



**TRUCKEE MEADOWS WATER AUTHORITY**  
**Board of Directors**

**AGENDA**

**Wednesday, August 21, 2019 at 10:00 a.m.**  
**Sparks Council Chambers, 745 4<sup>th</sup> Street, Sparks, NV**

---

**Board Members**

Chair Vaughn Hartung  
Member Neoma Jardon  
Member Jenny Brekhus  
Member Paul Anderson

Vice Chair Kristopher Dahir  
Member Jeanne Herman  
Member Naomi Duerr

**NOTES:**

1. The announcement of this meeting has been posted at the following locations: Truckee Meadows Water Authority (1355 Capital Blvd., Reno), Reno City Hall (1 E. First St., Reno), Sparks City Hall (431 Prater Way, Sparks), Sparks Justice Court (1675 E. Prater Way, Sparks), Washoe County Courthouse (75 Court St., Reno), Washoe County Central Library (301 South Center St., Reno), Washoe County Administration (1001 East Ninth St., Reno), at <http://www.tmwa.com>, and State of Nevada Public Notice Website, <https://notice.nv.gov/>.
2. In accordance with NRS 241.020, this agenda closes three working days prior to the meeting. We are pleased to make reasonable accommodations for persons who are disabled and wish to attend meetings. If you require special arrangements for the meeting, please call (775) 834-8002 at least 24 hours before the meeting date.
3. Staff reports and supporting material for the meeting are available at TMWA and on the TMWA website at <http://www.tmwa.com/meeting/> or you can contact Sonia Folsom at (775) 834-8002. Supporting material is made available to the general public in accordance with NRS 241.020(6).
4. The Board may elect to combine agenda items, consider agenda items out of order, remove agenda items, or delay discussion on agenda items. Arrive at the meeting at the posted time to hear item(s) of interest.
5. Asterisks (\*) denote non-action items.
6. Public comment is limited to three minutes and is allowed during the public comment periods. The public may sign-up to speak during the public comment period or on a specific agenda item by completing a "Request to Speak" card and submitting it to the clerk. In addition to the public comment periods, the Chairman has the discretion to allow public comment on any agenda item, including any item on which action is to be taken.
7. In the event the Chairman and Vice-Chairman are absent, the remaining Board members may elect a temporary presiding officer to preside over the meeting until the Chairman or Vice-Chairman are present (**Standing Item of Possible Action**).
8. Notice of possible quorum of Western Regional Water Commission: Because several members of the Truckee Meadows Water Authority Board of Directors are also Trustees of the Western Regional Water Commission, it is possible that a quorum of the Western Regional Water Commission may be present, however, such members will not deliberate or take action at this meeting in their capacity as Trustees of the Western Regional Water Commission.

1. Roll call\*
2. Pledge of allegiance\*
3. Public comment — limited to no more than three minutes per speaker\*
4. Approval of the agenda (**For Possible Action**)

<sup>1</sup>The Board may adjourn from the public meeting at any time during the agenda to receive information and conduct labor-oriented discussions in accordance with NRS 288.220 or receive information from legal counsel regarding potential or existing litigation and to deliberate toward a decision on such matters related to litigation or potential litigation.

5. Approval of the minutes of the June 19, 2019 meeting of the TMWA Board of Directors **(For Possible Action)**
6. Update and possible action and direction to staff regarding the solicitation of bids for the potential sale of the Farad property as surplus property — John Zimmerman and Pat Nielson **(For Possible Action)**
7. Public Hearing, opening of sealed bids and consideration of possible oral bids for sale of Farad property and discussion and possible action regarding approval of sale or other disposition of Farad property consisting of approximately 111 acres in Nevada County, California generally referred to as Assessor's Parcels 48-030-14, 48-050-01, 48-050-10, 48-060-07, 48-040-02 and 48-130-04 — John Zimmerman and Pat Nielson **(For Possible Action)**.
8. PUBLIC HEARING ON RATE AMENDMENT
  - A. Rate Amendment, Second Hearing and Adoption: Discussion and action on Resolution No. 278: A resolution to adopt amendments to TMWA Rate Schedule BSF - Business Services Fees and Rate Schedule WSF - Water System Facility Charges revising area fee, supply and treatment, and storage unit costs — Scott Estes **(For Possible Action)**
  - B. Public comment — limited to limited to no more than three minutes per speaker\*CLOSE PUBLIC HEARING
9. Discussion and possible action, and direction to staff regarding lease of property located at 1905 E. 4<sup>th</sup> Street, Reno, Nevada described as APN 008-382-01 to the City of Reno for the purpose of temporary nutrition site for individuals and families that are food insecure — Heather Edmunson and John Enloe **(For Possible Action)**
10. Discussion and possible action, and direction to staff regarding the Portland Loo public restroom project along Truckee River corridor — John Enloe **(For Possible Action)**
11. Presentation and possible direction to staff on TMWA's Succession Planning process — Jessica Atkinson **(For Possible Action)**
12. Discussion and possible direction from Board regarding the evaluation process for conducting General Manager's performance review — Mark Foree **(For Possible Action)**
13. General Manager's Report\*
14. Public comment — limited to no more than three minutes per speaker\*
15. Board comments and requests for future agenda items\*
16. Adjournment **(For Possible Action)**

<sup>1</sup>The Board may adjourn from the public meeting at any time during the agenda to receive information and conduct labor-oriented discussions in accordance with NRS 288.220 or receive information from legal counsel regarding potential or existing litigation and to deliberate toward a decision on such matters related to litigation or potential litigation.

TRUCKEE MEADOWS WATER AUTHORITY  
MINUTES OF THE JUNE 19, 2019  
**DRAFT** MEETING OF THE BOARD OF DIRECTORS

---

The Board of Directors met on Wednesday, June 19, 2019, at Sparks Council Chambers., 745 4<sup>th</sup> Street, Sparks, Nevada. Chair Hartung called the meeting to order at 10:14 a.m.

1. ROLL CALL

**Members Present:** Paul Anderson, Jenny Brekhus, Kristopher Dahir, Naomi Duerr, Vaughn Hartung, and Jeanne Herman.

**Members Absent:** Neoma Jardon

A quorum was present.

2. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Shane Coors, Precision Water Resources Engineering.

3. PUBLIC COMMENT

There was no public comment.

4. APPROVAL OF THE AGENDA

**Upon motion by Member Dahir, second by Member Herman, which motion duly carried by unanimous consent of the members present, the Board approved the agenda.**

5. APPROVAL OF THE MINUTES OF THE MAY 23, 2019 MEETING OF THE TMWA BOARD OF DIRECTORS

**Upon motion by Member Herman, second by Member Anderson, which motion duly carried by unanimous consent of the members present, the Board approved the May 23, 2019 minutes.**

## 6. PRESENTATION OF RESULTS OF 2019 LEGISLATIVE ACTIVITIES AND BILLS

John Zimmerman, TMWA Water Resources Manager, provided a summary of legislative bills on which TMWA took a position of oppose or support as well as the status of water bills, including water bills that died in session. The Board will be updated on bills that are going to the interim session at such time.

Steve Walker, TMWA Lobbyist, reported to the Board that it was a busy session working with legislators to amend bills that negatively impacted TMWA and provided a brief overview of the bills TMWA monitored that passed out of session: AB62 (extend time to complete construction of projects to divert water) passed with amendments; AB84 (issuance of state general obligation bonds to protect, preserve natural and cultural resources) \$217 million of bonds available to be reissued, \$57 million of which is available for grants in natural resources; AB136 (prevailing wage decreased from \$250k to \$100k); AB163 (revises minimum standards according to American Water Works Association for plumbing fixtures to reduce leaks); AB220 (issuance of bonds for environmental improvement projects in the Lake Tahoe Basin); SB207 (requiring apprentices for vertical construction); SB236 (allows for replacing a well within 300 feet and across parcels without changing a point of diversion); SB245 (as amended, increases the award cap in tort actions from \$100k to \$150k in 2020 and \$200k in 2022); SB250 (dedication of water rights ), amended as passed; SB358 (revision to definition of what qualifies as a renewable energy system), amendments were passed and TMWA's hydro facilities are no longer excluded from the bill.

Vice Chair Dahir thanked staff for doing a great job in communicating and working with the legislators to protect TMWA's interests.

Mr. Walker also noted that the interim session will be quite busy, including a committee on oversight of Marlette Lake, AB30 (3M bill), fire management, and how to implement SB250.

**No action taken.**

## 7. PRESENTATION BY PRECISION WATER RESOURCES ENGINEERING ON THEIR CLIMATE CHANGE SCENARIO RESULTS TO BE INCLUDED IN THE 2020-2040 WATER RESOURCE PLAN

Bill Hauck, TMWA Senior Hydrologist, reported that as part of the update to the Water Resource Plan, TMWA will be including the results of cutting-edge climate change modeling for the Truckee River system (including Lake Tahoe) and their potential impacts to the region's water supply. TMWA has contracted with Mr. Shane Coors, Principal of Precision Water Resources Engineering (PWRE) to perform this climate change analysis.

Mr. Coors informed the Board that the future for our climate is still highly uncertain. Modeling results show that significant variability is not only likely but is expected. There is consensus that the future will be warmer in the Sierra. Some modeling results are showing that the future will be a little drier, but even more results are predicting the future to be wetter in our region. There is agreement that our region will also experience increased volatility throughout the system due to greater carbon emissions as well. Though the results of this modeling suggest on average there will be more water in the Truckee River system overall under climate change, this increased precipitation will occur at times of the year when it is unable

to be stored upstream or used directly to meet customer demand when it is needed most. The results of PWRE's modeling shows that despite this fact and more frequent and more severe droughts, TMWA's water supply remains robust and reliable under continued climate change. [Click here](#) to see the complete report.

**8. DISCUSSION AND POSSIBLE AUTHORIZATION TO GENERAL MANAGER TO ENTER INTO AGREEMENT WITH THE STATE OF NEVADA, WASHOE COUNTY, AND THE CITIES OF RENO, SPARKS, AND FERNLEY TO FUND NEVADA'S SHARE OF THE FEDERAL WATER MASTER'S ANNUAL TRUCKEE RIVER OPERATING AGREEMENT EXPENSES FOR 2020, 2021, AND 2022**

Mr. Hauck explained the cost to administer the Truckee River Operating Agreement (TROA) is approximately \$1.5 million annually. Federal funding is in place only through September 30, 2019 to cover these administrative costs. Funding is needed for the next three fiscal years (FY 2020-2022) and is required to be paid for by the TROA parties. The Nevada share of TROA administration is 40% of the total or a projected \$600,000 annually. Staff is recommending TMWA pay 60% of Nevada's share of the expenses (\$360,000) per year, with each of the remaining four Nevada TROA Parties (Washoe County, Reno, Sparks and Fernley) paying 10% or \$60,000 per year.

**Upon motion by Member Dahir, second by Member Herman, which motion duly carried by unanimous consent of the members present, the Board authorized the General Manager to enter into Agreement with the State of Nevada, Washoe County, and the Cities of Reno, Sparks, and Fernley to fund Nevada's share of the Federal Water Master's annual Truckee River Operating Agreement expenses for 2020, 2021, and 2022.**

**9. DISCUSSION AND POSSIBLE ACTION, AND DIRECTION TO STAFF REGARDING THE ADOPTION OF TMWA'S 2035 WATER FACILITY PLAN**

Scott Estes, TMWA Director of Engineering, informed the Board staff completed the update to the Water Facility Plan which: establishes maximum day demands for growth projections, determines where the growth will occur, included former Washoe County water systems for the first time, analyzes actual metered use data to develop demand factors for each rate class (establish peak day demands), examines service levels and compliance with NAC regulations and prioritized fire flow requirements.

**Upon motion by Member Dahir, second by Member Herman, which motion duly carried by unanimous consent of the members present, the Board adopted TMWA's 2035 Water Facility Plan.**

**10. PUBLIC HEARING ON RATE AMENDMENT (CONTINUED FROM MAY MEETING)**

A. INTRODUCTION AND FIRST READING OF AMENDMENTS TO TMWA RATE SCHEDULE BSF - BUSINESS SERVICES FEES AND RATE SCHEDULE WSF - WATER SYSTEM FACILITY CHARGES REVISING AREA FEE, SUPPLY AND TREATMENT, AND STORAGE UNIT COSTS

Mr. Estes presented the amendments to TMWA's Business Services Fees and Water System Facility Charges. As was stated at last month's Board meeting, amendments to TMWA's WSF and BSF rate schedules apply only to developers applying for new or expanded water service, and do not affect customer rates.

Mark Foree, TMWA General Manager, informed the Board staff also reviewed phasing in the fee increases, but that approach would be too difficult as there are two parts to the equation in the fees. Mr. Foree and Mr. Estes met with the Builders Council to go over the fee increases and explain the methodology that has been used since 2006. The meeting went well and there were no comments related to the methodology, cost data or calculations. Mr. Foree added TMWA has been proactive to be prepared for growth in the community and has supported the necessary improvements so that capacity is available when the growth occurs.

Discussion followed regarding the date of implementation and whether or not to delay it beyond staff recommendation of September 3, 2019, which can be decided at the Second Hearing on August 21.

B. PUBLIC COMMENT

There was no public comment

**Upon motion by Member Duerr, second by Member Dahir, which motion duly carried by unanimous consent of the members present, the Board approved to refer amendments to TMWA Rate Schedule BSF - Business Services Fees and Rate Schedule WSF - Water System Facility Charges revising area fee, supply and treatment, and storage unit costs to a second reading with a potential effective date of October 1, 2019, to be determined at the second reading.**

CLOSE PUBLIC HEARING

11. UPDATE REGARDING STATUS OF FARAD PROPERTY AND DISCUSSION AND POSSIBLE DIRECTION TO STAFF

Mr. Zimmerman provided a brief history of the Farad property, the statements of interest submitted in 2018, Board direction to work with Truckee Donner Land Trust (TDLT) to donate the property to them for conservation and recreational purposes (TDLT notified staff they could not take on the acquisition until the fall of 2019 and had concerns regarding potential liabilities of acquiring the property). Staff

recommendation is for the Board to solicit bids from any interested party to purchase the entire property as is with no minimum purchase price.

Member Brekhus inquired whether it would be possible to sell the property for economic development purposes. Michael Pagni, TMWA General Counsel, stated that TMWA is not directly governed by the same statutes cities must abide by, but TMWA has adopted a surplus property disposal policy, which generally follows NRS Chapter 244 and there are exceptions for getting appraisals for non-profits, but there is no specific reference to economic development. Mr. Pagni stated he could investigate it to see how TMWA could proceed with that in mind.

**No action taken.**

**12. DISCUSSION AND POSSIBLE ADOPTION OF RESOLUTION NO. 275, DETERMINING THAT IT IS IN THE BEST INTEREST OF TMWA TO SELL THE FARAD PROPERTY AS SURPLUS PROPERTY AND AUTHORIZING STAFF TO INITIATE THE SALE PROCESS AND SOLICIT BIDS FOR THE PURCHASE OF THE FARAD PROPERTY FOR FUTURE BOARD CONSIDERATION**

Mr. Zimmerman stated that staff will go forward to obtain two appraisals and solicit bids which will be brought back to the Board at the August 21 meeting for review. The condition of the bids would be: to purchase all parcels, cash only, the ability to build a restroom on the property (granting an easement), and TMWA would retain the water rights for the benefit to TMWA.

Discussion followed regarding the liability of having a restroom on TMWA property (TMWA would grant an easement to a third party who would maintain it) and reaching out to larger publications such as the Wall Street Journal or the San Francisco Chronicle to garner interest. Mr. Zimmerman replied the Board can give the General Manager direction to reach out elsewhere.

**Upon motion by Member Brekhus, second by Member Anderson, which motion duly carried by unanimous consent of the members present, the Board adopted Resolution No. 275 determining it in the best interest of TMWA to sell the Farad property as surplus property, authorizing staff to initiate the sale process and solicit bids for the purchase of the Farad property for future Board consideration, and directing the General Manager to advertise as widely as he deems necessary.**

**13. DISCUSSION AND ACTION ON NOMINATION AND ELECTION OF CHAIRMAN AND VICE CHAIRMAN AND REQUEST FOR BOARD ADOPTION OF RESOLUTION NO. 276 APPOINTING A CHAIRMAN AND VICE CHAIRMAN FOR FISCAL YEAR 2020**

Member Brekhus stated her opposition to nominating a non-Reno member to Chair and Vice Chair and her concern that in TMWA's existence that no City of Reno Board Member has held the Chair position.

Member Anderson noted as Board Members, they need to choose the best person to lead the Board.

**Upon motion by Member Dahir, second by Member Anderson, which motion duly carried five to one with Member Brekhus dissenting, the Board the Board approved the nomination of Vaughn Hartung as Chairman of TMWA Board of Directors for fiscal year 2019-2020.**

**Upon motion by Member Hartung, second by Member Anderson, which motion duly carried five to one with Member Brekhus dissenting, the Board the Board approved the nomination of Kristopher Dahir as Vice Chairman of TMWA Board of Directors for fiscal year 2019-2020.**

14. GENERAL MANAGER'S REPORT

Mr. Foree reminded the Board of TMWA's Employee Summer BBQ and recommended to cancel the July meeting.

15. PUBLIC COMMENT

There was no public comment.

16. BOARD COMMENTS AND REQUESTS FOR FUTURE AGENDA ITEMS

Vice Chair Dahir requested to revisit the Portland Loo project at Brodhead Park and discuss the logistics of it being on TMWA property.

17. ADJOURNMENT

With no further discussion, Chair Hartung adjourned the meeting at 1:05 p.m.

Approved by the TMWA Board of Directors in session on \_\_\_\_\_.

Sonia Folsom, Recording Secretary





## STAFF REPORT

**TO:** Chairman and Board Members  
**THRU:** Mark Foree, General Manager  
**FROM:** John Zimmerman, Water Resources Manager  
Pat Nielson, Distribution, Maintenance and Generation, Director  
**DATE:** August 12, 2019  
**SUBJECT:** **Update and possible action, and direction to staff regarding the solicitation of bids for the potential sale of the Farad property as surplus property**

---

### SUMMARY

In June the Board directed staff to proceed with the sale of the Farad property. Staff has taken all steps required by TMWA's surplus property disposal policy and the Board may accept bids at the Board meeting to sell the property.

