note on that, so it should also be exempt, because it'll probably go to a money committee as well. But that's the big bill that's kind of moving around. And so far, it's got pretty decent momentum, but it doesn't directly impact this group, but it is, it is kind of like the big piece that people are working on.

Director Baggett – sent out her summary report to the Board and available at District offices.

Director James - SB 108 (increase to channel clearance fund) wasn't even heard in the Senate natural resources, but it was automatically sent to the finance so that was still going. But if that one goes through, that may be an opportunity for funding for this group, or river project for the future on the Truckee we're still hoping that'll move forward.

13. LEGAL COUNSEL REPORT –Lucas Foletta

Nothing to report.

14. SECRETARY/TREASURER REPORT – Mary Pat Eymann

Nothing to report.

15. PUBLIC COMMENT - None

16. BOARD COMMENTS AND REQUESTS FOR FUTURE AGENDA ITEMS:

New Future Agenda Item Requests – 1. Guidelines for Emergency Funds account

Board Comments –

Director Nevin – The Marlett Dam project will start sometime this spring. The drawdown of the lake is almost complete to the 20 foot level, and we'll put in a coffer dam once they're able to I don't know how the access is up there at this point, but there's not much water, far less done well this morning was down about 22 feet, so that'll be for the next couple of years, and then it'll take five to seven years to build it back up after the dam is completed.

Director James - in March we had a meeting with the NDEP, Corps of Engineers conservation districts, because we found that we weren't getting the projects done on the Carson, we had some real issues with permits and everything else. And NDEP indicated earlier in meeting that if no, if the conservation districts did not start sending their application for the permits by July, they wouldn't be able to get to them until January finished it, which was too late for the construction, and that's what happened this last year. And so basically, we're in this constant loop that will never get anything done. Because by turning to it, get the engineering done, and then you submit it if you don't get the permit done, so you have to wait until next spring, and then the rivers change, so you have to have new engineering and so on. So we looked at funding maze and looked at opportunities to try to move the permitting forward. And there's going to be a proposal going to the CWSD board to utilize some of the funds up front that we have earmarked for the conservation desert to hire an engineer so they could do the initial engineering they originally thought they had to do stamp drawings, but they

don't, you know, any 60% but they get that moving, they can actually then get their application in for the permits to the NDEP and the board by July, be able to do the project in the fall. So hopefully we won't have these problems we've had in the past where we'll try to get going permits. Push them off and like this year, they get their permits until February. It's too late. You can't get on the river at that time.

17. ADJOURNMENT -

There being no further business the meeting was adjourned at 11:48 a.m.

**Next meeting
Public Hearing on the Budget
May 20, 2025, at 10:00 a.m.**

Todd Westergard,
President

Mary Pat Eymann,
Secretary/Treasurer

Minutes transcribed via otter.ai