

**NORTHERN NEVADA WATER PLANNING COMMISSION
MINUTES**

Wednesday, August 7, 2013

The regular meeting of the Northern Nevada Water Planning Commission (“NNWPC”) was held on Wednesday, August 7, 2013 in the Washoe County Commissioner Chambers, 1001 East Ninth Street, Reno, Nevada.

- 1. Roll Call and determination of presence of a quorum** – Vice Chairman Drinkwater called the meeting to order at 1:30 p.m. There was a quorum present. Chris Wessel introduced David Solaro, Acting Director of Washoe County Community Services Department, who replaced John Buzzone on the NNWPC. Members welcomed Mr. Solaro.

Voting Members Present:

Michael Drinkwater, Vice Chairman
George W. Ball, Jr. (arrived at 2:00 p.m.)
Michael DeMartini
John Erwin (arrived at 1:35 p.m.)
John Flansberg
Norman Harry (arrived at 1:42 p.m.)
Mickey Hazelwood
Neil Krutz
Darrin Price (left at 3:15 p.m.)
Jerry Schumacher (arrived at 1:45 p.m.)
David Solaro

Voting Members Absent:

Non-Voting Members Present:

Non-Voting Members Absent:

John Bird
David Boland
Harry Fahnestock
Kelvin Hickenbottom
My-Linh Nguyen
Edmund Quaglieri

Staff Members Present:

Jim Smitherman
Chris Wessel
June Davis
John Rhodes, Legal Counsel

2. Public Comments.

Vice Chairman Drinkwater called for public comments.

Cathy Brandhorst made several comments not related to the NNWPC.

Terri Svetich, City of Reno Engineering Manager, introduced Lynell Garfield-Qualls, City of Reno Hydrologist. Ms. Garfield-Qualls shared a storm water video that was developed by the Truckee Meadows Storm Water Permit Coordinating Committee in collaboration with many others in the community. The video, “Public Art Fights Pollution”, focuses on a recent storm drain painting project

that was implemented in an effort to educate the community that anything entering the storm drain ends up in the river or other waterways.

Ms. Garfield-Qualls added that the video would be submitted to the Water Environment Federation contest.

Vice Chairman Drinkwater called for further comments and hearing none, closed the public comment period.

3. Approval of the agenda.

Commissioner Price made a motion to approve the August 7, 2013 meeting agenda as posted. Commissioner Krutz seconded the motion, which carried unanimously.

4. Approval of minutes from the June 5, 2013 meeting.

Commissioner Flansberg made a motion to approve the minutes as submitted. Commissioner DeMartini seconded the motion, which carried unanimously.

5. Review and possible approval of an amendment to the Northern Nevada Water Planning Commission (“NNWPC”) Administrative Policies and Procedures, to provide for selection of a new Chairman following a resignation; and if approved, election of a new Chairman, and Vice-Chairman if necessary, and possible direction to staff – John Rhodes, NNWPC Legal Counsel. (For Possible Action)

John Rhodes, Legal Counsel, reported that John Buzzone, former NNWPC Chairman, resigned from Washoe County and reiterated that David Solaro replaced him on the NNWPC.

Mr. Rhodes stated that Jim Smitherman and he reviewed the Administrative Policies and Procedures, which do not spell out what to do when the NNWPC Chairman resigns, and his replacement declines to act as Chairman. . He added that he proposed an amendment to the polices that would provide that in the event of a resignation of the Chairman or the Chairman’s inability to act, a new Chairman would be elected with the new one-year term beginning at the time of election.

Mr. Rhodes mentioned that the detailed amendment was included in the NNWPC packets. He invited questions.

Mr. Rhodes stated that the election process began in April based on the NNWPC legally coming into existence at that time (in 2008). The current policy states that the election would be held at the first meeting in April until such time as a change in that schedule is desired. He added that the proposed amendment includes language that upon retirement or resignation of the Chairman, the one-year term would begin upon election of a replacement.

Commissioner Price referred to Commissioner Erwin’s comment that since the entity the Chairman represented only served for four months, it would make sense that the entity would qualify to serve the next term as well. Mr. Rhodes agreed that would be a possible solution. Commissioner Price asked if the amendment language could be revised to reflect Mr. Rhodes’ interpretation.

Mr. Rhodes stated that he included a list of entities that are eligible to serve as Chairman, which includes Washoe County.

Vice Chairman Drinkwater asked Mr. Rhodes what happens if the NNWPC chooses to do nothing. Mr. Rhodes stated that he needs direction on how to proceed. He stated that the amendment could be revised at this time or he can revise it and bring it back to the next meeting, in which case Vice Chairman Drinkwater would continue to serve as Chairman until a new Chairman is elected. He stated that there is

room for reasonable interpretation in the amended policy.