### DISCUSSION

#### *Appraisal*

Staff has engaged two appraisers to prepare separate appraisals of the property as required by the policy. Only one appraisal has been received as of the date of this report and it values the property at \$265,000. The second appraisal is required to be completed before the Board meeting and staff will notify the Board of that appraised value at the Board meeting.

#### *Public Notice and Pre-Qualification Process*

The Board directed staff to advertise the sale as widely as it deemed appropriate. Based on that direction, staff published the notice of the sale once a week for three weeks in the Reno-Gazette Journal and once in the Nevada Appeal, Tahoe Daily Tribune, Record-Courier, Tahoe World, Sierra Sun, Lahontan Valley News, Sacramento Bee, and San Francisco Chronicle. Staff also posted the resolution authorizing the sale in three public places and sent the notice of sale to the attached list of potentially-interested parties.

Staff also created a website for the sale where interested parties could submit their contact information and find out how to become a pre-qualified bidder. To become a pre-qualified bidder, an interested party is required to sign the form purchase agreement and deliver the original to TMWA's offices and deposit a \$10,000 refundable down payment with the escrow agent (First American Title Company). Staff also made available for review numerous

hard-copy materials that TMWA received from NV Energy after taking over title to the property in 2017 and also created a data room that included electronic files in TMWA's possession.

The deadline to submit sealed bids is August 16, 2019. To date, staff has not received any sealed bids and will update the Board regarding any bids at the Board meeting.

***Bid Process***

If staff receives sealed bids before the Board meeting, then it will deliver those bids to the Board secretary to be opened at the Board meeting. All bids must be opened, examined, and declared by the Board at the meeting. Before accepting any written bids, the Board must call for oral bids. Any responsible person may submit an oral bid if they accept the terms and conditions of the purchase agreement and the bid exceeds 5% of the highest written bid.

If no bids are received or accepted, then the Board may offer the property for sale a second time at a subsequent Board meeting. If no bids are received or accepted, then staff recommends that the Board postpone the sale until the September Board meeting and staff will re-notice the sale and re-open bidding. If the property is not sold at the September Board meeting, then staff recommends the Board follow the property disposal policy and direct staff to list the property for sale with a licensed real estate broker.

**Farad Notice of Sale Notification List**

TMWA Standing Advisory Committee  
Truckee River Fund  
The Nature Conservancy  
Nevada Land Trust  
One Truckee River  
Patagonia  
Community Foundation of Northern Nevada  
Nevada County Supervisor-Dist. 5  
Town of Truckee -- Manager  
Calif. State Legislature, Dist. 1  
Truckee River Watershed Council  
California Fish and Wildlife  
California Department of Natural Resources  
Carson-Truckee Subconservancy District  
Federal Water Master  
Washoe County Water Conservation District  
Sierra Club  
Bureau of Reclamation  
California Council of Land Trusts  
Truckee Donner Land Trust  
Walton Family Foundation  
American Energy  
Basile Mgmt. Practice  
Sierra County Manager  
Tahoe-Pyramid Trail  
US Forest Service  
Nevada County Planning directors  
Liberty Utilities  
Bill Black  
Bill Hunkapillar  
Wyss Campaign for Nature



## STAFF REPORT

**TO:** Board of Directors  
**THRU:** Mark Foree, General Manager  
**FROM:** Scott Estes, Director of Engineering  
**DATE:** 12 August 2019  
**SUBJECT:** **Rate Amendment, Second Hearing and Adoption: Discussion and action on Resolution No. 278: A resolution to adopt amendments to TMWA Rate Schedule BSF - Business Services Fees and Rate Schedule WSF - Water System Facility Charges revising area fee, supply and treatment, and storage unit costs**

---

### SUMMARY

- A public hearing and first reading of the proposed modifications to the two rate schedules was originally conducted at the May 23<sup>rd</sup> TMWA Board meeting where the Board requested additional information and directed that the item be continued at the next Board meeting in June. At the June 19, 2019 TMWA Board meeting, the Board approved moving the public process forward to the second reading stage.
- TMWA has completed an update of its Water Facility Plan for the 2015-2035 planning period (2035 WFP). This is the first update that includes master planning and facility recommendations for former Washoe County water systems. The 2035 WFP establishes future maximum day demands and geographically distributes these demands based on where the growth is anticipated to occur.
- The primary product of the 2035 WFP is a Capital Improvement Plan (CIP) which provides the basis for revised developer Facility Charges. Facility Charges were last updated in 2013. The process of updating developer fees allocates the cost of water facilities required to serve future growth to the Areas that will benefit from the improvements.
- New Business Fees collected by TMWA are significantly less than the cost of providing new business services which include application processing, facility planning, determining water rights dedications and construction inspection. New Business Fees were last updated in 2012.

### RECOMMENDATION

Staff submits for the Board's consideration for possible adoption the attached redline of TMWA's Rate Schedule WSF-Water System Facility Charges to revise and update Area Fee, Supply and Treatment, and Storage Unit Costs based on current collection of revenues and cost information. In addition, staff submits for the Board's consideration for possible adoption the attached redline of TMWA's Rate Schedule BSF-Business Services Fees to revise and update application fees, engineering review fees and inspection fees based on current collection of revenues and cost information. Staff recommends the adoption of Resolution No. 278 and recommends that the revised rates become effective Tuesday, October 1, 2019.

## REVISIONS TO TMWA'S RATE SCHEDULE WSF &amp; BSF

August 12, 2019

Page 2 of 3

**DISCUSSION**

Rate Schedule WSF contains Area Fee and Facility Charge Unit Costs which are used to calculate fees that TMWA collects from new development to reimburse the utility for facility improvements required to meet the demands of new growth. Area Fee Unit Costs, Supply and Treatment Facility Unit Costs, and Storage Facility Unit Costs apply only to developers applying for new or expanded water service, and do not affect the costs or rates to serve existing customers. In other words, pursuant to prior Board direction on customer rates: growth pays for growth.

Area Fee Unit Costs are applied on a maximum day demand and geographic basis based on the cost to expand the capacity of the water system in specific areas where growth is occurring. The only change proposed to the current Area Fee boundaries is the formal addition of Area 7 (Verdi). The attached red-line version of Rate Schedule WSF presents a summary of the proposed changes and provides a comparison with existing Area Fee Unit Costs and Facility Charge Unit Costs.

The existing and proposed TMWA fees for a Single Family Residential (SFR) unit on a typical 6000 square foot (SF) lot is shown in Table 1. The existing and proposed TMWA fees for a Multi-Family Residential (MFR) unit are shown in Table 2. The proposed increases in the Area Fee Unit Costs (\$/GPM) shown in Tables 2 & 3 appear to be very large. The increases are exaggerated due to (a) a decrease in demand, which is the denominator (GPM) in the calculation of the Unit Costs; and (b) the Unit Costs have not been updated in six years. The actual fees paid by growth are a result of Unit Costs multiplied by the Maximum Day Demand (MDD in GPM), so the large Unit Cost increase is moderated somewhat by a decrease in the MDD.

The process to update the Developer Fees are as follows:

1. Utilizing the current WFP determine if recommended improvements are still applicable and if new/additional improvements are required.
2. Review historical construction costs and recent bid results. Modify and/or add facility cost estimates as needed.
3. Update estimated facility costs with actual costs where applicable.
4. Update Facility Charges and Area Fees collected.
5. Update the GPM added/sold in each Area.
6. Calculate New Unit Costs:

Actual Costs Allocated to Growth	
+ Applicable Finance Charges	
+ Estimated Cost of Future Facilities	Expected Growth (GPM)
<u>- Fees Collected</u>	<u>- GPM Added/Sold</u>
= Remaining Cost of Growth	= Remaining GPM

$$\text{Remaining Cost of Growth} \div \text{Remaining GPM} = \text{Unit Cost } (\$/\text{GPM})$$

$$\text{Actual Fee Paid } \$\$ = \text{Unit Cost } (\$/\text{GPM}) \times \text{MDD (GPM)}$$

## REVISIONS TO TMWA'S RATE SCHEDULE WSF &amp; BSF

August 12, 2019

Page 3 of 3

The proposed rate changes were presented to a meeting of BANN's I&P Committee on April 18 (50-60 attendees); during public workshops conducted on April 24 (1 attendee) and May 29 (4 attendees); to the SAC Meeting of June 4; and at a follow up meeting with the BANN Board of Directors on June 17 (approx. 12 attendees). The SAC voted to forward a recommendation to the Board to approve the fee increases and to implement the revisions as recommended by staff. After the First Reading, staff was contacted by the Northern Nevada chapter of the NAIOP Commercial Real Estate Development Association requesting additional information about the proposed rate changes. A presentation was made to the group's leadership and interested members (8 attendees) on July 29. During discussions following the presentation, members indicated that they understood the need for the rate increases, but that the increase to MFR development was significantly more (on a percentage basis) than the increases for SFR development and they are concerned that this will negatively impact the viability of some affordable housing projects currently in the pipeline. The group indicated that they would attempt to contact TMWA Board members to discuss their issues. One follow-up e-mail on the subject from a member of the group is attached to this staff report.

Table 3 presents the results of a high-level analysis to determine the adequacy of existing New Business Fees. New business costs are basically the salaries and benefits of TMWA employees (Project Coordinators, Planning Engineers, Design Review Engineers, Inspectors) who are directly involved in the new business process. Since TMWA is a not-for-profit organization, we only need to ensure that we are covering our actual costs to provide the necessary new business services. A direct side-by-side comparison of existing and proposed fees is difficult since the fee sheet has been reformatted, but the changes can be garnered from examination of the red-line version of Rate Schedule BSF. In general, the proposed new business fees are double the existing fees.

**TRUCKEE MEADOWS WATER AUTHORITY**

**RESOLUTION NO. 278**

**A RESOLUTION ADOPTING AMENDMENTS TO TRUCKEE MEADOWS WATER  
AUTHORITY'S SCHEDULE WSF "WATER SYSTEM FACILITIES"  
AND SCHEDULE BSF "BUSINESS SERVICES FEES"**

**WHEREAS**, upon its formation, the Truckee Meadows Water Authority ("the Authority") adopted Rules of Service on March 28, 2001, and such Rules have been modified and revised subsequent to the formation of TMWA;

**WHEREAS**, after conducting a review of its rate schedules, the Authority has revised and amended Rate Schedules BSF and WSF from time to time to meet the needs of its business environment by ensuring appropriate cost recovery through its fees and rates;

**WHEREAS**, the Authority's Board desires to amend the Authority's Rate Schedules BSF and WSF to update the fees charged for services rendered and facilities constructed as more fully described in Exhibit 1 attached hereto and incorporated herein by reference;

**WHEREAS**, the revisions to Rates Schedules set forth in Exhibit 1 attached hereto and incorporated herein are appropriate and justified;

**NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE TRUCKEE  
MEADOWS WATER AUTHORITY DOES RESOLVE:**

The revisions to Rate Schedules BSF and WSF as set forth in Exhibit 1 are approved and adopted effective 12:00 A.M. October 1, 2019.

Upon motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the foregoing Resolution was passed and adopted this 21st day of August, 2019, by the following vote of the Board:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Abstain: \_\_\_\_\_ Absent: \_\_\_\_\_

(Signature page follows)

Truckee Meadows Water Authority  
Resolution No. 278

Approved this 21st day of August, 2019

\_\_\_\_\_  
Chairman

STATE OF NEVADA,        )  
                                     : ss.  
COUNTY OF WASHOE     )

On this \_\_\_\_\_ day of August, 2019, Vaughn Hartung, Chairman of the Board of Truckee Meadows Water Authority, personally appeared before me, a Notary Public in and for said County and State, and acknowledged that he executed the above instrument freely and voluntarily and for the purposes therein mentioned.

\_\_\_\_\_  
Notary Public



## Truckee Meadows Water Authority

## RATE SCHEDULES

WSF – WATER SYSTEM FACILITY CHARGESAPPLICABILITY

Pursuant to procedures set forth in Rule 5, Applicants for new Service or Modified Service to a Service Property(ies) are subject to Water System Facility (WSF) Charges. WSF Charges are based on the Maximum Day Demand estimated in gallons per minute (GPM) by the Authority to serve the Service Property(ies) multiplied by the following Unit Costs. WSF Charges will be assessed where applicable and as identified in the Water Service Agreement.

## A. Area Facility Unit Cost by Charge Area

	<u>Charge Area</u>	<u>Amount</u>	
0	Central Reno	\$0.00	per GPM
1	South Truckee Meadows	<del>\$9581,677.00</del>	per GPM
2	Sparks-East Reno	<del>1,7442,627.00</del>	per GPM
2A	Sparks-Inside McCarran Blvd	<del>8561,313.00</del>	per GPM
3	Northwest Reno – Northgate/Mogul	<del>4,5753,679.00</del>	per GPM
4	Sparks – Pyramid/Spanish Springs	<del>2,8774,483.00</del>	per GPM
5	Sparks – The Vistas	<del>4,5557,167.00</del>	per GPM
6	Sun Valley-Sullivan Pump Zones	<del>1,3092,311.00</del>	per GPM
7	Verdi	<del>TBD-7,916.00</del>	<del>per GPM</del>
8	Sierra-North Virginia Pump System	<del>4,1429,260.00</del>	per GPM
9	Lakeridge-Plumas Pump System	<del>1,8383,290.00</del>	per GPM
10	Stead–Silver Lake–Lemmon Valley	<del>5,0576,279.00</del>	per GPM
11	Southeast Truckee Meadows	<del>2,8284,232.00</del>	per GPM
12	Spanish Springs	<del>5,7899,384.00</del>	per GPM
13A	Heppner*	<del>1,0441,349.00</del>	per GPM
14	STMGID West/Thomas Creek	<del>655815.00</del>	per GPM
15	Arrowcreek/Mt. Rose**	<del>12,56812,942.00</del>	per GPM
	<u>Truckee Canyon</u>	<u>8,036.00</u>	<u>per GPM</u>

Where a Service Property is not located within an established Charge Area described above or where the Area Facility Unit Cost for that Charge Area has not been established, applicable Area Facility Unit Costs shall be determined by Authority on a case by case basis and may include charges for on-site and off-site improvements, including Oversizing Costs, to integrate new Water System Facilities or to connect to, expand, relocate or alter existing water Facilities, determined by the Authority as necessary to facilitate annexation of the Service Property into the Authority's Retail Service Area and/or development of the Charge Area or Charge Area Unit Cost to be established, as set forth in the Annexation Agreement or Water Service Agreement between Applicant and Authority.

\* Charge Area 13A is subject to an additional charge of \$5,490.00 per lot for on-site distribution improvements.

\*\* Component of fee includes estimated costs of acquiring supplemental resource supply. Fee may be reduced to ~~\$7,648.00~~\$8,641.00 upon Applicant dedication of an acceptable combination of groundwater and creek water rights to satisfy supplemental conjunctive use supply as determined by the Authority pursuant to its Rule 7.

Added: 06/18/03 Amended: 10/01/03; 01/21/04; 03/01/05; 10/18/06; 03/01/08; 05/21/09; 05/21/10; 06/19/13; 10/15/14; 01/01/15; 05/21/15; 06/16/16, 07/01/19

## Truckee Meadows Water Authority

### RATE SCHEDULES

#### WSF – WATER SYSTEM FACILITY CHARGES

##### B. Supply and Treatment Facility Unit Cost By Charge Area

"Supply and Treatment Facility Unit Cost" is the unit cost in dollars per GPM of Maximum Day Demand, representing the cost to construct and finance supply/treatment improvements identified in the Authority's facility plan.

	<u>Charge Area</u>	<u>Amount</u>	
0	Central Reno	\$4,1636,328.00	per GPM
1	South Truckee Meadows	4,1636,328.00	per GPM
2	Sparks-East Reno	4,1636,328.00	per GPM
2A	Sparks-Inside McCarran Blvd	4,1636,328.00	per GPM
3	Northwest Reno – Northgate/Mogul	4,1636,328.00	per GPM
4	Sparks – Pyramid/Spanish Springs	4,1636,328.00	per GPM
5	Sparks – The Vistas	4,1636,328.00	per GPM
6	Sun Valley-Sullivan Pump Zones	4,1636,328.00	per GPM
7	Verdi	TBD6,328.00	per GPM
8	Sierra-North Virginia Pump System	4,1636,328.00	per GPM
9	Lakeridge-Plumas Pump System	4,1636,328.00	per GPM
10	Stead-Silver Lake-Lemmon Valley*	4,1636,328.00	per GPM
11	Southeast Truckee Meadows	4,1636,328.00	per GPM
12	Spanish Springs	4,1636,328.00	per GPM
13A	Heppner	0.00	per GPM
14	STMGID West/Thomas Creek	4,1636,328.00	per GPM
15	Arrowcreek/Mt. Rose	0.00	per GPM
	<u>Satellite Systems**</u>	<u>6,328.00</u>	<u>per GPM</u>

\* For Area 10 growth dedicating Fish Springs groundwater resources, the Supply-Treatment Facility Unit Cost is 0 (zero).

\*\* Satellite Systems include Truckee Canyon, Stampmill, Sunrise Estates, Old Washoe Estates and Lightning W.



# Truckee Meadows Water Authority

## RATE SCHEDULES

### WSF – WATER SYSTEM FACILITY CHARGES

#### C. Storage Facility Unit Cost By Charge Area

“Storage Facility Unit Cost” is the unit cost in dollars per GPM of Maximum Day Demand, representing the cost to construct and finance storage improvements identified in the Authority’s facility plan.

