

TRUCKEE MEADOWS WATER AUTHORITY  
MINUTES OF THE NOVEMBER 6, 2017  
SPECIAL MEETING OF THE BOARD OF DIRECTORS

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A concurrent meeting of the Washoe County Commissioners, Reno City Council and Sparks City Council members was held on Monday, November 6, 2017, at Washoe County Commissioners Chambers, 1001 East 9<sup>th</sup> Street, Reno, Nevada. Members of the TMWA Board of Directors were present. Commissioner Chair Bob Lucey called the meeting to order at 8:30 a.m.

ROLL CALL

**Members Present:** Alternate Kristopher Dahir, Naomi Duerr, Vaughn Hartung, Neoma Jardon, and \*Ron Smith.

**Members Absent:** Jenny Brekhus, Jeanne Herman, and Geno Martini

A quorum was present.

*\*Member Smith left at 11:00 a.m.*

1. PRESENTATION, DISCUSSION AND POSSIBLE ACTION ON THE STATUS AND PROCESS FOR THE REVIEW AND APPROVAL OF “WATER PROJECTS” BY THE TRUCKEE MEADOWS WATER AUTHORITY, THE WASHOE COUNTY HEALTH DISTRICT, AND/OR THE NEVADA DEPARTMENT OF ENVIRONMENTAL PROTECTION, AND POSSIBLE DIRECTION TO STAFF.

Greg Lovato, Nevada Department of Environmental Protection (NDEP) Administrator, Kevin Dick, Washoe County Health District (WCHD) Officer, and Mark Foree, TMWA General Manager, presented on the current workflow path and optimal workflow path, turnaround times for project approvals, reinstating the waiver for certain projects back to TMWA, and proposed timeline to update Nevada Administrative Codes (NAC), which have not been updated since 1997, to clarify ambiguities, provide more design flexibility and give large water purveyors more autonomy, which would take approximately one year.

TMWA Board of Directors discussed TMWA’s success rate of zero violations in water quality since inception (16 years); the waiver being pulled in March; the southern Nevada (Las Vegas Valley Water District) plan review processes being different than in northern Nevada and that NDEP should ensure a consistent and equal process throughout the state; NDEP allowing a local agency (WCHD) to exert greater authority than what is seen in southern Nevada; if plans are being returned to the design engineer for non-compliance, it should be identified where on the plans the problem is so that it can be corrected in a timely manner; encouraging to see NDEP, WCHD and TMWA working together to come to an agreement and compromise on how to move forward with workflow path, reinstating the waiver and updating NAC; interpretation of regulations should be realistic; and to bring TMWA into the workflow path at the beginning of the process.

City of Sparks Council members discussed TMWA never approving a project without the dedicated water rights and ensuring water quality is up to standards; confirming land easement requirements are not required at the beginning of the project but are always required prior to construction; the need for WCHD to address staffing if the workload is too overbearing for the one plan review engineer on staff; commended the three entities for working together; the major factor that needs to continue is the increased communication with WCHD, TMWA and the developers so all know what is expected of them and any changes in the regulations or interpretations; and the displacement of citizens on a fixed income due to these delays in approving housing projects also increases the number of homeless in the area.

City of Reno Council members discussed the issue of pulling the waiver and to quickly reinstate it so that the process is streamlined and projects are approved in a more timely manner; have an automated and trackable system in place; the lack of communication to pull the waiver without giving TMWA reasons and ways to have it restored; due to the significant increase in growth and development in the region, the issue with affordable housing is unprecedented and delaying project approvals compounds the problem; identify where in the plans NAC compliance is not met to improve turnaround times; commended all parties working together to address these issues; suggested a liaison between the City of Reno and WCHD to continue the open lines of communication; and requested a WCHD representative to continue attending City of Reno's Monday meetings; requested an update in 30 days; and would like to see northern Nevada have a similar process as in the south.

Washoe County Commissioners discussed the issue of pulling of the waiver and alternate interpretations of NAC and the assumption TMWA will make a mistake despite having a stellar record; identify the problems in the red-lined version on the plans so the design engineer knows what the problem is and can readily correct it; communication is key to improving the process; coinciding the review processes between TMWA and WCHD would be beneficial; to quickly reinstate the 500 foot waiver and the larger waiver that southern Nevada has (not having to submit water projects for any of these types of projects) and not wait for the updates to NAC; emphasized they want to see northern Nevada mirror processes in the south; a representative identified by NDEP, WCHD and TMWA notify Washoe County and the Cities of Reno and Sparks of the reinstatement of the waiver when it occurs.

#### *Public Comment*

Don Tatro, Builders Association of Northern Nevada (BANN), claimed this was the largest issue he has dealt with at BANN. The issues they have been dealing with since April had nothing to do with the safety of drinking water, rather logistical placement of landscape infrastructure. Mr. Tatro is appreciative of the collaborative progress and hopes to see the waiver reinstated, updated to NAC to make it relative to newer techniques and perhaps a Bill Draft Request (BDR) to outline how to move through the process more efficiently through Nevada Revised Statutes (NRS).

Joel Grace, Reno Land Vice President of Development, take what works in order to move the approval of projects faster, rents are high because of lack of supply, more units available, rents decrease. TMWA is capable of approving these projects, capable staff, he does not see issue for redundancy, yes for oversight, but if it's working in southern Nevada...

Bobbie Merrigan, Ryder Homes and Chair of INP Committee at BANN, thanked everyone for their willingness to listen. Ms. Merrigan stated the turnaround times have improved, but communication is key to resolve the fundamental issues.

Steve Strickland, Wood Rogers, thanked everyone of having a concurrent meeting to address the magnitude of the issues they have been experiencing this past year. They have a real opportunity to make things happen and automate the process for a more efficient turnaround time.

Tammy Holt-Still, Lemmon Valley – Swan Lake Recovery Committee, expressed concern regarding TMWA’s recharge activities in the area through the Fish Springs – Vidler water pipeline; that with the recharge program, excessive water is damaging the area and there is not enough room underground; and why TMWA does not have a certified Federal Water Master to handle the aquifer system being recharged.

**Upon motion by Member Duerr, second by Alternate Member Dahir, which motion duly carried by unanimous consent of the members present, the Board approved receiving an update in 30 days on the progress of reestablishing the waiver and process improvements being made which should be included in the General Managers report at each Board meeting.**

#### ADJOURNMENT

With no further discussion, the meeting was adjourned at 11:31 a.m.

Approved by the TMWA Board of Directors in session on December 13, 2017.

Sonia Folsom, Recording Secretary