Commissioner Erwin stated that another alternative could be, “Commission shall elect the Chairman for a one-year term in rotation among the voting members at the termination of the term of the existing Chairman and Vice Chairman.” He explained it would eliminate the April or quarterly timeline; upon a resignation, the policy would accommodate election of a new Chairman.

Commissioner Erwin made a motion to table this item until more thought is put into it and Commissioners could provide input at the next meeting as to alternatives. Mr. Rhodes agreed and requested any other proposed language changes prior to the next meeting.

Commissioner Flansberg seconded the motion. Commissioner Krutz asked if would be more appropriate to “continue” the item. Commissioner Erwin agreed and amended his motion. Commissioner Flansberg agreed in his second. Commissioner Price asked if the intention is that election of the new Chairman would fill out the term of the resigned position until April. Vice Chairman Drinkwater stated that Mr. Rhodes is looking for suggestions, and that Mr. Price’s comment could be included. He called for the vote on the motion, which carried unanimously.

6. Report on the Truckee River nutrient Water Quality Standards third party review and related water quality modeling provided by LimnoTech, Inc. - Terri Svetich, Engineering Manager, City of Reno.

Terri Svetich provided an abbreviated PowerPoint presentation that was provided to downstream stakeholders on July 17, 2013 (copy of presentation on file). She added that representatives of the following were present at that meeting:

- Pyramid Lake Paiute Tribe (the Tribe)
- City of Fernley
- Truckee Carson Irrigation District
- Churchill County
- Many others

Some of the highlights included:

- “Third Parties” refers to City of Reno, City of Sparks, Washoe County and Truckee Meadows Water Authority
- The third parties have been working with a consultant, LimnoTech, for a number of years to develop models and review water quality on the Truckee River and the total maximum daily loads (TMDLs)
- The TMDLs were set in 1994. Work is ongoing with Nevada Division of Environmental Protection (NDEP) to determine whether the TMDLs are still appropriate or if they need revision.
- The Water Quality Standard Review is underway currently.
- Climate Change is not being addressed under the current modeling efforts.

Norman Harry reported that he replaced John Jackson on the NNWPC and stated he looks forward to working with the Commission. He asked if the purpose of this study is to consider increasing the TMDL. Ms. Svetich explained that the focus of the study is to examine the Water Quality Standards (WQS) first, recognizing that the WQS were established in the 1980s and some standards (particularly phosphorus) have been questioned.

Commissioner Harry reminded commissioners that the Tribe has its own WQS, which basically parallel that of the state with the exception of TMDLs. He referred to the Water Quality Settlement Agreement, which was based on storage. He added that the Tribe received a letter from NDEP regarding phosphorus

discharges from Truckee Meadows Water Reclamation Facility (TMWRF), to which they will follow up. Ms. Svetich thanked Commissioner Harry for his comments.

Ms. Svetich reported that in January 2012, NDEP advised that Lahontan WQS have to be addressed prior to moving forward with the Truckee River.

Commissioner Price asked with whom staff is trying to build confidence in the modeling effort. Ms. Svetich stated that confidence in the model is necessary from NNWPC, City of Fernley, the Tribe, TCID, U.S. Fish and Wildlife, Nevada Department of Wildlife and other stakeholders. Mr. Price stated that the modeling effort is taking a long time and asked why. Ms. Svetich reiterated that the process was proceeding until NDEP and U.S. Environmental Protection Agency (EPA) halted work until the Lahontan WQS were addressed by NDEP. She added that other components of the project have continued in an effort to enhance the project.

Ms. Svetich reported that the model results are coming along very well and a Model Confirmation Summary Report is complete and available at www.truckeeriverinfo.org.

Ms. Svetich stated that representatives from the Tribe and other downstream entities have participated in the meetings and the process. She added that more technical decisions would be made this fall. She requested feedback on the Model Confirmation Reports, which will be discussed by the stakeholders at meetings on August 28, September 18, October 16, January 15 and possibly additional dates. She reported that NDEP requires certain information prior to taking the WQS to the State Environmental Commission and then the Legislative Counsel Bureau in June 2014. She summarized that the TMDLs for the Truckee River will most likely not be addressed until 2015.

Commissioner DeMartini referred to discharges to the river and asked if there are minimum requirements for dissolved oxygen (DO), which could possibly help saturate the discharge. Ms. Svetich stated that TMWRF does have a point discharge, which has DO requirements although she did not recall the number.