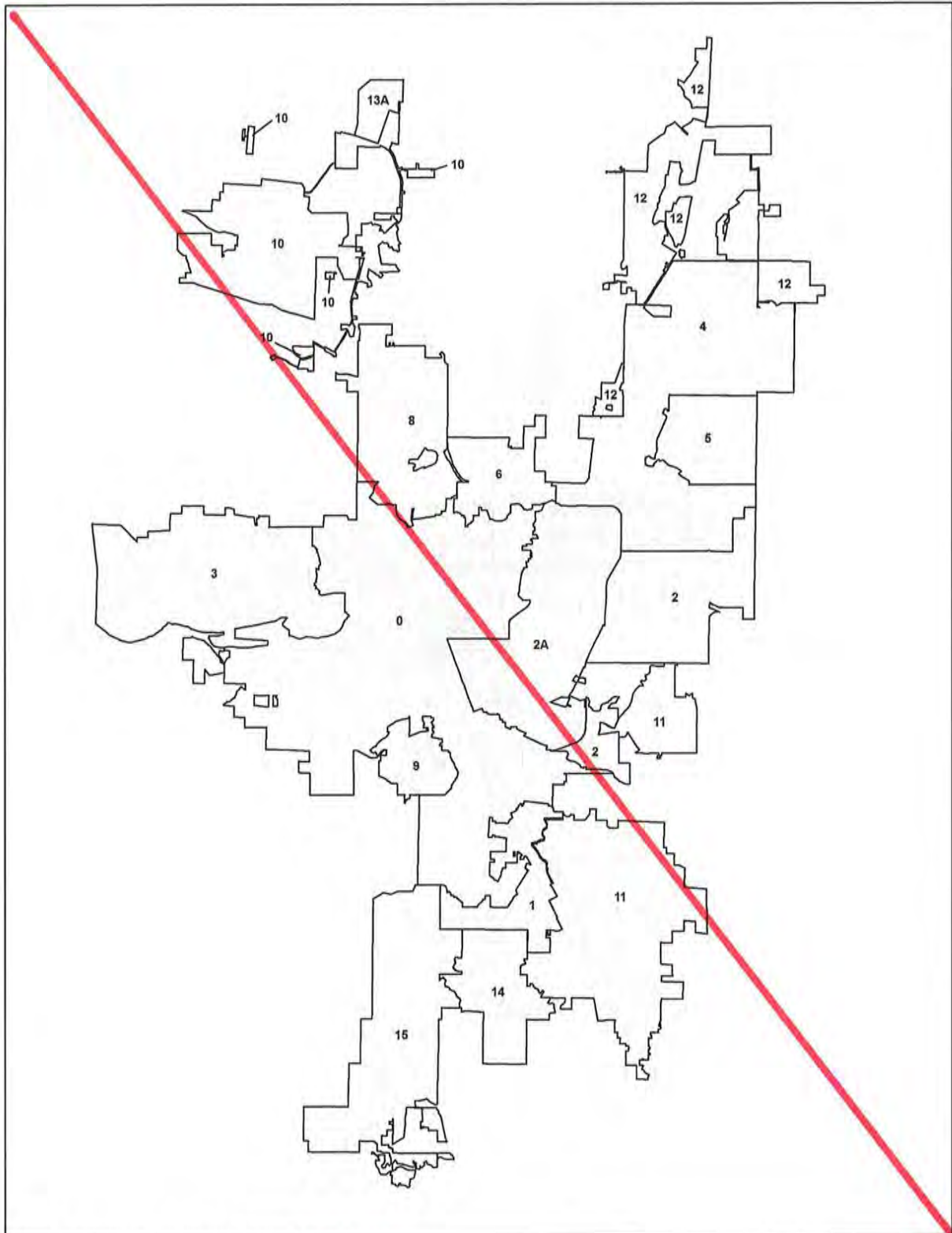
	<u>Charge Area</u>	<u>Amount</u>	
0	Central Reno	\$ <u>7721,658.00</u>	per GPM
1	South Truckee Meadows	<u>7721,658.00</u>	per GPM
2	Sparks-East Reno	<u>7721,658.00</u>	per GPM
2A	Sparks-Inside McCarran Blvd	<u>7721,658.00</u>	per GPM
3	Northwest Reno – Northgate/Mogul	<u>7721,658.00</u>	per GPM
4	Sparks – Pyramid/Spanish Springs	<u>7721,658.00</u>	per GPM
5	Sparks – The Vistas	<u>7721,658.00</u>	per GPM
6	Sun Valley-Sullivan Pump Zones	<u>7721,658.00</u>	per GPM
7	Verdi	<u>TBD0.00</u>	per GPM
8	Sierra-North Virginia Pump System	<u>7721,658.00</u>	per GPM
9	Lakeridge-Plumas Pump System	<u>7721,658.00</u>	per GPM
10	Stead–Silver Lake-Lemmon Valley	0.00	per GPM
11	Southeast Truckee Meadows	0.00	per GPM
12	Spanish Springs	0.00	per GPM
13A	Heppner	0.00	per GPM
14	STMGID West/Thomas Creek	0.00	per GPM
15	Arrowcreek/Mt. Rose	0.00	per GPM
	<u>Satellite Systems</u>	<u>0.00</u>	<u>per GPM</u>

NOTE: The following map depicts only approximate boundaries of the Charge Areas because the Authority’s distribution system undergoes frequent modification, Charge Area boundaries are subject to frequent adjustment and the exact boundaries of the Charge Areas shall be maintained by and may be adjusted from time to time by the General Manager of the Authority. The Authority attempts to keep a current map posted on its website, at [www.tmwa.com](http://www.tmwa.com); however, this map may not show sufficient detail to depict Charge Areas precisely. Pursuant to Rule 5 the Authority will determine the Charge Area and associated Area Facility charges to serve the Applicant’s Service Property(ies) at the time of application based on the most current Charge Area boundary information maintained by the General Manager of the Authority.

## Truckee Meadows Water Authority

### RATE SCHEDULES

#### WSF – WATER SYSTEM FACILITY CHARGES

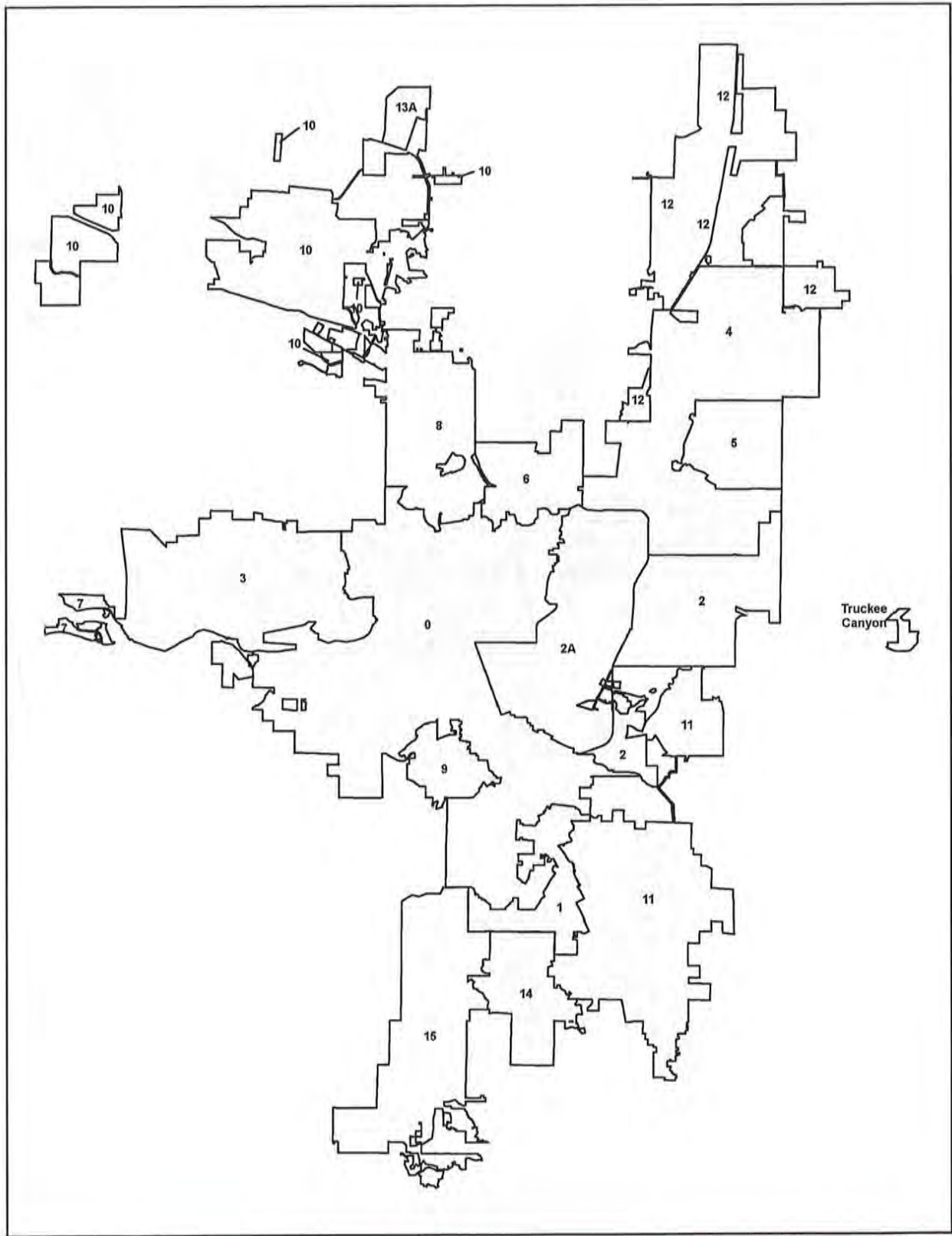


Added: 01/01/15; 05/21/15; 06/16/16, 07/01/19

Truckee Meadows Water Authority

RATE SCHEDULES

WSF – WATER SYSTEM FACILITY CHARGES





## Truckee Meadows Water Authority

### RATE SCHEDULES

#### BSF - BUSINESS SERVICES FEES

##### APPLICABILITY

In order to provide delivery of water to a particular Service Property(ies) due to the addition of new Service or Modified Service to existing water system Facilities, an Applicant is subject to the following business services fees. Business services shall mean services provided by the Authority for the benefit of Applicants for new Service or Modified Service and may include, but are not limited to, modification of an existing Service(s), system planning; design review; permitting; right-of-way or easement acquisition; water rights review; inspection; and document preparation.

##### SPECIAL DEFINITIONS

"Annexation" is the development of the minimum water system facility plan along with required improvements and required agreements in order to annex single family residence parcels or commercial and multi-family parcels.

~~"Design or Drafting" is the design or drafting by Authority staff of a new or modification to a service for the expansion of a single residential or existing commercial structure, and a construction drawing that will be approved by an Authority engineer exclusive of on-site or off-site water system Facility improvements.~~

"Design Report for NAC Compliance" shall mean the engineering analysis of existing and proposed water system Facilities for new subdivisions, water system planning, and/or expansion. Findings and conclusions from said studies shall be presented in report form to the Washoe County ~~District~~ Health ~~Department~~ District (WCHD) for their approval in compliance with NAC 445A.6666 and 445A.66695. In November 2018, the Authority, NDEP and WCHD entered into an Interlocal Agreement giving Authority the responsibility for design reviews for NAC Compliance. Authority continues to perform hydraulic modeling, supply and storage capacity calculations, etc. but those results are no longer presented to WCHD unless the project is selected for audit.

"Discovery Level 1" is the development of preliminary, major off-site water system Facility requirements along with key assumptions and costs where engineering staff time will be limited to less than twelve (12) hours. Discovery 1 scope of work will be limited to projects and site locations in the Authority's retail service area, and where extensive engineering planning and design is not required. The Applicant will receive a written description of preliminary off-site requirements and costs. In the event a project application exceeds the minimal planning/design scope of work requirements for Discovery 1, or the site is outside the Authority's retail service area, the Authority may reclassify and treat the project as a Discovery 2.

## **Truckee Meadows Water Authority**

### **RATE SCHEDULES**

#### **BSF - BUSINESS SERVICES FEES**

"Discovery Level 2" is the same as Discovery 1, but planning and design may require over twelve (12) hours of Authority's engineering staff time.

"Hardship Letters" shall be provided upon request by an Applicant for submittal to the State Engineer responding to the Authority's ability to serve the Service Property. The letter only provides an estimate of the costs for the Authority to serve the Service Property. For Service Properties less than 500-feet from the Authority's water system Facilities, the approximate main size, length and cost will be provided. For Service Properties greater than 500-feet from Authority's water system Facilities, the letter will state that the Service Property is over 500-feet from the Authority's water system without an estimate of the costs for the Authority to serve the Service Property.

"Point of Inspection" is water system Facilities and associated fittings that attach to a feeder or project main for main connections, Service Taps, Service Pipes, Meter Facilities, valves, trench and backfill requirements.

Applicant shall pay the Authority the applicable Business Service Fees for processing the Application and the installation of water system Facilities necessary to serve the Applicant, shown in the following table.

#### **SPECIAL CONDITIONS**

1. Applicant's designs of water system Facilities shall be prepared by or under the direction of and wet-stamped by a Professional Engineer registered in the State of Nevada. After two submittals by Applicant to correct the designs of water system Facilities to Authority's satisfaction, Authority can charge additional, applicable Engineering and Planning Review Fees contained in this Rate Schedule.



**Truckee Meadows Water Authority**  
**RATE SCHEDULES**  
**BSF - BUSINESS SERVICES FEES**

	Engineering and Resources	Design or Drafting of "W-1" Plan	Inspection or Distribution Crew
A. Design report or letter for NAC compliance			
1. Final map per phase	\$1,500.00	na	na
2. Tentative Map			
a. Discovery Fee	See Item E	na	na
b. Water Service Acknowledgement Letter	\$100.00	na	na
3. Other new or Modified water system Facilities:			
a. Commercial	\$1,100.00	na	na
b. Multi-tenant	\$1,100.00	na	na
c. Feeder or project main	\$1,100.00	na	na
B. Engineering and planning review, approval, and inspection of water system Facilities			
1. New Service or, Modified Service for:			
a. Residential: single service tap with service pipe and meter facility (non-subdivision)	\$150.00	\$500.00	\$150.00
b. Residential: subdivisions, multi-tenant, and commercial/industrial with main	\$720.00	na	\$150.00
i. Add for each point of inspection	\$15.00	na	\$150.00
c. Commercial, industrial, tenant improvements, irrigation, fire protection or non-potable (includes up to three service taps with service pipes and/or meter facilities)	\$300.00	\$750.00	\$150.00
i. Add for each additional service tap	\$150.00	\$250.00	\$150.00
2. Fire hydrant	\$150.00	\$500.00	\$150.00
3. Feeder or project main only	\$720.00	na	\$150.00
a. Add per lineal foot	na	na	\$1.00
b. Add for each point of inspection along main	\$15.00	na	\$150.00
4. Retirements and domestic well disconnections	na	na	\$150.00
C. Installation of a Service Tap by Authority personnel on a pressurized pipe, commonly referred to as a "hot tap"			
1. Tapping up to 2 inch hot tap ("Light" or 2-man crew)	na	na	\$400.00
2. Tapping greater than 2 to 12 inch hot tap ("Heavy" or 4-man crew)	na	na	\$500.00
3. Tapping greater than 12 inches are subject to Authority rules, construction standards, and costs are the responsibility of Applicant	na	na	\$500.00

Added: 06/18/03 Amended: 10/01/03; 07/19/06; 01/19/12



**Truckee Meadows Water Authority**  
**RATE SCHEDULES**  
**BSF - BUSINESS SERVICES FEES**

D.	Pressure regulating station design review and inspection (includes set-up of station)	\$430.00	na	\$2380.00
E.	Due diligence fees for water projects:			
1.	Annexation	\$1,500.00	na	na
2.	Discovery – Level 1	\$720.00	na	na
3.	Discovery – Level 2	\$1440.00	na	na
4.	Hardship Letters:			
a.	For parcel or lot less than 500 ft from the Authority's water system facilities	\$150.00	na	na
b.	For parcel or lot greater than 500 ft from the Authority's water system facilities	\$50.00	na	na
F.	Due diligence for property and water resources			
1.	Due diligence fees to research and verify title of non-permitted water rights, per parcel	\$250.00	na	na
2.	Due diligence fees to research and verify title of permitted water rights, per parcel	\$100.00	na	na
3.	Due diligence fees for tenant improvement or water resource credit(s) per parcel	\$150.00	na	na
4.	Due diligence fees for easement, right-of-way or fee property dedications per parcel	\$150.00	na	na
5.	Preparation of documents including but not limited to Will-Serve Commitment Letter, No Water Rights Required Letter, deeds, banking agreements, state required applications, or Report of Conveyance, per document (fee does not include State, county or other regulatory agency fees)	\$100.00	na	na

**Truckee Meadows Water Authority**  
**RATE SCHEDULES**  
**BSF – NEW BUSINESS SERVICES FEES**

<u>Application Type &amp;/Or New Business Service</u>	<u>Engineering Analysis/Review</u>	<u>Lands or Water Resources</u>	<u>Inspection &amp;/or Crew</u>
A. Residential – Single Service including separation of shared service into single metered services (each additional separate service is a POI)	\$300 +\$30 per POI	\$150	\$200 +\$50 per POI
B. Commercial Service with up to 3 service taps/service lines/ meter facilities (Domestic, Fire & Irrigation) – applies to applications for Industrial, Irrigation, Construction Water	\$700 +\$30 per POI	\$450	\$300 +\$150 per POI
C. Residential – Subdivision or Multi-Family - Design Review – per final map or phase	\$2,400 +\$30 per POI	\$450	\$300 +\$150 per POI
D. Tenant Improvement with New or Deficit Demand with no new water facilities required	\$150	\$300	
E. Main Extensions – Alone or with any service	\$1,800 +\$30 per POI		\$300, +\$2/LF +\$150 per POI
F. Fire Hydrant or Fire Service (alone – tapping existing main)	\$300	\$150	\$200
G. Additional Engineering Review – per hour	\$150		
H. Retirements and Domestic Well Conversions	\$300	\$150	\$200
I. Hot taps up to 2" – by Authority - Hot taps >2" up to 12" – by Authority - Hot taps >12" – Licensed Specialty Contractor hired by Applicant			\$300 \$550 \$200
J. Pressure Regulating Stations	\$1,500	\$150	\$7,200
K. Annexation (includes Discovery) - Discovery – Level 1 - Discovery – Level 2 - Water Service Acknowledgement Letter - Hardship Letter – Parcel <500' from water system - Hardship Letter – Parcel >500' from water system	\$2,400 \$2,400 \$3,600 \$200 \$200 \$150	\$300	
L. Property & Water Rights Research & Documents - Research/verify title of non-permitted water rights, per parcel - Research/verify title of permitted water rights, per parcel - Research and establish easements, rights-of-way or fee property dedications, per parcel - Document Preparation including Will-Serve Letter, No Water Rights Required Letter, Banking Agreements, Deeds, etc.		\$450 \$300 \$300 \$150 per document	
M. Deferred WSF Fees (subdivisions only), Setup & Documentation - Meter Set Request, per request, groups or single	\$300 \$200		
N. ILA Audit Fee, per Residential, Commercial or Main Project (applies to Items A, B, C, E and F)	\$100		

