

DRAFT - MINUTES
NORTHERN NEVADA WATER PLANNING COMMISSION

Wednesday, April 7, 2021

The Northern Nevada Water Planning Commission (NNWPC) held a regular meeting on Wednesday, April 7, 2021, via teleconference, and conducted the following business.

The meeting was called to order by Chair Hauck at 1:30 p.m.

1. Roll Call and Determination of Presence of a Quorum

Voting Members Present: Bill Hauck; Michael Drinkwater; John Enloe; Mickey Hazelwood; Danielle Henderson; John Martini; Dave Solaro; Michael Widmer; Mervin Wright; John Zimmerman

Voting Members Absent: John Flansberg; Jon Combs

Non-Voting Members Present: Cindy Turiczek

Non-Voting Members Absent: Ron Penrose; Harry Fahnestock; My-Linh Nguyen

Staff Members Present: Chris Wessel; Michael Pagni; Jennifer Purgitt

2. Public Comment

None

3. Approval of Agenda (For Possible Action)

COMMISSIONER ZIMMERMAN MADE A MOTION TO APPROVE THE AGENDA, SECONDED BY COMMISSIONER MARTINI. THE MOTION CARRIED UNANIMOUSLY WITH TEN (10) COMMISSIONERS PRESENT.

4. Approval of the minutes from the February 3, 2021 (For Possible Action)

COMMISSIONER SOLARO MADE A MOTION TO APPROVE THE FEBRUARY 3, 2021 MINUTES, SECONDED BY COMMISSIONER WIDMER. THE MOTION CARRIED UNANIMOUSLY WITH TEN (10) COMMISSIONERS PRESENT.

5. Nomination and Election of Chair and Vice Chair of the Commission for the term of April 2021 to April 2022, and possible direction to staff – Chris Wessel, Water Resources Program Manager. (For Possible Action)

COMMISSIONER ZIMMERMAN MADE A MOTION TO ELECT COMMISSIONER MARTINI AS CHAIR, SECONDED BY COMMISSIONER WIDMER. THE MOTION CARRIED UNANIMOUSLY WITH TEN (10) COMMISSIONERS PRESENT.

COMMISSIONER MARTINI MADE A MOTION TO ELECT COMMISSIONER WRIGHT AS VICE CHAIR, SECONDED BY COMMISSIONER WIDMER. THE MOTION CARRIED UNANIMOUSLY WITH TEN (10) COMMISSIONERS PRESENT.

6. Discussion, action and possible recommendation to the Western Regional Water Commission on amendments to Resolution No. 5 and Facility Conformance Review Procedures under Section 51 of the Act; possible direction to staff – John Rhodes, Legal Counsel, and Chris Wessel, Water Resources Program Manager. (For Possible Action)

Michael Pagni, Legal Counsel, disclosed that his firm is involved in some litigation involving a challenge to a tentative map approval by the City of Reno. Some of the issues that are involved in that litigation question whether the City of Reno appropriately considered conformance review procedure. Out of excess of caution, Mr. Pagni asked Mr. Rhodes to step in as Legal Counsel on this item.

Staff and Legal Counsel have found it necessary to revise the existing Facility Conformance Review Procedures to provide clarity and better alignment with the Act. The proposed revised Procedures were developed by staff and Legal Counsel after consulting with staff from public water purveyors and local governmental entities represented on the NNWPC and the Western Regional Water Commission (WRWC). The proposed revised Procedures are intended to comply with all statutory requirements and provide: a step by step process for facility conformance review; examples of facilities that may affect the working of the Plan; and a specific process for appellate review of NNWPC decisions by the WRWC Board.

Jim Smitherman presented information and answered questions regarding the revisions.

There was discussion regarding the list of facilities that may require conformance review and whether or not that list should be open ended. It was suggested that the NNWPC could have discretion to add projects to the list.

Mr. Rhodes stated we can craft language along those lines and bring it back for you to consider.

There was also discussion regarding the procedure timeline for review and when that timeline begins.

Mr. Rhodes stated we can work on that language if it needs to be further defined.

Chair Martini suggested having staff go back and take a look at the context between Sections 4 and 6 and improve that flow for clarity of the required timeline.

Commissioner Solaro agreed that what is missing here is the timeline for staff to review a proposal that comes in.

Mr. Smitherman summarized the concept is that the applicant needs to have some assurance of timely processing of their application.

COMMISSIONER ENLOE MADE A MOTION TO DIRECT STAFF TO LOOK AT ADDING SOME PROPOSED LANGUAGE TO THE LIST OF FACILITIES SUBJECT TO CONFORMANCE REVIEW AND GIVING THE NNWPC THE FLEXIBILITY TO POTENTIALLY BRING BACK OTHER FACILITIES THAT WEREN'T CONTEMPLATED BUT WE FEEL NEED CONFORMANCE REVIEW, AND FIXING THE TIMELINE FLOW BETWEEN 4, 5 AND 6, SECONDED BY COMMISSIONER SOLARO. THE MOTION CARRIED UNANIMOUSLY WITH TEN (10) COMMISSIONERS PRESENT.

7. Report, discussion and action on comments received on the Regional Water Planning Policies and Criteria chapter for the 2021-2040 Regional Water Management Plan ("RWMP") update; discussion and possible direction to staff – Chris Wessel. (For Possible Action)

Chris Wessel, Water Resources Program Manager, presented the staff report. Staff conducted a preliminary review of the Regional Water Planning Policies and Criteria Chapter and identified various elements within the chapter in need of updating. Staff requested updated information from the Truckee Meadows Water Authority and the Truckee River Flood Management Authority. A brief summary of recommendations for revisions was included in the staff report.

No action was taken.

8. Report on status, discussion and possible action regarding drafting of 2021-2040 Regional Water Management Plan and schedule related to the 2021-2040 RWMP update, and possible direction to staff – Chris Wessel. (For Possible Action)

Mr. Wessel reviewed the updated schedule and answered questions.

No action was taken.

9. Program Manager’s Report – Chris Wessel

- a. Report on the status of projects and Work Plan supported by the Regional Water Management Fund (RWMF);
- b. Financial Report on the RWMF.

Mr. Wessel presented information included in the regular Program Manager’s report.

10. Discussion regarding location and possible agenda items for the upcoming NNWPC meetings, and possible direction to staff – Chris Wessel. (For Possible Action)

The next NNWPC meeting will be held on May 5, 2021. Possible agenda items include: possible project proposals; and RWMP chapter updates.

No action was taken.

11. Commission Comments

None

12. Staff Comments

None

13. Public Comment

None

14. Adjournment (For Possible Action)

The meeting was adjourned at 2:27 p.m.

Respectfully submitted by Christine Birmingham.

Approved by:

John Martini, NNWPC Chair

APPROVED BY COMMISSION IN SESSION ON _____, 2021.