Commissioner Harry stated that the modeling is only as good as the inputs so there will always be associated questions. He added that he does appreciate the Tribe involvement in the process. He added that the Tribe also has hydrologic consultants on board and asked if they have been involved in the modeling or whether he could provide a copy of the Confirmation Report to the consultant. Ms. Svetich stated absolutely and reiterated that the information is available on the website. She added that a copy of the model is also available.

Vice Chairman Drinkwater thanked Ms. Svetich for her presentation.

7. Review and discussion of recent reports and ongoing studies on climate change and its possible effects on water supply and demand in the Northern Nevada Water Planning Region, and possible direction to staff - Jim Smitherman, NNWPC Water Resources Program Manager. (For Possible Action)

Vice Chairman Drinkwater stated he had a public comment card from Jenny Brekhus, Reno City Councilwoman and member of the Water Commission. Ms. Brekhus thanked the NNWPC for considering this item and added that her understanding is that it would be a study of science in our region related to climate change. She stated that as a decision-maker in a policy seat, she does not have a good idea of what is scientifically being done in the region related to climate. She added that climate change is an issue of our times and should be addressed for future generations. She mentioned that best practices of regions and local governments are being tackled but it is not something “that you can take off the shelf”. She added that New York City developed a plan with proposed infrastructure to address climate change, as are other coastal jurisdictions; however, it is not applicable to our region. She recommended that the conversation has to start with the science community and she encouraged the NNWPC to take a first step

in looking across the disciplines of who is doing what science and where we need to go. She added that there are models from other regions that are examining vulnerabilities and have case studies. She summarized that she looks forward to the NNWPC being the forum to start answering some of these questions.

Mr. Smitherman provided some background on the issue. He referred to recent reports:

- TMWA's Appendix B to the current Water Resource Plan, which was developed in partnership with Desert Research Institute (DRI) includes three additional reports
 - The Potential Climate Change Impacts on Water Resources, 2006, Dr. Stone, DRI and Dr. Lopez, TMWA – The report generally summarized the state of the science and focused on water resources in a high level look
 - Hydrologic Trend Analyses for the Truckee Meadows Region, 2006, Dr. Stone, DRI and Dr. Lopez, TMWA – The report presents an extensive analysis of locally-derived data sets, including temperature, precipitation, snow-water equivalent, stream flow and reservoir volume. The report also examined climate change effects that the region has experienced. The conclusions were that year-to-year variability in the data was very high, which made it difficult to identify trends and there were no consistent or prevailing changes of temperature, precipitation, volume timing or reservoir storage. The study did not identify any clear evidence of global warming at the time.
 - A third report was developed in 2009, which updated the two existing reports and expanded on the data analysis using gridded data sets to evaluate spatial patterns and provided a cursory analysis of existing climate change scenarios, which were down-scaled for the Truckee River basin to provide an overview of expected trends, uncertainty and to assess climate changes in the Truckee Meadows, as well as what the community might expect in the future. The conclusions were that annual precipitation has increased over the last hundred years; wintertime decreased; summer and fall increased and high elevation data points were most effected. Reduced snowpack resulted in reduced streamflow and inflow to water bodies. Snow water equivalent has increased in the October to December timeframe and decreased by April 1st every year. Temperature has increased across the region over the last hundred years. Climate models project decreases of annual precipitation, however local data are inconsistent with these global models.
- In 2012 the Water Research Foundation published, "Groundwater Sustainability Under Climate Change – A Literature Research and Review". Former NNWPC Chairman John Buzzone was on the Project Advisory Committee. This publication reviewed state of the science climate information, including climate models, assessed climate model input and downscaling methodologies, as well as model uncertainty. The review of the state of the science was very similar to that of TMWA. The study concludes with a recommendation for a flexible planning approach and adoption of adaptation strategies that make sense regardless of whether or not climate change is an issue.

Mr. Smitherman paraphrased both reports that climate trends are definitely worth monitoring; there are some shifts taking place. Climate change model projections and forecasts come with uncertainties. He summarized that prudent planning and management measures are a good idea.

Mr. Smitherman reported the Federal Bureau of Reclamation initiated the Truckee River Basin Study, which is one of seventeen basin studies funded since 2009. The objectives are to achieve consensus to identify a set of climate change scenarios to consider for the Truckee basin within the context of addressing water supply, demand risks, reliability and identify future options. On June 24, a technical advisory-team webinar was held. A workshop was scheduled for August 5; however, it did not occur. TMWA and the Truckee River Flood Management Authority are stakeholders in the project.

Mr. Smitherman stated that in 2008 the Nevada System of Higher Education received a \$15 million award from the National Science Foundation for a five-year project that includes science education and outreach infrastructure at university and community college system of Nevada. The goal of the program is to focus on climate change science, education and outreach.