**TABLE 1 - TMWA FACILITY CHARGES & AREA FEES FOR A TYPICAL SFR UNIT**

**EXISTING AREA FEES & FACILITY CHARGES**

Area Description	Existing					Total Fees for SFR on 6000 SF Lot	Old Equation:		
	Unit Cost	Supply- Trtmnt Unit Cost	Storage Unit Cost	Total Unit Cost \$/GPM			MDD = 0.0090 x SQRT(Lot Size, SF)	New Equation:	MDD = 0.0066 x SQRT(Lot Size, SF)
1 South Virginia	\$ 958	\$ 4,163	\$ 772	\$ 5,893	\$ 4,125	Lot Size	OLD	NEW	
2 Sparks-E. Reno	\$ 1,711	\$ 4,163	\$ 772	\$ 6,646	\$ 4,652	6000	MDD	MDD	0.7
2A Sparks-E. Reno-A	\$ 856	\$ 4,163	\$ 772	\$ 5,791	\$ 4,054	7000			0.6
3 NW Reno	\$ 1,575	\$ 4,163	\$ 772	\$ 6,510	\$ 4,557	8000			0.6
4 NE Sparks-Sp. Sprgs	\$ 2,877	\$ 4,163	\$ 772	\$ 7,812	\$ 5,468	9000			0.6
5 Sparks-The Vistas	\$ 4,555	\$ 4,163	\$ 772	\$ 9,490	\$ 6,643	10000			0.7
6 Sun Valley-Sullivan	\$ 1,309	\$ 4,163	\$ 772	\$ 6,244	\$ 4,371	11000			0.7
7 NW Reno-Verdi	\$ -	\$ -	\$ -	\$ -	\$ -	12000			0.7
8 Sierra-No. Virginia	\$ 4,142	\$ 4,163	\$ 772	\$ 9,077	\$ 6,354	13000			0.8
9 Southwest Reno	\$ 1,838	\$ 4,163	\$ 772	\$ 6,773	\$ 4,741	14000			0.8
10 Stead-Lemmon Vly	\$ 5,057	\$ 4,163		\$ 9,220	\$ 6,454	15000			0.8
11 SE Truckee Mdws	\$ 2,828	\$ 4,163		\$ 6,991	\$ 4,894	16000			0.8
12 Spanish Springs	\$ 5,789	\$ 4,163		\$ 9,952	\$ 6,966	17000			0.9
13A Heppner <sup>(1)</sup>	\$ 1,011	\$ -		\$ 1,011	\$ 1,921	21780			1.0
14 STMGID West	\$ 655	\$ 4,163		\$ 4,818	\$ 3,373	43560			1.4
15 Arrowcreek/Mt Rose	\$ 12,568	\$ -		\$ 12,568	\$ 8,798	cap			1.5

**PROPOSED AREA FEES & FACILITY CHARGES**

						Proposed	Existing		
						Total Fees	Total Fees	Increase	Increase
						for SFR	for SFR	or	or
						on 6000	on 6000	(Decrease)	(Decrease)
Area	Description	Proposed	Proposed	Proposed	Total Unit	on 6000	on 6000		
		Unit Cost	Supply- Trtmnt	Storage	Cost	SF Lot	SF Lot	\$\$\$	%%%
		Unit Cost	Unit Cost	Unit Cost	\$/GPM				
1	South Virginia	\$ 1,677	\$ 6,328	\$ 1,658	\$ 9,663	\$ 4,832	\$ 4,125	\$ 707	17%
2	Sparks-E. Reno	\$ 2,627	\$ 6,328	\$ 1,658	\$ 10,613	\$ 5,307	\$ 4,652	\$ 655	14%
2A	Sparks-E. Reno-A	\$ 1,314	\$ 6,328	\$ 1,658	\$ 9,300	\$ 4,650	\$ 4,054	\$ 596	15%
3	NW Reno	\$ 3,679	\$ 6,328	\$ 1,658	\$ 11,665	\$ 5,833	\$ 4,557	\$ 1,276	28%
4	NE Sparks-Sp. Sprgs	\$ 4,483	\$ 6,328	\$ 1,658	\$ 12,469	\$ 6,235	\$ 5,468	\$ 767	14%
5	Sparks-The Vistas	\$ 7,167	\$ 6,328	\$ 1,658	\$ 15,153	\$ 7,577	\$ 6,643	\$ 934	14%
6	Sun Valley-Sullivan	\$ 2,311	\$ 6,328	\$ 1,658	\$ 10,297	\$ 5,149	\$ 4,371	\$ 778	18%
7	NW Reno-Verdi	\$ 7,916	\$ 6,328	\$ -	\$ 14,244	\$ 7,122	\$ -	n/a	n/a
8	Sierra-No. Virginia	\$ 9,260	\$ 6,328	\$ 1,658	\$ 17,246	\$ 8,623	\$ 6,354	\$ 2,269	36%
9	Southwest Reno	\$ 3,290	\$ 6,328	\$ 1,658	\$ 11,276	\$ 5,638	\$ 4,741	\$ 897	19%
10	Stead-Lemmon Vly	\$ 6,279	\$ -	\$ -	\$ 6,279	\$ 3,140	\$ 6,454	\$ (3,315)	-51%
11	SE Truckee Mdws	\$ 4,232	\$ 6,328	\$ -	\$ 10,560	\$ 5,280	\$ 4,894	\$ 386	8%
12	Spanish Springs	\$ 9,383	\$ 6,328	\$ -	\$ 15,711	\$ 7,856	\$ 6,966	\$ 890	13%
13A	Heppner <sup>(1)</sup>	\$ 2,085	\$ -	\$ -	\$ 2,085	\$ 2,919	\$ 1,921	\$ 998	52%
14	STMGID West	\$ 815	\$ 6,328	\$ -	\$ 7,143	\$ 3,572	\$ 3,373	\$ 199	6%
15	Arrowcreek/Mt Rose	\$ 12,942	\$ -	\$ -	\$ 12,942	\$ 6,471	\$ 8,798	\$ (2,327)	-26%

Notes:

1. All Heppner lots are 1.0 acre in size

**AVERAGE - w/o decreases**

**\$ 709 16%**

**TABLE 2 - TMWA FACILITY CHARGES & AREA FEES FOR A MFR UNIT**

**EXISTING AREA FEES & FACILITY CHARGES**

<u>Area</u>	<u>Description</u>	<u>Existing Unit Cost</u>	<u>Existing Supply-Trtmnt Unit Cost</u>	<u>Existing Storage Unit Cost</u>	<u>Total Unit Cost \$/GPM</u>
1	South Virginia	\$ 958	\$ 4,163	\$ 772	\$ 5,893
2	Sparks-E. Reno	\$ 1,711	\$ 4,163	\$ 772	\$ 6,646
2A	Sparks-E. Reno-A	\$ 856	\$ 4,163	\$ 772	\$ 5,791
3	NW Reno	\$ 1,575	\$ 4,163	\$ 772	\$ 6,510
4	NE Sparks-Sp. Sprgs	\$ 2,877	\$ 4,163	\$ 772	\$ 7,812
5	Sparks-The Vistas	\$ 4,555	\$ 4,163	\$ 772	\$ 9,490
6	Sun Valley-Sullivan	\$ 1,309	\$ 4,163	\$ 772	\$ 6,244
7	NW Reno-Verdi	\$ -	\$ -	\$ -	\$ -
8	Sierra-No. Virginia	\$ 4,142	\$ 4,163	\$ 772	\$ 9,077
9	Southwest Reno	\$ 1,838	\$ 4,163	\$ 772	\$ 6,773
10	Stead-Lemmon Vly	\$ 5,057	\$ 4,163		\$ 9,220
11	SE Truckee Mdws	\$ 2,828	\$ 4,163		\$ 6,991
12	Spanish Springs	\$ 5,789	\$ 4,163		\$ 9,952
14	STMGID West	\$ 655	\$ 4,163		\$ 4,818
15	Arrowcreek/Mt Rose	\$ 12,568	\$ -		\$ 12,568

**Old MFR Demand:**

MDD = 0.15 GPM/unit

**New MFR Demand:**

MDD = 0.14 GPM/unit

**Unit Cost X 0.14 GPM**

\$ 235	\$ 886	\$ 232	\$ 1,353
\$ 368	\$ 886	\$ 232	\$ 1,486
\$ 184	\$ 886	\$ 232	\$ 1,302
\$ 515	\$ 886	\$ 232	\$ 1,633
\$ 628	\$ 886	\$ 232	\$ 1,746
\$ 1,003	\$ 886	\$ 232	\$ 2,121
\$ 324	\$ 886	\$ 232	\$ 1,442
\$ 1,108	\$ 886	\$ -	\$ 1,994
\$ 1,296	\$ 886	\$ 232	\$ 2,414
\$ 461	\$ 886	\$ 232	\$ 1,579
\$ 879	\$ -	\$ -	\$ 879
\$ 592	\$ 886	\$ -	\$ 1,478
\$ 1,314	\$ 886	\$ -	\$ 2,200
\$ 114	\$ 886	\$ -	\$ 1,000
\$ 1,812	\$ -	\$ -	\$ 1,812

**PROPOSED AREA FEES & FACILITY CHARGES**

<u>Area</u>	<u>Description</u>	<u>Proposed Unit Cost</u>	<u>Proposed Supply-Trtmnt Unit Cost</u>	<u>Proposed Storage Unit Cost</u>	<u>Total Unit Cost \$/GPM</u>	<u>Proposed Total Fees for one MFR</u>	<u>Existing Total Fees for one MFR</u>	<u>Increase or (Decrease) per MFR \$\$\$</u>	<u>Increase or (Decrease) per MFR %%%</u>
1	South Virginia	\$ 1,677	\$ 6,328	\$ 1,658	\$ 9,663	\$ 1,353	\$ 884	\$ 469	53%
2	Sparks-E. Reno	\$ 2,627	\$ 6,328	\$ 1,658	\$ 10,613	\$ 1,486	\$ 997	\$ 489	49%
2A	Sparks-E. Reno-A	\$ 1,314	\$ 6,328	\$ 1,658	\$ 9,300	\$ 1,302	\$ 869	\$ 433	50%
3	NW Reno	\$ 3,679	\$ 6,328	\$ 1,658	\$ 11,665	\$ 1,633	\$ 977	\$ 657	67%
4	NE Sparks-Sp. Sprgs	\$ 4,483	\$ 6,328	\$ 1,658	\$ 12,469	\$ 1,746	\$ 1,172	\$ 574	49%
5	Sparks-The Vistas	\$ 7,167	\$ 6,328	\$ 1,658	\$ 15,153	\$ 2,121	\$ 1,424	\$ 698	49%
6	Sun Valley-Sullivan	\$ 2,311	\$ 6,328	\$ 1,658	\$ 10,297	\$ 1,442	\$ 937	\$ 505	54%
7	NW Reno-Verdi	\$ 7,916	\$ 6,328	\$ -	\$ 14,244	\$ 1,994	\$ -	n/a	n/a
8	Sierra-No. Virginia	\$ 9,260	\$ 6,328	\$ 1,658	\$ 17,246	\$ 2,414	\$ 1,362	\$ 1,053	77%
9	Southwest Reno	\$ 3,290	\$ 6,328	\$ 1,658	\$ 11,276	\$ 1,579	\$ 1,016	\$ 563	55%
10	Stead-Lemmon Vly	\$ 6,279	\$ -	\$ -	\$ 6,279	\$ 879	\$ 1,383	\$ (504)	-36%
11	SE Truckee Mdws	\$ 4,232	\$ 6,328	\$ -	\$ 10,560	\$ 1,478	\$ 1,049	\$ 430	41%
12	Spanish Springs	\$ 9,383	\$ 6,328	\$ -	\$ 15,711	\$ 2,200	\$ 1,493	\$ 707	47%
14	STMGID West	\$ 815	\$ 6,328	\$ -	\$ 7,143	\$ 1,000	\$ 723	\$ 277	38%
15	Arrowcreek/Mt Rose	\$ 12,942	\$ -	\$ -	\$ 12,942	\$ 1,812	\$ 1,885	\$ (73)	-4%

**AVERAGE - All Areas**

**\$ 448 42%**

**TABLE 3**  
**NEW BUSINESS FEE ANALYSIS**

<b>Cost Category</b>	<b>Costs Incurred</b>	<b>Fees Collected</b>	<b>Estimated Collections from Proposed Fees</b>
Inspection	\$1,342,403	\$1,135,530	\$1,222,400
Engineering	\$1,023,267	\$ 445,258	\$ 956,380
Water Rights	\$ 158,685	\$ 64,400	Not Estimated <sup>(1)</sup>
<b>TOTALS</b>	<b>\$2,524,355</b>	<b>\$1,645,188</b>	

1. Number and type of project not readily available. Annual report to be developed.
2. Costs and Fees for calendar year 2018.

**From:** [Foree, Mark](#)  
**To:** [Folsom, Sonia](#)  
**Cc:** [Estes, Scott](#)  
**Subject:** FW: Thank you  
**Date:** Thursday, August 1, 2019 1:29:22 PM

---

Sonia, Scott will reference this in his staff report and we should attach this email exchange also.

Thanks, Mark

**Mark Foree**  
**General Manager**  
**Truckee Meadows Water Authority**  
1355 Capital Blvd. | Reno, NV 89502  
O: (775) 834-8009, M: (775) 722-2341  
F: (775) 834-8084  
[mforee@tmwa.com](mailto:mforee@tmwa.com) | [www.tmwa.com](http://www.tmwa.com)



---

**From:** Foree, Mark  
**Sent:** Thursday, August 1, 2019 1:26 PM  
**To:** Nancy McCormick <mccormick@edawn.org>; Estes, Scott <sestes@tmwa.com>  
**Subject:** RE: Thank you

Nancy,

The financials related to water revenues from monthly billing, etc. are completely separate from that of new development facility charges and cannot be intertwined per Board policy. In regard to possibly delaying implementation of fee increases for multifamily vs. single family, staff would not recommend that to the Board for various reasons, but we will pass your comment/request on to the Board.

Thanks,

Mark

**Mark Foree**  
**General Manager**  
**Truckee Meadows Water Authority**  
1355 Capital Blvd. | Reno, NV 89502  
O: (775) 834-8009, M: (775) 722-2341  
F: (775) 834-8084  
[mforee@tmwa.com](mailto:mforee@tmwa.com) | [www.tmwa.com](http://www.tmwa.com)



---

**From:** Nancy McCormick <[mccormick@edawn.org](mailto:mccormick@edawn.org)>  
**Sent:** Thursday, August 1, 2019 12:33 PM  
**To:** Estes, Scott <[sestes@tmwa.com](mailto:sestes@tmwa.com)>; Foree, Mark <[mforee@tmwa.com](mailto:mforee@tmwa.com)>  
**Subject:** Thank you

Scott and Mark,

Thank you for the good overview of the proposed TMWA fee changes. Very well organized, great presentation, and easy to understand for the layperson. I understand the subsidization issue as well. I was wondering if the water usage revenues are in a completely separate financial bucket from the fees category and if the former helps offset some of the deficits in the latter? Do you think there might be any openness to different effective dates for multifamily versus single family developments or "low-income affordable housing projects" versus all the rest, to ease the strain on multi family income which we need? Because of the length of time in which you have not raised rates, is there any option for even a 12 month and 24 month window for rate increases or is that not financially feasible?

Thanks,

Nancy

**Nancy McCormick**

Senior Vice President Retention, Expansion and Workforce Development  
Economic Development Authority of Western Nevada (EDAWN)  
O 775.829.3719 | C 775.240-6344  
[mccormick@edawn.org](mailto:mccormick@edawn.org) | [www.edawn.org](http://www.edawn.org)  
401 Ryland Street Suite 101, Reno, NV 89502



\*\*\*Our vision is to enhance the quality of life in the Truckee Meadows by delivering exceptional, customer-focused water services.\*\*\*





## **STAFF REPORT**

**TO:** Chairman and Board Members  
**THRU:** Mark Foree, General Manager  
**FROM:** Heather Edmunson, Land Agent II and  
John Enloe, Natural Resources Director  
**DATE:** August 12, 2019  
**SUBJECT:** **Discussion and possible action, and direction to staff regarding lease of property located at 1905 E. 4<sup>th</sup> Street, Reno, Nevada described as APN 008-382-01 to the City of Reno for the purpose of temporary nutrition site for individuals and families that are food insecure**

---

### **SUMMARY**

Mark Foree, General Manager, was approached by Bill Thomas, Assistant City Manager, and Sabra Newby, City Manager, of the City of Reno to lease the TMWA property located at 1905 E. 4th Street to provide an area for volunteer groups to provide meals to individuals and families who are food insecure. The Nutrition Site would replace the current location at their Community Assistance Center (CAC) campus. This location would provide consistency for those individuals utilizing the food service. Staff recommends the Board authorize the General Manager to enter into the attached Vacant Property Lease with the City of Reno for the Nutrition Site for a nominal rent of One Dollar (\$1.00) per year for a term of twelve (12) months with the option for two (2) additional twelve (12) month terms.

### **BACKGROUND**

Meal services are currently being provided on the CAC campus daily. The meal services bring an influx of up to 400 people onto the campus creating security concerns. By moving the meal services to a designated Nutrition Site, the City of Reno can provide a designated space for meal service away from the CAC campus which primarily provides shelter for those in need. One of the recommendations made by OrgCode during their study of our region's homeless delivery system was to move the meal service site off of the CAC campus.

Volunteer groups have committed their time to help provide meals to individuals and families facing food insecurity in our region. The purpose of the Nutrition Site is to create an opportunity for volunteer groups to serve a daily meal to individuals who are food insecure. The Nutrition Site will provide a location separate from the CAC campus.



**DISCUSSION**

The 4th Street property was purchased by TMWA for a future well site. At this time, the land is vacant and available for this use as it is not scheduled for any utility development or use within the next five (5) years. TMWA's 4th street well is located on an adjacent parcel.

The proposed lease terms state that the property will be available from 5:00 pm to 8:00 pm daily for meal delivery and secured nightly. Volunteer groups will be required to prepare all food off-site, and all participating groups are aware that this is not a restaurant or catering facility, but a meal delivery service provided on a voluntary basis. No cooking, open flame, barbeques, or amplified music will be allowed on the property. In recognizing the volunteer groups are providing a necessary service to those in the community that are food insecure, the volunteer groups will be encouraged to operate independently and take ownership of the integrity of the meal site. The property may only be used for these nightly meals. No restroom facilities, wash stations or trash receptacles will be located within 100 feet of TMWA's adjacent well property and no permanent structures will be allowed to be built, however, temporary tents or awnings may be placed on the property. In addition, there is a condition that no on-site homeless shelter or transitional living facilities may be operated on the property.

**RECOMMENDATION**

Staff recommends the Board authorize the General Manager to enter into the Vacant Property Lease with the City of Reno for the Nutrition Site for a nominal rent of One Dollar (\$1.00) per year for a term of twelve (12) months with the option for two (2) additional twelve (12) month terms if mutually agreed upon, per the attached Lease Agreement.

**Attachments:**

Vicinity Map

Vacant Property Lease

July 19, 2019 City of Reno correspondence

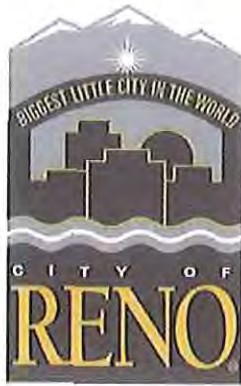


**CITY OF RENO  
NUTRITION SITE  
1905 E. 4TH STREET  
APN: 008-382-01**



**Sabra Newby**  
City Manager

(775) 334-2020  
newbys@reno.gov  
www.reno.gov



*"Creating a community that people  
are proud to call home."*

July 19, 2019

Truckee Meadows Water Authority  
Attn: Mark Foree, General Manager  
1355 Capital Boulevard  
Reno, Nevada 89520

**RE: 1905 East 4<sup>th</sup> Street (APN 008-382-01)**

Dear Mr. Foree:

I am writing to express our interest in the leasing of the referenced property for use as a Nutrition Site. The current feeding location is located on the Community Assistance Campus and is not of sufficient size to allow volunteer groups to safely and efficiently serve a daily meal service to individuals who are food insecure and as such the City is looking to relocate this feeding activity. We are in need of an immediate short-term location while we work to secure one or more permanent location(s).

Important items related to the use of the site include:

- Access: Only volunteer groups who have entered into a Memorandum of Understanding with the City of Reno will be given access to the site; Access will be granted by a single assigned key only.
- Allowed Uses: Nightly meals only.
- Cleaning: Site must be cleaned following each use, including the portable restrooms and disposal of trash by 8:00pm daily; Portable restrooms and dumpsters to be emptied as needed by City.
- Closure: Citizens utilizing the meal delivery to be vacated from the meal site by 8:00pm daily.
- Disallowed Uses: No open flame, barbeques, or amplified music to be allowed.
- Fencing: Fencing and locks to be maintained by City.
- Food Preparation: Off-site only.
- Hours: 5:00 pm to 8:00 pm daily.
- Queue: Citizens utilizing the meal delivery to be lined up inside the meal site no earlier than 5:00pm daily.
- Safety: Order and safety at the site required at all times.
- Scheduling: Usage of site to be pre-scheduled.
- Security: Any contact necessary with Emergency Medical Services or Law Enforcement will occur through authorized volunteer groups or Reno.
- Supplies: To be provided by volunteer groups, including plates, utensils, tables, chairs, etc.

The proposed lease would be on a short term trial basis of twelve months with the option to extend for two additional twelve month terms, making the optional total lease term thirty-six months. We are proposing the lease rate be for a nominal fee or negotiable lease term rate.

Minimal site improvements would be anticipated and have been identified as:

- Placement of two portable toilets.

Subject to the limitations of applicable law, and without waiving its statutory protections, the City would agree to indemnify Truckee Meadows Water Authority against any and all claims for losses or damages, including reasonable attorney's fees and costs, for personal injury or property damage caused by City's use of the site.

Please consider this a genuine expression of interest and contact me at your earliest convenience.

Best Regards,



Spora Newby  
City Manager

### **VACANT PROPERTY LEASE**

THIS LEASE is made and entered into as of the latest date executed by the Parties below (the “Effective Date”) by and between the TRUCKEE MEADOWS WATER AUTHORITY, a joint powers authority (“Lessor”), and the CITY OF RENO, a municipal corporation (“Lessee”).

#### **RECITALS**

A. Lessor is the owner of that certain vacant property located at 1905 E. 4<sup>th</sup> Street, Reno, Nevada described as APN 008-382-01 and depicted on Exhibit “A” attached hereto (the “Property”).

B. Lessee desires to lease the Property for public meal provider facility uses described below.

C. Lessor desires to lease the Property to Lessee, and Lessee desires to lease the Property from Lessor all as hereinafter more specifically set forth.

NOW THEREFORE, in consideration of the foregoing recitals, which are incorporated herein by this reference, and the provisions hereinafter contained, the parties do mutually agree as follows:

#### **1. LEASE OF PROPERTY; TERM**

**1.1 Lease.** Upon the provisions set forth below, Lessor hereby leases to Lessee, and Lessee hereby leases from Lessor, the Property.

**1.2 Term.** The term of this Lease (the “Term”) shall commence on the Effective Date and unless terminated sooner as allowed herein, terminate on August 31, 2020. Lessee may extend the Term for up to two (2) periods of twelve (12) months each by providing written notice of such extension to Lessor no later than thirty (30) days prior to the end of the then current term. Either party shall have the right to terminate this Lease upon not less than thirty (30) days prior written notice to the other party. Notwithstanding the Term, this Lease may be terminated by Lessor prior thereto following any default by Lessee as set forth below.

**1.3 As Is.** Lessee acknowledges and agrees that it is leasing the Property solely in reliance on its own independent investigations and findings and not in reliance on any information provided by Lessor, and that the Property is being leased “AS IS, WHERE IS”, “WITH ALL FAULTS” and “WITH ALL DEFECTS, LATENT OR OTHERWISE.” Lessor specifically disclaims and makes and has made no representations or warranties, express or implied, arising by operation of law, including as to condition, merchantability or fitness for a particular purpose, with respect to the Property or any matter related thereto.

#### **2. PURPOSE**

**2.1 Permitted Use.** Lessee shall use the Property for a temporal freestanding public meal provider facility between the hours of 5:00 p.m. and 8:00 p.m., seven (7) days a week. Lessor makes no representations or warranties about the suitability of the Property for Lessee’s purposes. Lessee acknowledges and agrees Lessor prohibits access to the Property outside of the hours of 5:00 p.m. and 8:00 p.m. other than for maintenance, cleaning, trash removal, restroom cleaning, and enforcement of Lessee’s security obligations hereunder.

**2.2 Limitations on Use.** Lessee shall not use or occupy the Property, or permit the use or occupancy of the Property, in any manner or for any purpose which might: (a) violate any law or regulation of any governmental authority, or the provisions of any applicable governmental permit or recorded document; (b) damage or cause injury to the Property or any part thereof; (c) constitute a public nuisance;

(d) adversely affect or render more expensive any fire or other insurance maintained by Lessor; or (e) damage, threaten, impair or interfere with Lessor's access, use, operation, and maintenance of public water system facilities on the Property, including, without limitation, operation and repair of a potable water well system. In addition, the following limitations shall apply:

- No restroom facilities, wash stations or trash receptacles shall be located within 100 feet of Lessor's adjacent property described as APN 008-382-02.
- Cooking, campfires (or similar open fires), barbeques and amplified music on the Property are prohibited. All Food preparation must occur off-site of the Property.
- Lessee shall not permit or construct nor permit any other person to construct or install any permanent structures on the Property with the exception of fence improvements required hereunder; however, temporary tents or awnings may be placed on the Property.
- Lessee shall limit access to the Property to Lessee's employees, authorized vendors and volunteer groups who have entered a memorandum of understanding with the City of Reno. Users shall be required to schedule use in advance with Lessee.
- Lessee shall remove all persons from the Property by 8:00 p.m. daily and shall secure and lock all access to the Property daily.
- Lessee shall ensure that persons utilizing the food deliveries do not loiter or queue on or adjacent to the Property prior to 5:00 p.m., and all lines for food service shall be located on the Property.
- No on-site homeless shelter or transitional living facilities may be operated on the Property.
- If any vehicles of the volunteers or other vendors (i.e. trash removal or restroom clean up) will be entering the site off of 4<sup>th</sup> Street, Lessee will be responsible for the gate and fence reconstruction to allow safe entry into and exiting the Property.
- No vehicles shall be left on the Property overnight.

Lessee shall indemnify Lessor for any costs or expenses incurred in enforcing the provisions of this Article or as a result of Lessee's breach hereof (including, without limitation, any increase in insurance premiums resulting from Lessee's use).

### **3. RENT; PAYMENT OF RENT**

**3.1 Base Rent; Additional Rent.** Lessee shall pay Lessor base rent of One Dollar (\$1.00) per year ("Base Rent"). The parties acknowledge that this Lease is intended to be triple net lease to Lessor with a base year of 2019 for operating expenses. Base Rent and Additional Rent are referred to herein collectively as "Rent", and all remedies applicable to the non-payment of Rent shall be applicable thereto.

**3.2 Repairs and Utilities.** Lessee shall be solely responsible for all repairs required to the Property and for the provision of all utilities at the Property, including but not limited to water, sewage, trash removal, waste disposal, janitorial, electricity, telephone, and security for the Property, together with any charges imposed thereon or therewith.

**3.3 Other Expenses.** Lessee shall pay to Lessor prior to the Commencement Date as Additional Rent all costs incurred by Lessor in an amount not to exceed \$5,000.00 for security measures to protect Lessor's adjacent property and/or water system facilities, including enhanced lighting, security fencing and security cameras. In addition, Lessee shall pay to Lessor any of the following items arising directly or indirectly from the acts or omissions of Lessee and/or Lessee's personnel, guests or invitees: (i) necessary trash or debris removal or clean up services incurred by Lessor; (ii) any fines, penalties or other assessments resulting from failure to comply with laws; or (iii) any damages to or contamination of Lessor's adjacent property or Lessor's water supply or water distribution facilities on or adjacent to the Property, including without limitation the potable well located adjacent to the Property. Use of the Property by Lessee

and/or Lessee's employees, invitees, licensees and guests shall at all times be at the sole risk and cost of Lessee and without any cost or liability on the part of Lessor.

**3.4 Payment of Rent.** Except as otherwise provided in this Lease, all rents and all other monies required to be paid by Lessee under this Lease shall be paid to Lessor without deduction or offset, prior notice or demand, in lawful money of the United States of America, at such place as Lessor may designate from time to time.

#### **4. TAXES**

**4.1 Real Property Taxes.** During the Term, Lessee shall be responsible for all real property taxes and assessments, if any, imposed on the Property.

**4.2 Personal Property Taxes.** Lessee shall pay all taxes charged against trade fixtures, utility installations, furnishings, equipment or any other personal property belonging to Lessee.

#### **5. ALTERNATIONS; LIENS**

**5.1 Alterations.** Lessee may make no alterations, repairs, additions or improvements in, to or about the Property, including, but not limited to, installation of structures, improvements, trade fixtures or other equipment (collectively, "Lessee Alterations") which cost in excess of Two Thousand Dollars (\$2,000) without the prior written consent of Lessor. Lessor shall not unreasonably withhold consent, except that Lessor reserves the right to withhold consent in Lessor's sole discretion for any Lessee Alterations affecting the structure, safety, or security of the Property, Lessor's adjacent property, or Lessor's water system facilities.

**5.2 Liens.** Lessee shall promptly pay all costs incurred in connection with any Lessee Alterations and shall not permit the filing of any mechanic's or other liens in connection with any Lessee Alterations. If a mechanic's lien or other lien is filed against the Property, Lessee shall discharge or cause to be discharged (by bond or otherwise) such lien within ten (10) days after Lessee receives notice of the filing thereof and shall not allow any such lien to be foreclosed upon. If a mechanic's lien or other lien is filed against the Property and Lessee fails to timely discharge such lien, Lessor may, without waiving its rights and remedies based on such breach by Lessee and without releasing Lessee from any of its obligations, cause such liens to be released by any means it shall deem proper, including payment in satisfaction of the claim giving rise to such lien. Lessee shall pay to Lessor within thirty (30) days following notice by Lessor, any sum paid by Lessor to remove such liens, together with interest at Lessor's cost of money from the date of such payment by Lessor. Any increase in any tax, assessment or charge levied or assessed as a result of any Lessee Alterations shall be payable by Lessee. Lessee shall be responsible for paying the general contractor's overhead and fee in connection with any Lessee Alterations.

#### **6. CONDITION OF PROPERTY; MAINTENANCE AND REPAIRS**

**6.1 Acceptance of the Property.** By entering into possession of the Property or any part thereof, Lessee shall be conclusively deemed to have accepted the Property "as is" and to have agreed that Lessor has performed all of its obligations hereunder with respect to the Property and that the Property are in satisfactory condition and in full compliance with the requirements of this Lease as of the date of such possession. Lessee acknowledges that neither Lessor nor any agent of Lessor has made any representation or warranty, except as expressly provided in this Lease, with respect to the Property.

**6.2 Lessee's Obligations.** Upon the Commencement Date, Lessee shall have full responsibility to maintain and repair the Property, including regular cleaning of the Property and trash removal on a daily basis. Lessee shall at all times, at its sole cost and expense, keep the Property and every part thereof in good working order, condition and repair, except to the extent provided otherwise in this Lease. Lessee's obligations hereunder shall include but not be limited to Lessee's trade fixtures and equipment, and other systems which serve the Property exclusively whether located within or outside the Property, and all Lessee Alterations or improvements to the Property, whether installed by Lessor or Lessee. Lessee shall, at Lessee's sole expense throughout the Term, provide and maintain i) temporary restroom facilities, which shall be cleaned daily and emptied on a regular basis; ii) temporary wash stations; iii) sufficient receptacles for needle and trash disposal on the Property, and Lessee shall be responsible for servicing, operating and disposing of waste associated therewith on a daily basis; iv) installing fencing around the Property and locking and securing all gates and access to the Property during hours of non-use; and v) any security service or other services necessary to use the Property in a commercially reasonable manner.

**6.3 Lessor's Obligations.** Lessor and Lessee intend that Lessor shall have no obligation, in any manner whatsoever, to repair and maintain the Property, the improvements located thereon, or the equipment therein, whether structural or non-structural, all of which obligations are intended to be that of the Lessee. The terms of this Lease shall govern the respective obligations of the parties as to maintenance and repair of the Property, and Lessor and Lessee expressly waive the benefit of any statute now or hereafter in effect to the extent it is inconsistent with the terms of this Lease with respect to, or which affords Lessee the right to make repairs at the expense of Lessor or to terminate this Lease by reason of any needed repairs.

**6.4 Hazardous Substances.**

(a) As used in this Lease, the term "Hazardous Substance" means any flammable item or explosive; radioactive material; hazardous or toxic substance, material, waste or related materials, including any substances defined as or included in the definition of "hazardous substances" or "hazardous wastes" or "hazardous materials" or "toxic substances" now or subsequently regulated under any applicable Laws; and any other substance, mixture, material or waste which is toxic, ignitable, reactive, or corrosive, regardless of whether the same is regulated by any Laws and including, without limitation, any petroleum-based product, paint, solvent, lead, cyanide, DDT, printing ink, acid, pesticide, ammonia compound and other chemical products, asbestos, PCBs and similar compounds; any different or similar products and materials which are subsequently found to have adverse effects on the environment or the health and safety of persons; and any substance whose nature and/or quantity or existence, use, manufacture or effect render it subject to federal, state, or local Laws or investigation, remediation or removal as potentially injurious to public health or welfare. All applicable Laws related to Hazardous Substances are referred to in this Lease as "Environmental Laws."

(b) Lessee shall not cause or permit any Hazardous Substances to be used, stored, manufactured, handled, treated, generated, disposed of, discharged, or transported (collectively, "Hazardous Substances Activities") on, under or about the Property. Without limiting the generality of the foregoing, Lessee shall, at its sole cost and expense, strictly comply with all Environmental Laws applicable to any Hazardous Substances on, under or about the Property as a result of, arising out of or in connection with, or related to any Hazardous Substances Activities of Lessee or any other act or omission of Lessee. If Lessee or any employee, invitee, agent or contractor of Lessee ("Lessee Parties") cause or permit the presence of any Hazardous Substance on or about the Property in violation of this Lease, or any Environmental Laws, Lessee shall promptly, at its sole cost and expense, take any and all necessary actions to return the Property to the condition existing prior to the presence of any such Hazardous Substance thereon. Lessee shall first obtain Lessor's approval for any such remedial action. All covenants of Lessee



and Lessee's indemnification contained in this Section 6.4 shall survive the expiration or earlier termination of this Lease.

(c) Lessee shall indemnify, defend, and hold harmless Lessor and Lessor's agents, employees, servants, shareholders, and partners (collectively, "Lessor Indemnitees") from and against any and all loss, cost, damage, claim, liability, fine, judgment, penalty, or expense (including without limitation reasonable attorneys' fees and costs) as a result of, arising out of or in connection with, or related to any Hazardous Substances Activities of Lessee or any Lessee Parties, any other act or omission of Lessee or any Lessee Parties on, in or about the Property with respect to Hazardous Substances, or the violation of any Environmental Laws by Lessee or any Lessee Parties, whether such losses occur during or after the Lease Term.