Mr. Smitherman summarized that his intent was not to provide a detailed summary of all of the reports or projects but rather to inform or remind the NNWPC of the extensive amount of work that has been completed, particularly by TMWA. He added that TMWA's 20-Year Water Resource Plan contemplates climate change and the effect on water resources. TMWA's Plan, as well as the Regional Water Management Plan includes drought response planning. There are also groundwater modeling tools used by Washoe County, one of which includes a 10% recharge reduction scenario. He welcomed questions or comments.

Commissioner DeMartini referred to studies of Lake Tahoe, which shows the air and water temperature increasing over the last number of years, which is a vital part of our water supply and stated he has not seen a study of how that will increase evaporation resulting in less flow to the Truckee River. He suggested that might be a good exercise to get an idea of the quantity decrease we might see in the future. Mr. Smitherman agreed he had not seen such a study; however, it is a good point. Mr. DeMartini added that he has been focused on this issue for the past ten years and there seems to be a strong resistance to calculating that volume. He stated that he has performed calculations on his own that show possibly 10,000 to 30,000 acre-foot decreases, which could be significant. He clarified that his calculations could be off.

Commissioner Hazelwood thanked Mr. Smitherman for providing all of this information and stated he is happy that the Federal Bureau of Reclamation has finally initiated a meeting on the Truckee River Basin Study. He added that the next meeting was postponed to August 26. He stated that he believes that the study will compile the data that has been collected, as well as exploring what other communities are doing.

Commissioner Erwin made a motion to accept staff's recommendation to accept the report. Commissioner Hazelwood seconded the motion, which carried unanimously.

8. Discussion and possible recommendation to the Western Regional Water Commission ("WRWC") for approval of a proposal for Phase II: In-depth Analysis of Prioritized Study Areas, Creation of Baseline Data Set, and Risk Assessment, to continue the Septic Nitrate Study for Washoe County, and possible direction to staff – Chris Wessel, NNWPC Water Management Planner (For Possible Action)

Chris Wessel reported that this item refers to a 2007 report, "Phase 1 Prioritization of Study Areas and Assessment of Data Needs". He explained that the study identified sixteen areas, which have high-density septic developments, as well as data gaps related to the effects on groundwater quality. He stated that Washoe County is currently undergoing conversion of septic systems to sanitary sewer in Spanish Springs. He added that further study is needed to determine whether other areas need to undergo such a conversion.

Mr. Wessel explained that one of the recommendations from the Phase 1 report was to fill in the data gaps for areas as needed. He reported that at the last meeting, staff was directed to move forward with a proposal for the Phase 2 work, which was included in the agenda packet. An in-depth analysis of the prioritized study areas, dataset baseline creation and impact assessment would be performed under Phase 2. He provided an outline of the proposed study and mentioned that Christian Kropf (author of the Phase 1 report) was present to answer questions.

Commissioner Price made a motion to recommend that the Western Regional Water Commission

(WRWC) approve the proposal. Commissioner Erwin seconded the motion, which carried unanimously.

9. Report on the South Truckee Meadows General Improvement District (“STMGID”), issues arising from the pending consolidation of Washoe County's water utility with the Truckee Meadows Water Authority (“TMWA”), and possible consolidation of STMGID with TMWA - Jerry Schumacher, STMGID

Commissioner Schumacher reported that Mark Foree, TMWA General Manager, gave a presentation at the STMGID meeting the prior week regarding the proposed consolidation. He stated that everyone seemed happy with TMWA’s report, in which they agreed to accept the terms that have been under negotiation. He added that the due diligence is complete. The same presentation will be given to the TMWA Board on August 21, 2013. He summarized that everything seems to be going well.

Commissioner Price stated that he reviewed the report, in which Washoe County identified that the operation and maintenance (O&M) charges to STMGID were “way under”. As part of the due diligence, STMGID explored quotes to perform O&M; TMWA said they could maintain the rates. Mr. Price asked if it is underfunded because of the lower rates, how it could be done by TMWA.

Commissioner Schumacher stated that TMWA could better answer the question; however, STMGID is paying \$15 million.

Commissioner Price reiterated that the report says that Washoe County subsidized the STMGID area and asked how TMWA could maintain those rates without an increase. He added that if Sun Valley GID is subsidizing STMGID, he does not agree. Commissioner Schumacher stated that he did not agree that Washoe County was subsidizing STMGID and has not seen that in a report. Mr. Price asked Mr. Erwin if he had a response, which he did not. Mr. Erwin suggested that Mr. Price contact Jeff Tissier, TWMA Finance Director.