(d) In the event of any spill or release of or the presence of any Hazardous Substances affecting the Property, whether or not the same originates or emanates from the Property, Lessor shall have the right to take any and all remedial or emergency action with respect thereto as Lessor shall deem necessary or advisable, in its sole and absolute discretion.

## **7. INSURANCE, SUBROGATION, AND WAIVER OF CLAIMS**

**7.1 Liability Insurance.** Lessee shall maintain during the Term: (i) commercial general liability insurance, with a contractual liability endorsement covering Lessee's indemnity obligations under this Lease, and with coverage of not less than \$2,000,000 per occurrence for personal injury, bodily injury or death, or property damage or destruction (including loss of use thereof); (ii) workers' compensation insurance as required by statute, and employer's liability insurance in the amount of at least \$500,000 per occurrence; and a (iii) "all-risk" property damage insurance covering Lessee's personal property, business records, furniture, floor coverings, fixtures and equipment, and all Lessee Alterations for damage or other loss caused by fire or other casualty or cause including, but not limited to, vandalism and malicious mischief, theft, explosion, business interruption, and water damage of any type, including sprinkler leakage, bursting and stoppage of pipes. All insurance required hereunder shall be provided by responsible insurers rated at least A-9 in the then current edition of Best's Insurance Guide and shall be licensed in the State of Nevada. Lessee's property damage insurance shall include full replacement cost coverage and the amount shall satisfy any coinsurance requirements under the applicable policy. Lessee's insurance shall be primary, and any insurance maintained by Lessor or any other additional insureds hereunder shall be excess and noncontributory. Lessor shall have the right to reasonably increase the amount or expand the scope of insurance to be maintained by Lessee hereunder from time to time with prior notice.

**7.2 Certificates, Subrogation and Other Matters.** Lessee shall provide Lessor with certificates evidencing the coverage required hereunder (and, with respect to liability coverage, showing Lessor and others designated by Lessor as additional insureds, and, with respect to Lessee Alterations, showing Lessor as an additional named insured). Lessee shall provide such certificates prior to the Commencement Date or Lessee's possession of the Property (whichever first occurs). Lessee shall provide renewal certificates to Lessor at least thirty (30) days prior to expiration of such policies. Such certificates shall state that the coverage may not be changed or cancelled without at least thirty (30) days' prior written notice to Lessor. The parties mutually hereby waive all rights and claims against each other for all losses covered by their respective insurance policies, and waive all rights of subrogation of their respective insurers. The parties agree that their respective insurance policies are now, or shall be, endorsed so that such waivers of subrogation shall not affect their respective rights to recover thereunder.

**7.3 Waiver of Claims.** Except for claims arising from Lessor's intentional or grossly negligent acts that are not covered by Lessee's insurance hereunder, Lessee, on behalf of itself and its invitees, agents and permitted assigns, waives all claims against Lessor for injury or death to persons, damage to property or to any other interest of Lessee sustained by Lessee, or any party claiming through Lessee, resulting from: (i) any occurrence in or about the Property, (ii) bursting, stoppage or leaking of water, gas, sewer or steam pipes or equipment, including sprinklers, (iii) wind, rain, snow, ice, flooding, freezing, fire, explosion, earthquake, excessive heat or cold, fire or other casualty, (iv) the Property, or any systems or equipment therein or thereon being defective, out of repair, or failing, and (v) vandalism, malicious mischief, theft or other acts or omissions of any other persons including, but not limited to, other Lessees, contractors and invitees at the Building. To the extent that Lessee is required to or does carry insurance hereunder, Lessee agrees that Lessee's property loss risks shall be borne by such insurance, and Lessee agrees to look solely to and seek recovery only from its insurance carriers in the event of such losses. For purposes hereof, any deductible amount shall be treated as though it were recoverable under such policies.

## **8. FIRE OR CASUALTY**

**8.1 Damage to Property.** In the event the Property is damaged by fire or other casualty, Lessee shall promptly pay to Lessor all insurance proceeds received by Lessee by reason of such damage.

**8.2 Abatement of Rent.** In the event any part of the Property, as a result of damage by fire or other casualty, is rendered untenantable for the conduct of Lessee's business, Rent shall be reduced and abated in proportion to the part of the Property which is so rendered untenantable until the damaged portion of the Property has been made tenantable for the conduct of Lessee's business or until this Lease expires or terminates, whichever occurs first; provided that, (a) there shall be no abatement of Rent with respect to any portion of the Property which is rendered unusable for a period of five (5) days or less, and (b) there shall be no abatement of Rent whatsoever with respect to any damage caused in whole or in part by the negligence or willful act of Lessee, its agents, employees, contractors, licensees or invitees.

**8.3 Limitations.** Subject to the provisions of Article 7, nothing contained in this Article 8 shall relieve, discharge or in any way affect Lessee's liability to Lessor in connection with any damage or destruction to the Property arising out of the negligent or willful acts or omissions of Lessee, its agents, employees, contractors, licensees and invitees. Lessor shall not be liable for any loss of business, inconvenience or annoyance arising from any repair or restoration of any portion of the Property as a result of any damage from fire or other casualty.

## **9. ASSIGNMENT AND SUBLETTING**

**9.1 General Prohibition.** Lessee shall not directly or indirectly, voluntarily or involuntarily assign, mortgage or otherwise encumber all or any portion of its interest in this Lease or in the Property (each, an “Assignment”) or permit the Property to be occupied by anyone other than Lessee or Lessee’s employees, vendors, and invitees or sublet the Property (each, a “Sublease”) or any portion thereof without obtaining the prior written consent of Lessor, which consent may be withheld in Lessor’s sole discretion, and any such attempted assignment, subletting, mortgage or other encumbrance without such consent shall be null and void and of no effect.

**9.2 Notice of Intent to Assign or Sublet.** If Lessee desires at any time to enter into an Assignment or Sublease for the Property or any portion thereof, it shall first notify Lessor of its desire to do so and shall submit in writing to Lessor (i) the name of the proposed assignee, sublessee, transferee or occupant (“Transferee”); (ii) a description of the nature of the proposed Transferee’s business to be carried on in the Property; (iii) the terms and provisions of the proposed Sublease or Assignment; and (iv) such financial information as Lessor may reasonably request concerning the proposed Transferee.

**9.3 No Release of Lessee’s Obligations.** No Assignment or Sublease shall relieve Lessee of its obligation to pay Rent and to perform all other obligations required hereunder. The acceptance of Rent by Lessor from any person other than Lessee shall not be deemed to be a waiver by Lessor of any provision of this Lease or to be a consent to any Assignment or Sublease. Consent to any particular Sublease or Assignment shall not be deemed to constitute consent to any subsequent Sublease or Assignment.

**9.4 Transfer by Lessor.** Lessor has the absolute right to transfer all or part of its interest in this Lease or the Property to any successor. In the event of any sale or other transfer of Lessor’s interest in the Property, other than a transfer for security purposes only, Lessor’s successors or assigns shall be bound by the terms of this Lease.

## **10. LESSOR’S RESERVED RIGHTS**

**10.1 Right of Entry.** Notwithstanding anything herein contained to the contrary, this Lease is explicitly made subordinate to, and Lessor reserves and retains all right, title and interest in the Property with respect to, the following rights (“Reserved Rights”): (a) the non-exclusive right of ingress and egress across the Property 24 hours/day, 7 days/week for purposes of accessing adjoining property owned by Lessor and Lessor’s water system facilities on the Property; (b) all rights, title and interest to all water system facilities and any water rights appurtenant to the Property; (c) a blanket right to access, use, maintain and operate all water system facilities located on the Property; and (d) to enter the Property for purposes of inspection, to post notices of non-responsibility, to protect the interest of Lessor in the Property, to supply any services to be provided by Lessor hereunder, and to perform any maintenance or repairs required hereunder or by law. Lessee acknowledges and agrees that the Lease and all rights granted Lessee hereunder shall at all times be subordinate and subject to the Reserved Rights, and Lessor shall retain the right to exercise such Reserved Rights at any time, with or without notice, in its sole and absolute discretion. No such entry shall be construed under any circumstances as a forcible or unlawful entry into, or a detainer of, the Property, or an eviction of Lessee, and Lessee hereby waives any claim against Lessor or its agents or representatives for damages for any injury or inconvenience to or interference with Lessee’s business or quiet enjoyment of the Property.

## **11. INDEMNIFICATION AND LIMITATION ON LIABILITY**

**11.1 Indemnity by Lessee.** As a material part of the consideration to Lessor, Lessee shall indemnify, protect, defend and hold harmless, Lessor, its officers, directors, partners, agents, invitees, licensees, permitted users ("Lessee Parties") and employees, from and against any and all claims, suits, demands, liabilities, damages, and expenses, including reasonable attorneys' fees, arising from or in connection with Lessee's use or alteration of the Property or the conduct of Lessee's business or from any activity performed or permitted by Lessee or the Lessee Parties in or about the Property during the Term or prior to the Commencement Date if Lessee has been provided access to the Property for any purpose, or arising from any breach or default in the performance of any obligation of Lessee under the terms of this Lease, or arising from any other acts or omissions of Lessee or any of the Lessee Parties. As a material part of the consideration to the Lessor for entering into this Lease, Lessee hereby assumes all risk of and releases, discharges and holds harmless Lessor from and against any and all liability to Lessee or the Lessee Parties for damage to property or injury to persons in, upon or about the Property from any cause whatsoever except that which is caused solely by Lessor's gross negligence or willful misconduct.

**11.2 Limitation of Liability.** In no event shall Lessor be liable to Lessee for any injury to any person in or about the Property or damage to the Property or for any loss, damage or injury to any property of Lessee therein or by any malfunction of any utility or other equipment, installation or system, unless such loss, damage or injury is caused by the gross negligence of Lessor.

## **12. SURRENDER OF PROPERTY AND REMOVAL OF PROPERTY**

**12.1 No Merger.** The voluntary or other surrender of this Lease by Lessee, a mutual cancellation or a termination hereof, shall not constitute a merger, and shall, at the option of Lessor, terminate all or any existing subleases or operate as an assignment to Lessor of any or all subleases affecting the Property.

**12.2 Surrender of Property.** Upon the expiration of the Term or earlier termination of this Lease, Lessee shall quit and surrender possession of the Property to Lessor in as good order and condition as the Property are now or hereafter may be improved by Lessor or Lessee (reasonable wear and tear and any repairs which are Lessor's obligation excepted), and shall, without expense to Lessor, remove or cause to be removed from the Property (a) all debris and rubbish, (b) any articles of personal property including business and trade fixtures not attached to, or built into the Property, (c) all furniture, equipment, free-standing cabinet work, movable partitioning and other articles of personal property owned by Lessee or placed by Lessee in the Property, and all similar articles of property of any other persons claiming under or through Lessee, unless Lessor exercises its option to have any subleases assigned to Lessor. Lessee shall repair all damage to the Property resulting from such removal.

**12.3 Disposal of Property.** Any property of Lessee not removed by Lessee upon the expiration of the Term shall be considered abandoned and Lessor may remove any or all such property and dispose of the same in any manner or store the same in a public warehouse or elsewhere for the account of, and at the expense and risk of, Lessee. If Lessee shall fail to pay the costs of storing any such property after it has been stored for a period of thirty (30) days or more, Lessor may sell any or all such property, without notice to or demand upon Lessee, in such manner and at such places as Lessor designates, in its sole discretion. In the event of any such sale, Lessor shall apply the proceeds thereof, first, to the cost and expense of the sale, including reasonable attorneys' fees; second, to the repayment of the costs of removal and storage; and third, to the repayment of any other sums which may then or thereafter be due to Lessor from Lessee under any of the terms of this Lease. The balance, if any, shall be paid to Lessee.

### **13. DEFAULTS AND REMEDIES**

**13.1 Defaults by Lessee.** The occurrence of any of the following shall constitute a material default and breach of this Lease by Lessee:

(a) Lessee fails to pay when due any Rent or other amounts required to be paid by Lessee hereunder where such failure continues for five (5) days after notice thereof; provided, however, that such notice shall be in lieu of and not in addition to any notice required under Nevada law.

(b) Lessee abandons or vacates the Property.

(c) Lessee fails to observe or perform any of the provisions of Articles 2 or 6 where such failure continues and is not remedied within 72 hours after notice thereof.

(d) Lessee fails to observe or perform any other provision of this Lease, where such failure continues for ten (10) days after notice thereof; provided, however, that if the nature of such default is such that the same cannot reasonably be cured within such ten (10) day period, Lessee shall not be deemed to be in default if Lessee shall within such period commence such cure and thereafter diligently prosecute the same to completion.

(e) Lessee fails to vacate or surrender the Property as required by this Lease upon the expiration of the Term or termination of this Lease.

**13.2 Lessor's Remedies.** In the event of any such default by Lessee, then, in addition to any other remedies available to Lessor at law or in equity, Lessor shall have the immediate option to terminate this Lease and all rights of Lessee hereunder by giving Lessee thirty (30) days' written notice of such election to terminate. In the event Lessor shall elect to so terminate this Lease, Lessor may recover from Lessee:

(a) any amount necessary to compensate Lessor for all the detriment proximately caused by Lessee's failure to perform its obligations under this Lease or which in the ordinary course of things would be likely to result therefrom; and

(b) at Lessor's election, such other amounts in addition to or in lieu of the foregoing as may be permitted from time to time by applicable law.

In the event of any such default by Lessee, Lessor shall also have the right, with or without terminating this Lease, to re-enter the Property and remove all persons and property therefrom by summary proceedings or otherwise; such property may be removed and stored in a public warehouse or elsewhere at the cost of and for the account of Lessee.

### **14. INTEREST ON LESSEE'S OBLIGATIONS**

**14.1 Interest.** Any amount due from Lessee to Lessor which is not paid when due shall bear interest at the rate of twelve percent (12%) per annum, from the date such payment is due until paid, but the payment of such interest shall not excuse or cure any default by Lessee under this Lease.

### **15. GENERAL PROVISIONS**

**15.1 No Waiver.** The waiver by Lessor of any breach, or the failure of Lessor to insist on the strict performance by Lessee, of any term, provision, covenant or condition contained in this Lease shall

not be deemed to be a waiver of such term, provision, covenant or condition as to any subsequent breach thereof or of any other term, covenant or condition contained in this Lease. The acceptance of rents hereunder by Lessor shall not be deemed to be a waiver of any breach or default by Lessee of any term, provision, covenant or condition herein, regardless of Lessor's knowledge of such breach or default at the time such rent is accepted.

**15.2 Lessor's Right to Perform.** All covenants and agreements to be performed by Lessee under any of the terms of this Lease shall be performed by Lessee at Lessee's sole expense and without abatement of rent. If Lessee shall fail to observe or perform any covenant, condition, provision or agreement contained in this Lease or shall fail to perform any other act required to be performed by Lessee, Lessor may, upon notice to Lessee, without obligation, and without waiving or releasing Lessee from any default or obligations of Lessee, make any such payment or perform any such obligation on Lessee's part to be performed. All sums so paid by Lessor and all costs incurred by Lessor, including attorneys' fees, together with interest thereon in a per annum amount equal to twelve percent (12%) shall be payable to Lessor on demand and Lessee covenants to pay any such sums, and Lessor shall have (in addition to any other right or remedy hereunder) the same rights and remedies in the event of the non-payment thereof by Lessee as in the case of default by Lessee in the payment of rent.

**15.3 Terms; Headings.** The words "Lessor" and "Lessee" as used herein shall include the plural, as well as the singular. The words used in neutral gender include the masculine and feminine and words in the masculine or feminine gender include the neutral. If there is more than one (1) Lessee, the obligations hereunder imposed upon Lessee shall be joint and several. The headings or titles of this Lease shall have no effect upon the construction or interpretation of any part hereof.

**15.4 Entire Agreement.** This instrument along with any exhibits and attachments or other documents affixed hereto, or referred to herein, constitute the entire and exclusive agreement between Lessor and Lessee with respect to the Property and the estate and interest leased to Lessee hereunder. This instrument and said exhibits and attachments and other documents may be altered, amended, modified or revoked only by a writing signed by both Lessor and Lessee. Lessor and Lessee hereby agree that all prior or contemporaneous understandings, agreements or negotiations relative to the leasing of the Property are merged into and revoked by this instrument.

**15.5 Successors and Assigns.** Subject to the provisions of Article 10 regarding Assignments and Subleases, this Lease is intended to and does bind the heirs, executors, administrators, successors and assigns of any and all of the parties hereto.

**15.6 Notices.** Whenever under this Lease provision is made for any demand notice or declaration of any kind, or whenever it is deemed advisable or necessary by either party to give or serve any such notice, demand or declaration to the other party, the notice shall be in writing and served either personally or sent by certified or registered mail, return receipt requested, postage prepaid, addressed to the addresses set forth below.

To Lessor at:

Truckee Meadows Water Authority  
Attn: Mark Foree  
1355 Capital Blvd.  
Reno, Nevada 89502

To Lessee at:

City of Reno  
Attn: Sabra Newby  
1 East 1<sup>st</sup> St.,  
Reno, NV 89501

With a Copy to:

Lori Miles, Property Agent  
City of Reno  
1 East 1<sup>st</sup> St.,  
Reno, NV 89501

**15.7 Severability.** If any term or provision of this Lease shall be held invalid or unenforceable by a court of competent jurisdiction, the remaining terms, conditions and covenants of this Lease shall not be affected thereby and each of said terms, covenants and conditions shall be valid and enforceable to the fullest extent permitted by law.

**15.8 Time of Essence.** Time is of the essence of this Lease and each provision hereof in which time of performance is established.

**15.9 Governing Law.** This Lease shall be governed by, interpreted and construed in accordance with the laws of the State of Nevada.

**15.10 Attorneys' Fees.** If any action or proceeding is brought by Lessor or Lessee to enforce its respective rights under this Lease, the unsuccessful party therein shall pay all costs incurred by the prevailing party therein, including reasonable attorneys' fees to be fixed by the court.

**15.11 Force Majeure.** Lessor shall not be liable for any failure to comply or delay in complying with its obligations hereunder if such failure or delay is due to acts of God, inability to obtain labor, strikes, lockouts, lack of materials, governmental restrictions, enemy actions, civil commotion, fire, unavoidable casualty or other similar causes beyond Lessor's reasonable control (all of which events are herein referred to as force majeure events). It is expressly agreed that Lessor shall not be obliged to settle any strike to avoid a force majeure event from continuing.

**15.12 No Third Party Beneficiaries.** Nothing in this Agreement, express or implied, is intended to or shall confer upon any other person other than the parties any right, benefit or remedy of any nature whatsoever under or by reason of this Agreement.

[Remainder of Page Intentionally Left Blank; Signature Page to Follow]

IN WITNESS WHEREOF, Lessor and Lessee have executed this Lease as of the date set forth in the first paragraph above.

**LESSOR:**

TRUCKEE MEADOWS WATER AUTHORITY

By: \_\_\_\_\_

Its: \_\_\_\_\_

Dated: \_\_\_\_\_

**LESSEE:**

CITY OF RENO

By: \_\_\_\_\_  
Hillary Schieve, Mayor

Dated: \_\_\_\_\_

**ATTEST:**

By: \_\_\_\_\_  
Ashley Turney, City Clerk

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Deputy City Attorney



EXHIBIT "A"  
(THE PROPERTY)

Commencing at a point on the East line of Section Twelve (12), in Township Nineteen (19) North, Range Nineteen (19) East, M.D.B. & M., where the same is intersected by the North line of the right of way of the State Highway leading from Reno to Sparks; running thence North, along the East line of said Section Twelve (12), a distance of 146.7 feet; thence West a distance of 242.4 feet; thence South a distance of 103.7 feet to the North line of the said highway right of way; thence Easterly, along the North line of said highway right of way, a distance of 243.45 feet, more or less, to the POINT OF BEGINNING; said premises being a portion of Lot One (1) of the Northeast quarter (NE  $\frac{1}{4}$ ) of Section Twelve (12), Township Nineteen (19) North, Range Nineteen (19) East, M.D.B.&M.

NOTE: The above metes and bounds description previously appeared in that document recorded June 7, 2002 in Document No. 2697393.

APN: 008-382-01



## STAFF REPORT

**TO:** Board of Directors  
**THRU:** Mark Foree, General Manager  
**FROM:** John Enloe, Director, Natural Resources  
**DATE:** August 12, 2019  
**SUBJECT:** **Discussion and possible action, and direction to staff regarding the Portland Loo public restroom project along Truckee River corridor**

---

### Summary:

Staff will provide an update on the activities associated with the One Truckee River Portland Loo public restroom project, including the planned new location of the first restroom, and current funding opportunities and considerations.

# Truckee Meadows Water Authority

## SUCCESSION PLANNING



### TMWA's Succession Planning Initiative

**Goals:**

- Ensure business continuity
- Continue to fulfill our vision
- Capture and transfer knowledge
- Encourage employee growth, development and engagement by:
  - Promoting from within whenever appropriate
  - Developing individuals to meet current and future business needs
- Hire, retain & develop talent for the future



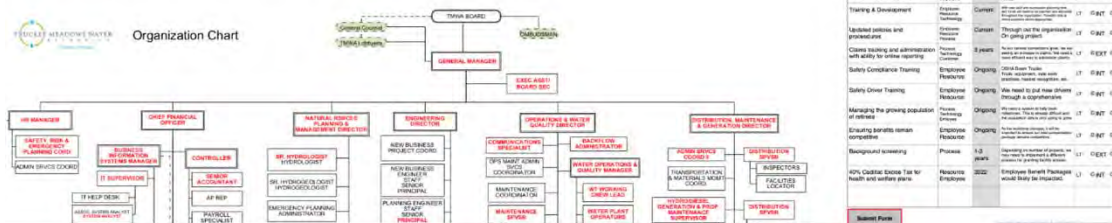
## Succession Planning Phased Approach



## Phase 1: Gathered Information for Proper Perspective

### Sources

- Environmental Scan
- Employee Career Map
- Critical Position Identification
- Leadership Performance & Potential Assessments



## Phase 2: Analysis and Planning with Situational Awareness

## Environmental Scan

- Completed by Managers & Directors
- Identified significant drivers (within 5 yrs.)
- Over 35 drivers identified
- All drivers compiled into 9 major themes



## Significant Environmental Drivers

## 9 Major Themes

- Assets
- Economy
- Financial Management
- Infrastructure
- Population Growth
- Services Expansion
- IT/Electronic Systems
- Water Supply
- Workforce

[illegible]

## Specific Drivers with Organizational Impact to Act Upon

Driver	Impact Horizon	# Depts Impacted	Staffing	Training
IT Strategy/ Tools	Now	1	X	X
Aging Facilities	Now	4	X	X
Potable Reuse & Satellite Treatment	Now	9	X	X
Service Area Expansions	Now	10	X	
System Upgrade/ Evolution	Now	1	X	X
Business Need Overall	Now	1	X	
AMI/CIS	In-process	6	X	X
Fleet	1-2 Years	1	X	
Systems Security	1-3 Years	2	X	X
Other Regional Water Resources	2 Years	8	X	X

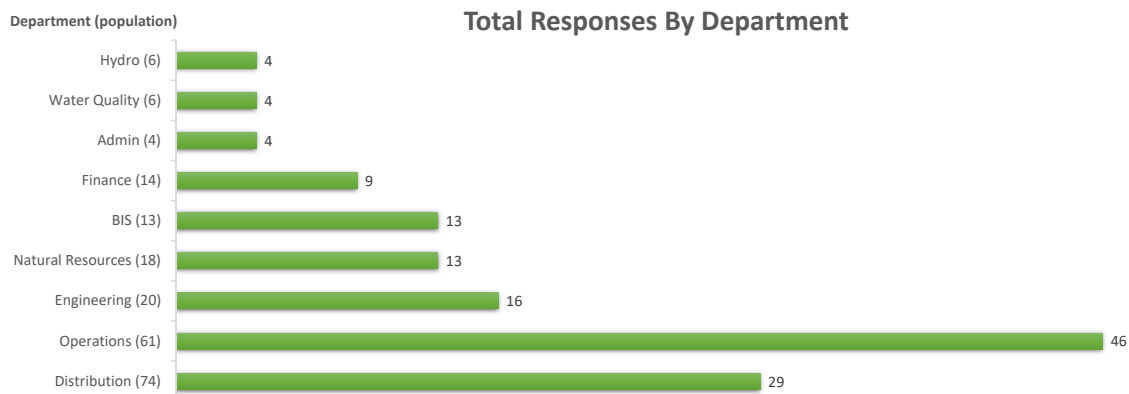
### 10 Drivers Identified

- Impact on each department assessed
- Highlighting need for staffing and/or training
- Some beginning as soon as NOW!



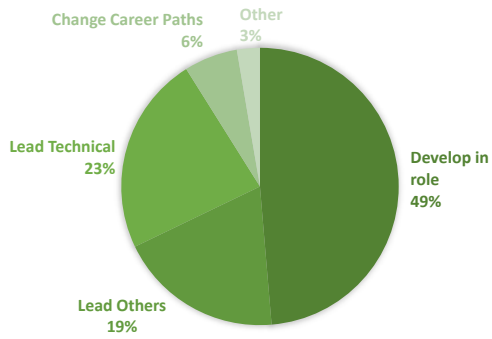
## Employee Career Mapping: Who We Heard From

Invited: 216 total employees eligible  
 Responses: 64% opted in  
 Total Assessed: 138 respondents

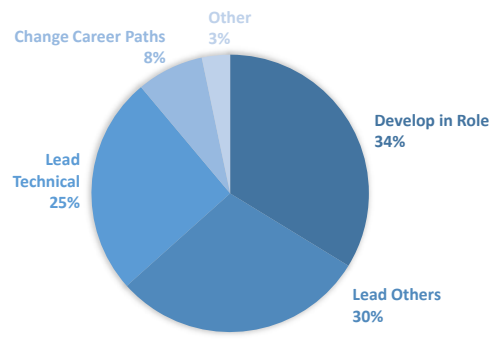


## Employee Goals: Potential Leadership Pool Expands with Time

1-3 Year Career Goal

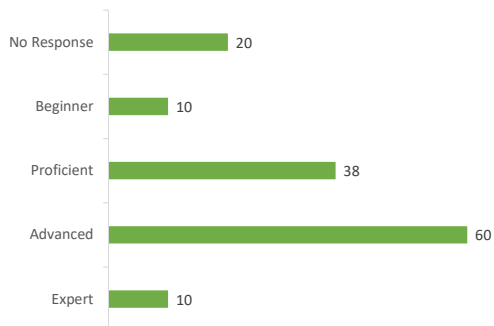


3-5 Year Career Goal

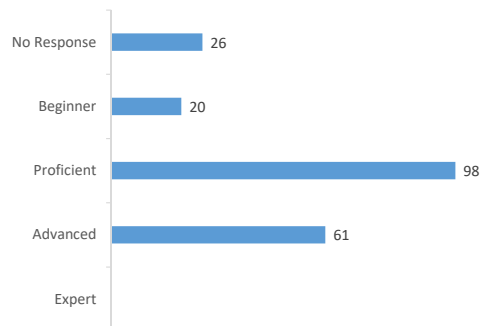


## Rating Ourselves: Views of Functional and Leadership Expertise

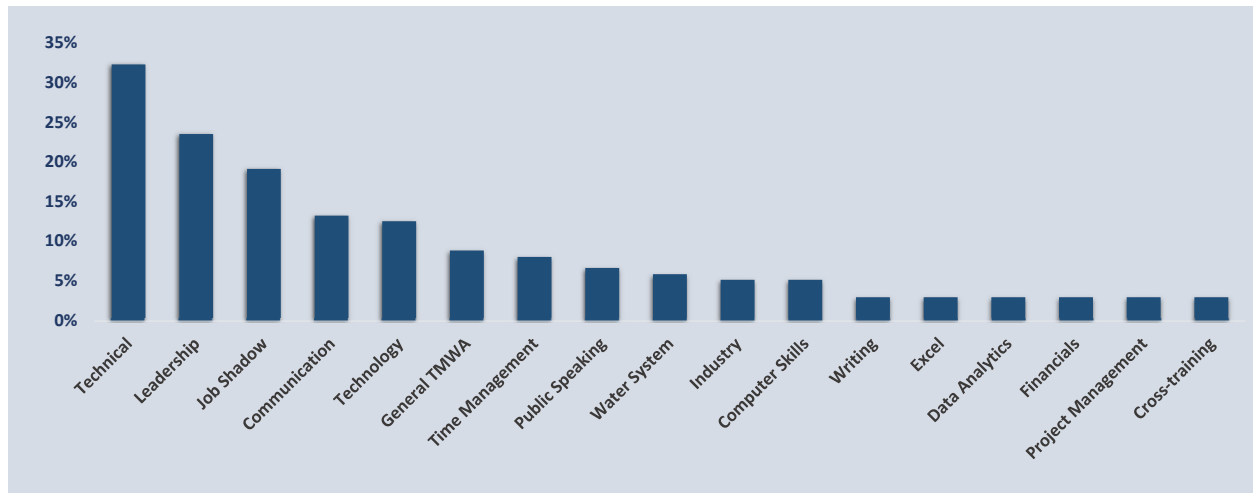
Functional Expertise



Leadership Expertise



## Training Directions: Areas Specified for Continued Development



## Enjoying the Work: It's the People and TMWA's Culture

*"The culture allows for success without being micro-managed."*

*"Sense of shared mission, staff unity to that mission."*

*"We have steady employment with great benefits and opportunities to work as a team."*



### What do you enjoy most about working at TMWA?

- 53% **The People**  
(Positive and can-do attitude)
- 26% **The Culture**  
(Casual, professional, safety-minded)
- 26% **Teamwork/Comradery**  
(Working together to provide an essential service, like a family, others help with problems)
- 15% **Opportunity to Learn**  
(Diverse projects, meeting challenges)





## Advancing the Work: Finding the Time to Train & Develop

### What obstacles hinder your performance?

- 24% **Time**  
(Too scarce to invest in optimizing performance, learning more, training, etc.)
- 19% **Training/Development/Education**  
(Want more certifications, formal education, regionally-applicable training)
- 16% **Cross-Functional Knowledge**  
(Experience outside role isn't happening due to time and daily responsibilities of the job)
- 16% **Unclear Advancement Path/Options**  
(Organizational structure limitations)



"Feeling like I don't have time to get industry training for current trends."

"I would like to earn certifications on the distribution side to get a better understanding of operations."



## Being Engaged: Positive Interactions, Challenging Work

### What do you need from a job or a company to remain engaged?

- 33% **Positive, productive work environment**  
(Trust, honesty and respect to do the job.)
- 25% **Challenging work**  
(Interesting, new, problem solving and/or physically demanding)
- 17% **Cross-Functional Knowledge**  
(Experience outside role hampered by daily responsibilities)
- 10% **Opportunity to Grow**  
(Trust, honesty and respect to do the job.)

### How well are these needs [engagement] being met?

- 82% **Very well, excellent, spot-on**

"Constant feedback and honest interactions with people who are using the solutions I am responsible for."

"Challenging work, support when needed, space to grow."

"I need a positive environment, encouragement and the tools to do my job."



## Providing Support: Continued Training, Learning Opportunities

### How can the organization continue to support you?

- 41% **Continued Training / Learning and Mentoring Opportunities**  
*(Field-trained leaders, advance systems, make big projects accessible)*
- 34% **Continue on-track, work to maintain culture**  
*(Retain people, stay customer-oriented, stay dedicated to service excellence)*

### What can we do to help you better understand our business?

- 44% **Continued Training / Learning and Mentoring Opportunities**  
*(New hire tours, shadowing in other departments, participate in planning/meetings)*
- 32% **Open Communication**  
*(News from other departments, projects, system changes)*



*"I think cross-training and job shadowing across the company. It would be beneficial to see the various jobs different people perform."*

*"Maybe a monthly newsletter from each department."*

## Identifying Critical Positions



### Consider:

- Availability of internal candidates
- Availability of external candidates
- Length of time to recruit
- Time to train
- Number and timeline of potential exits



## Identifying Incumbents and Timing to Fill Critical Positions

- ✓ 49 Position Titles
- ✓ 99 Incumbents
- ✓ 22 will likely exit in fewer than 5 years

### *Includes*

- General Manager
- Director of Engineering
- Director of Distribution
- Water Plant Operators
- Mechanics
- Distribution Supervisors



## Leadership Readiness: Assessing Performance + Potential

### Purpose

1. Helps predict future pool of leaders to develop and promote internally.
2. Provides guidance for tailored and focused training initiatives.

Performance Level	% at Level	Readiness Description
Top Performer	21%	Ready for leadership: Meets high performance, high potential criteria.
Strong Performer	10%	Highly able in current job: Advancement possible with more experience and responsibility.
High Potential	4%	Highly skilled and knowledgeable: Advancement possible through performance support and focused training.
Trusted Professional	5%	Highly skilled and knowledgeable in current position.
Core Performer	42%	Performs with consistent quality in current position.
Continue Development	18%	Growth area/s development underway via Career Mapping.



## Developing TMWA: A Focus on Professional Improvement

Employees could benefit from training or instruction in the following areas:



## Fitting it all Together?



## Phase 3: Employee Development

### Action Plan

#### 1:1 Employee Meetings

- ✓ Succession candidates
  - ✓ Discuss knowledge, skills & competencies needed for next step
  - ✓ Identify development activities to further ready candidates
- ✓ Employees who wish to remain in current role
  - ✓ Develop plan to enhance performance, strengthen knowledge, develop or hone skills, etc.
- ✓ Employees who need to improve current performance
  - ✓ Identify and address barriers impeding performance
- ✓ Employees in critical positions
  - ✓ Capture & transfer knowledge



## Phase 3: Action Plan

### Develop Employees

- Training
- Mentoring
- Coaching
- Rotate responsibilities

### Motivate & Engage

- Solicit feedback & implement recommendations
- Collaborative environment
- Recognize & reward excellence
- Provide feedback
- Empower and enable



### Retain Knowledge

- Knowledge transfer
- Standard operating procedures
- Cross training
- Job shadow
- Process mapping

### Retain Talent

- Hire right
- Promote from within
- Communicate
- Competitive pay & benefits
- Career paths/ladders



## Phase 3: Actualized Low-hanging Fruit

- Lunch & Learn Sessions
- Tours
- Job Shadowing
- Training menu
  - In-class
  - Webinar
  - Seminar



## Phase 4: Evaluate Progress, Tweak and Repeat

- ❖ Annual Strategic Management Workshops
  - Repeat environmental scan exercise – Are we still headed in the same direction?
  - Employee meetings to communicate identified business drivers
    - General knowledge sharing
    - Opportunity to align goals and development opportunities with the trajectory of the organization
- ❖ Regularly evaluate the development and progress of employees at all levels.
  - Repeat career map exercise
  - Ongoing planning for development and cross-training activities (documented)



## Key Take Aways...

- ✓ Employees are engaged and proud of the TMWA culture
- ✓ We identified significant business drivers of impact within the next 5 years
- ✓ Employees have a strong desire to learn more about the organization as a whole
- ✓ High number of strong performing employees who aspire (and are ready) for additional responsibilities or higher level positions
- ✓ We have a development plan and pipeline to meet the future needs of the organization.

*This is just the start of an ongoing plan to develop and align employee skills and knowledge with TMWA's future in mind so that internal candidates can continue to be our primary source for recruitment as opportunities and needs arise.*



## Thank You!

## Questions...





## STAFF REPORT

**TO:** Board of Directors  
**THRU:** Mark Foree, General Manager  
**FROM:** Jessica Atkinson, Human Resources Manager  
**DATE:** August 12, 2019  
**SUBJECT:** Discussion and possible direction from Board regarding the evaluation process for conducting the General Manager's performance review

---

### **Recommendation**

The Board consider continuing with the approved GM evaluation form and process (attached) and provide direction regarding same.