10. Review of actions taken by the 2013 Nevada Legislature that may affect or are of interest to the WRWC/NNWPC – John Rhodes *

Mr. Rhodes referred to a staff report that lists all of the bills he followed on behalf of the NNWPC and WRWC. He added that it was a fairly uneventful session in relation to this group. He reported that the Legislative Oversight Committee expired on July 1, 2013. Open Meeting changes include that contact information for information requests for agenda supplemental information be available to the public. June Davis is the contact person for such requests. All agendas will have to be posted on the State of Nevada website. Public records requests can be made orally and must be responded to within five days.

Mr. Rhodes stated that Senate Bill 2 relates to Dillon’s Rule, whereby powers not specifically delegated to local governments are reserved to the State. The bill would have abolished the rule; however, it died in Committee. Another bill request was to establish a legislative oversight commission over many local governments and agencies. The bill passed both Houses; however, the Governor vetoed it.

11. Report on the Truckee Meadows Regional Planning Agency (“TMRPA”) parcel-based population and employment modeling project; and possible direction to staff – Jim Smitherman. (For Possible Action)

Mr. Smitherman reported that TMRPA’s final draft report on the industrial land needs analysis was anticipated to be presented this month to the Regional Planning Governing Board (RPGB); however, the consultant had a setback. The report will be presented to the RPGB on September 5 at 2:00 p.m. He invited members of the NNWPC to attend the meeting, which will be followed by a question and answer session. Following presentation of the final report, the final phase of the project will be launched, which will be scenario planning. He offered to update the Commission when that phase is initiated. He summarized that the project is anticipated to be complete by June 2014.

Vice Chairman Drinkwater reiterated that Mr. Smitherman would provide an update to the NNWPC.

Mr. Smitherman stated that the NNWPC requested a presentation by TMRPA staff and offered to schedule it following the presentation to the RPGB.

12. Program Manager's Report, Jim Smitherman.

- a. Status Report of Projects and Work Plan Supported by the Regional Water Management Fund**
- b. Financial Report on the Regional Water Management Fund**
- c. Informational report from the NNWPC representative on the TMWA Standing Advisory Committee ("TMWA SAC")**

Mr. Smitherman reported that the documents included in the packet are provided as informational items. He invited any questions or comments, of which there were none.

Mr. Smitherman stated that he believed there was a TMWA SAC meeting and invited Commissioner Ball to provide a report if desired. Commissioner Ball stated that the meeting was well-attended. The majority of the discussion was based on the consolidation of STMGID into TMWA. He added that from his overview, it seems to be moving along. He added that he feels in the long-term it will be a good move in relation to customers and water resource planning. He invited questions, of which there were none.

13. Discussion regarding possible agenda items for the September 4, 2013 NNWPC meeting, and other future meetings, and possible direction to staff, Jim Smitherman.

Mr. Smitherman reported that upcoming agenda items include:

- Report on NDEP / EPA Storm Water Audit, if the written report is available
- Report on Washoe County Domestic Well Monitoring Program
- Review and possible recommendation to the WRWC regarding some facility conformance review policies, in the form of a Resolution related to facilities that are planned but not in the Water Plan
- Review and possible acceptance of the amended Policies and Procedures continued from today's meeting related to election of a new chairman – Mr. Smitherman requested that any suggestions be emailed to him.
- Standing Items
 - Program Manager's Report
 - Status update on STMGID merger

Vice Chairman Drinkwater made a motion to schedule the items as discussed by Mr. Smitherman. Commissioner Erwin seconded the motion, which carried unanimously.

14. Commission Comments.

Commissioner Solaro thanked members for their patience as he gets up to speed on the NNWPC issues.

15. Staff Comments.

Mr. Smitherman stated that in addition to welcoming Mr. Solaro to the NNWPC; he welcomed Mr. Harry and thanked them for being present.

16. Public Comments.

Vice Chairman Drinkwater called for public comments.

Cathy Brandhorst made several comments not related to water issues.

Catherine Boling referred to Mr. Smitherman's remark about the 10% reduction in groundwater recharge in the southwest area and stated it was very interesting and she would like to hear more details. She also

referred to Mr. DeMartini's suggestion to study the evaporation of Lake Tahoe and possible effects and Councilwoman Brekhus' request and stated she thought it would be a great study to implement in relation to the future impacts and water supply.

Vice Chairman Drinkwater called for further comments and hearing none, closed the public comment period.

17. Adjournment.

With no further business, the meeting was adjourned at 3:30 p.m.

Respectfully submitted by,

Niki Linn, Recording Secretary

Approved by Commission in session on _____ 2013.

Michael Drinkwater, Vice Chairman