### **Background**

In August 2016, the Board agreed upon a formal evaluation process for the General Manager's annual performance review. A questionnaire regarding the General Manager's performance (and a report from the General Manager regarding his performance related to the goals and objectives previously set by the Board) is sent to all Board members and senior leadership at TMWA via SurveyMonkey, an online survey tool. The results are provided to the Board in the September Board meeting packet relative to the evaluation of the General Manager's performance at the September Board meeting.





## General Manager Performance Evaluation for FY2019

### Introduction

The General Manager's performance evaluation consists of an annual appraisal by the Board of Directors, as provided for in the General Manager's employment agreement.

The purpose of the evaluation process is to maintain a strong Board/Manager team by ensuring open and productive communication on an annual basis. During this formal review process, there is an opportunity to identify areas of satisfaction and areas for growth or needing change as identified by the Board.

The evaluation will be completed by each member of the Board.

The Executive Team and Department Heads reporting to the General Manager have been invited to participate in this performance review process.

The Human Resources Manager is the facilitator for this process, and will gather input from the confidential survey completed by each of the above-referenced individuals. A staff report and the summary results from the evaluation survey will be provided as supporting materials for the public meeting at which the TMWA Board reviews the annual performance of the General Manager.

#### **Rating Criteria:**

For each performance criteria, please use the following rating scale:

E – Exceeds your expectations

M – Meets your expectations

AG - Areas for growth

NA – Not applicable



## General Manager Performance Evaluation for FY2019

### Interpersonal Skills/Relationships

For each performance criteria, please use the following rating scale:

E – Exceeds your expectations

M – Meets your expectations

AG – Areas for growth

NA – Not applicable

1. Ability to relate well to others and to make people feel at ease, even in difficult situations.

2. Ability to gain the trust and confidence of the public; fosters contact and cooperation among citizens, community organizations and other government agencies.

3. Understands and embraces the concept of inter-local cooperation when appropriate.

4. Fosters cooperative communication and working relationships with the Board.

5. Has the ability to utilize appropriate media for communication - Internet, social media, TV, radio, newspaper, Board meetings, group interactions, individual meetings.

6. Skilled in negotiation techniques in a variety of scenarios - employee, Board, public, interagency, outside entities.

7. Demonstrates sensitivity and empathy towards individuals or groups as appropriate.

8. Is forthright and honest in all relationships.





## General Manager Performance Evaluation for FY2019

### Communication Skills

For each performance criteria, please use the following rating scale:

E – Exceeds your expectations

M – Meets your expectations

AG – Areas for growth

NA – Not applicable

**9. Verbal Communication Skills-** Good command of oral expression; expresses ideas clearly and concisely; easily comprehends ideas expressed by others; able to explain and understand difficult and complex subjects.

**10. Written Communications-** Good command of written expression; expresses ideas clearly and concisely; easily comprehends ideas expressed by others; able to explain and understand difficult and complex subjects through written media.

**11. Presentation Skills-** Is able to prepare and present quality presentations using a variety of tools and media; presentations are effective and visually appealing.



## General Manager Performance Evaluation for FY2019

### Leadership

For each performance criteria, please use the following rating scale:

E – Exceeds your expectations

M – Meets your expectations

AG – Areas for growth

NA – Not applicable

12. Participates with Board and staff in strategic planning.

13. Exhibits a forward-thinking approach, both in the short and long term.

14. Utilizes effective project management techniques.

15. Set objectives for personal performance and manages toward those objectives.

16. Completes projects agreed upon with Board within the given time frame.



## General Manager Performance Evaluation for FY2019

### Innovation

For each performance criteria, please use the following rating scale:

E – Exceeds your expectations

M – Meets your expectations

AG – Areas for growth

NA – Not applicable

17. Coaches, mentors and manages in accordance with TMWA Values and Vision.

18. Uses sound judgment in decision making. Seeks out relevant and necessary data.

19. Makes decisions in a timely manner.

20. Directs utilization of TMWA resources effectively.

21. Directs the TMWA customer service goals and initiatives, both internally and externally.

22. Emergencies and crisis situations are handled in an effective, efficient and professional manner.

23. Stays current on management practices and techniques.

24. Actively pursues ways to increase his value to TMWA.





## General Manager Performance Evaluation for FY2019

### Management of Staff

For each performance criteria, please use the following rating scale:

E – Exceeds your expectations

M – Meets your expectations

AG – Areas for growth

NA – Not applicable

25. Able to delegate authority appropriately, granting proper authority at proper times.

26. Utilizes a positive approach to direct work efforts of staff.

27. Addresses employee issues promptly and effectively, utilizing progressive discipline.

28. Encourages and rewards initiative.

29. Promotes cohesive teamwork with the TMWA Senior Management Team.



## General Manager Performance Evaluation for FY2019

### General Comments

In a brief narrative, please describe:

30. What you are most pleased with in the General Manager's performance?

31. What areas for growth would you like to see? Please provide specific suggestions on how the General Manager may improve the areas for growth?

32. Goals for 2019-2020

33. Any additional comments?



## STAFF REPORT

**TO:** Board of Directors  
**FROM:** Mark Foree, General Manager  
**DATE:** August 5, 2019  
**SUBJECT:** General Manager's Report

---

Attached please find the written reports from the Management team including the Operations Report (*Attachment A*), the Water Resource and the Annexation Activity Report (*Attachment B*), the Customer Services Report (*Attachment C*), and the Monthly Conservation Report (*Attachment D*).

Included in your agenda packet are press clippings from June 13, 2019 through August 13, 2019. Also included is a *Tell the Board Submission* from a customer regarding TMWA changing the due date on the bill to coincide with their paycheck cycle. Customer Service changed the due date to later in the month to allow time for mailing and payment to be processed.



## STAFF REPORT

**TO:** Board of Directors  
**THRU:** Mark Foree, General Manager  
**FROM:** Scott Estes, Director of Engineering  
**BY:** Bill Hauck, Senior Hydrologist  
**DATE:** August 11, 2019  
**SUBJECT:** August 2019 Operations Report

---

### Summary

- On a scale of 1 to 10, the water supply outlook for the region is a solid 10
- Upstream reservoir storage is 94% of maximum capacity
- Lake Tahoe is down only ¼ foot from its maximum storage elevation
- A full series of upstream reservoirs provides this region with an added layer of security against a prolonged drought
- Above average river flows are projected for the remainder of this year
- Hydroelectric revenue for July 2019 was approximately \$365,000
- We are almost through the peak summertime demand season

### (A) Water Supply

- **River Flows** - Truckee River flows at the CA/NV state line are slightly above average for this time of year. Discharge was 660 cubic feet per second (CFS) this morning. The average flow for August 9th based on 110 years of record is 520 CFS.
- **Reservoir Storage** - All reservoirs on the Truckee River system (including Lake Tahoe) were topped-off this year and are still quite full for this late in the summer. The elevation of Tahoe is 6228.85 feet, about a quarter of a foot (-.25') from maximum capacity. Overall, Truckee River reservoir system storage is at about 94% of maximum capacity. Storage values for each reservoir as of 8/9 are as follows:

<b>Reservoir</b>	<b>Current Storage (Acre-Feet)</b>	<b>% of Capacity (Percent)</b>
Tahoe	713,800	96%
Boca	17,036	42%
Donner	9,102	96%
Independence	17,109	98%
Prosser	25,766	86%
Stampede	221,122	98%

In addition to the 26,000 acre-feet of storage in Donner and Independence reservoirs, TMWA has approximately 11,000 acre-feet of water stored between Lake Tahoe, Boca and Stampede reservoirs under the terms of TROA. TMWA's total combined upstream reservoir storage is approximately 37,000 acre-feet as of this time.

- **Outlook** - This region couldn't be positioned any better than it is right now from a water supply perspective. Lake Tahoe and all the other reservoirs on the Truckee River system were filled to capacity to start the summer and as such, normal Truckee River flows are projected over the course of the next 2-3 years.

#### **(B) Water Production**

- **Demand** - Customer demand year-to-date (YTD) is virtually the same as last year through this point in time (100% of 2018). Consumption last week averaged 120 million gallons per day (MGD). We are past the mid-point of our peak summertime demand season. The peak day for the year appears to have been Tuesday July 23<sup>rd</sup> where demands reached 138.6 MG. Overall, surface water is providing about 75% of our supply and groundwater the other 25% right now.

#### **(C) Hydro Production**

**Generation** - Average Truckee River flow at Farad (CA/NV state line) for the month of July averaged 667 cubic feet per second (CFS). All three of TMWA's power plants were on the line for the entire month and 100% available. Monthly statistics are as follows:

<b>Hydro Plant</b>	<b>Days On-Line</b>	<b>Generation (Megawatt hours)</b>	<b>Revenue (Dollars)</b>	<b>Revenue (Dollars/Day)</b>
Fleish	31	1,824	\$ 133,489	\$ 4,306
Verdi	31	1,677	\$ 121,672	\$ 3,925
Washoe	31	1,503	\$ 110,203	\$ 3,555
<b>Totals</b>	<b>93</b>	<b>5,004</b>	<b>\$ 365,364</b>	<b>\$ 11,786</b>



## STAFF REPORT

**TO:** Chairman and Board Members  
**THRU:** Mark Foree, General Manager  
**FROM:** John Zimmerman, Manager, Water Resources  
**DATE:** 9 August 2019  
**SUBJECT:** Report Water Resources and Annexation Activity

---

### RULE 7

Rule 7 water resource purchases and will-serve commitment sales against purchased water resources through this reporting period:

Beginning Balance	4,480.88 AF
Purchases of water rights	0.00 AF
Refunds	0.91 AF
Sales	– 153.65 AF
Adjustments	– 0.00 AF
Ending Balance	4,328.14 AF

Price per acre foot at report date: \$7,700

### FISH SPRINGS RANCH, LLC GROUNDWATER RESOURCES

Through the merger of Washoe County's water utility, TMWA assumed a Water Banking and Trust Agreement with Fish Springs Ranch, LLC, a subsidiary of Vidler. Under the Agreement, TMWA holds record title to the groundwater rights for the benefit of Fish Springs. Fish Springs may sell and assign its interest in these groundwater rights to third parties for dedication to TMWA for a will-serve commitment in Areas where TMWA can deliver groundwater from the Fish Springs groundwater basin. Currently, TMWA can deliver Fish Springs groundwater to Area 10 only (Stead-Silver Lake-Lemmon Valley). The following is a summary of Fish Springs' resources.

Beginning Balance	7,821.00 AF
Committed water rights	01.53 AF
Ending Balance	7,819.47 AF

Price per acre foot at report date: \$35,000<sup>1</sup>

---

<sup>1</sup> Price reflects avoided cost of Truckee River water right related fees and TMWA Supply & Treatment WSF charge.



**WATER SERVICE AREA ANNEXATIONS**

There have not been any annexations since the date of the last Board meeting.



## **STAFF REPORT**

**TO:** Board of Directors  
**THRU:** Mark Foree, General Manager  
**FROM:** Marci Westlake, Manager Customer Service  
**DATE:** August 21, 2019  
**SUBJECT:** **June and July Customer Service Report**

---

The following is a summary of Customer Service activity for June and July 2019.

### **Ombudsman**

- Customer called looking for assistance to have water turned back on to sell the property and we made that happen.
- Customer called questioning why the meter box had been marked up. The HOA for the area had called in for locates and they marked the customer's meter. Customer understood and was okay with explanation.

### **Communications**

Customer outreach in June and July included:

- Lauren Kunin had a Sprinkler Maintenance Workshop and 10 people attended.
- Chuck Swegles and Lauren Kunin held a Watershed Warrior Workshop and 2 people attended.
- Will Raymond, Sean Bjordahl, and Brett Warne held a Water Treatment/Water Quality presentation and 30 people attended.
- Kara Steeland and Laine Christman had a Water Treatment/Stormwater presentation and 50 people attended.

### **Conservation (2019 Calendar year to date)**

- 5,278 Water Watcher Contacts
- 1,211 Water Usage Reviews

### **Customer Calls – June and July**

- 18,356 phone calls handled
- Average handling time – 4 minutes, 17 seconds per call
- Average speed of answer – 20 seconds per call

### **Billing – June and July**

- 258,862 bills issued
- 2(0.01%) corrected bills
- 20,235 customers (7.8%) have signed up for paperless billing to date.

**Service Orders –June and July** (% is rounded)

- 16,816 service orders taken
- 9,621 (57%) move-ins / move-outs
- 1,484 (9%) cut-out-for-non-payment and cut-in after receiving payments, including deposits and checks for tamper
- 1,107 (7%) zero consumption meter checks
- 1,305 (7%) re-read meters
- 1,353 (8%) new meter sets and meter/register/ERT exchanges and equipment checks
- 798 (5%) problems / emergencies, including cut-out for customer repairs, dirty water, no water, leaks, pressure complaints, safety issues, installing water meter blankets, etc.
- 503 (3%) high-bill complaints / audit and water usage review requests
- 645 (4%) various other service orders

**Remittance – June and July**

- 57,787 mailed-in payments
- 51,658 electronic payments
- 63,777 payments via RapidPay (EFT)
- 34,976 one-time bank account payments
- 14,413 credit card payments
- 1,686 store payments
- 3,884 payments via drop box or at front desk

**Collections –June and July**

- 25,475 accounts received a late charge
- Mailed 15,486 10-day delinquent notices, 5.9% of accounts
- Mailed 3,681 48-hour delinquent notices, 1.4% of accounts
- 450 accounts eligible for disconnect
- 439 accounts were disconnected (including accounts that had been disconnected-for-non-payment that presented NSF checks for their reconnection)
- 0.14% write-off to revenue

**Meter Statistics – Fiscal Year to Date**

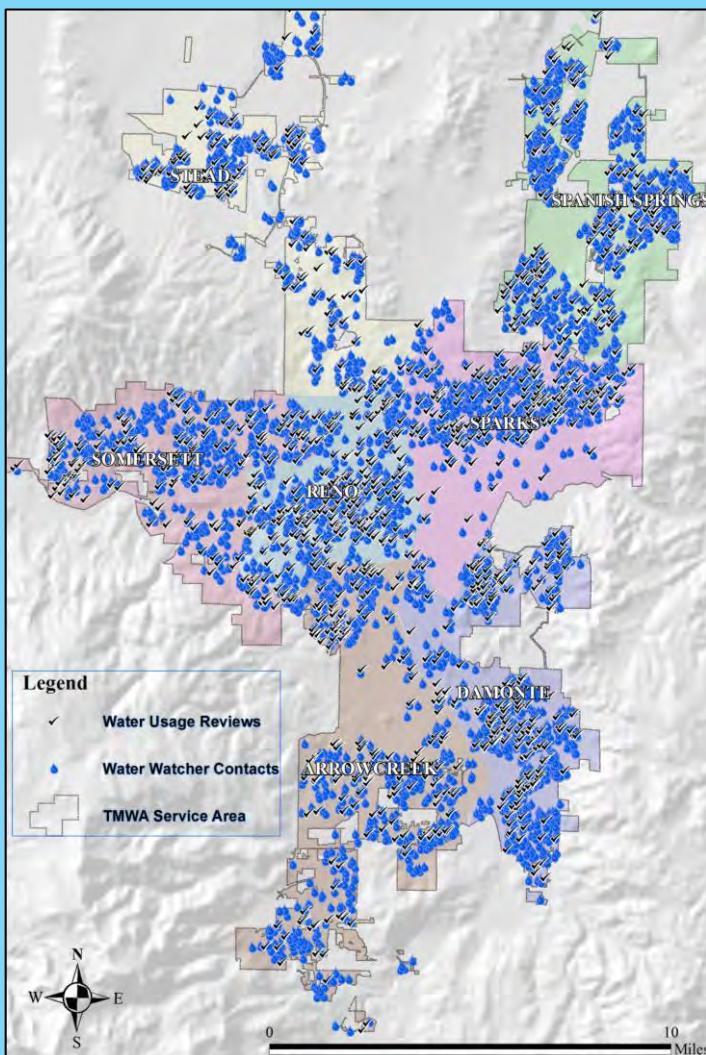
- 0 Meter retrofits completed
- 142 Meter exchanges completed
- 157 New business meter sets completed
- 127,085 Meters currently installed



## MONTHLY CONSERVATION REPORT – JULY 2019

**SUMMARY** – The halfway mark of the season has been officially surpassed. Like last year, water watching activities declined a bit this July compared to June. We attribute this to people getting into the groove with their watering habits. While there were fewer waste violations this July compared to July of 2018, wrong day watering and wrong time watering are up 30% and 44%, respectively. As the season progresses we will continue to provide the excellent service TMWA is known for. – **Consrv Dept.**

### CONSERVATION CONTACT LOCATION MAP



Water Watcher Contact Initiation Type	
Drive-bys	4811
Deliveries	21
Hotline Reports	203
Email Reports	243
<b>Total</b>	<b>5278</b>

Watering Violations Observed	
Waste	1510
Wrong Day	3358
Wrong Time	621
<b>Total</b>	<b>5489</b>

Water Watcher Actions Taken	
Educational Visits	2504
A.M. Letters	2434
Courtesy Calls	227
No Actions	111
<b>Total</b>	<b>5276</b>

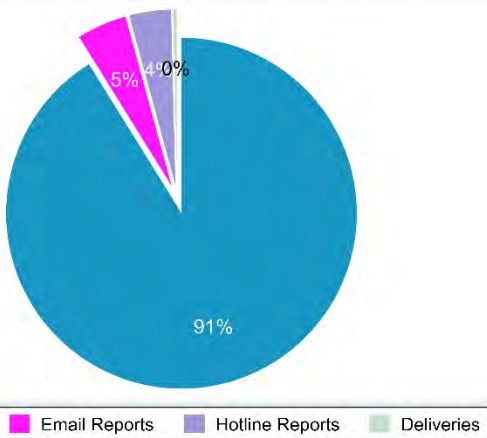
Efficiency Devices Supplied	
Faucet Aerators	0
Hose Timers	33
Nozzles	63
Low-flow Shower heads	0
Tree Root Feeder	0
<b>Total</b>	<b>96</b>

Other Conservation Actions	
Water Usage Reviews	1210
Tree Care Visits	113
<b>Total</b>	<b>1323</b>

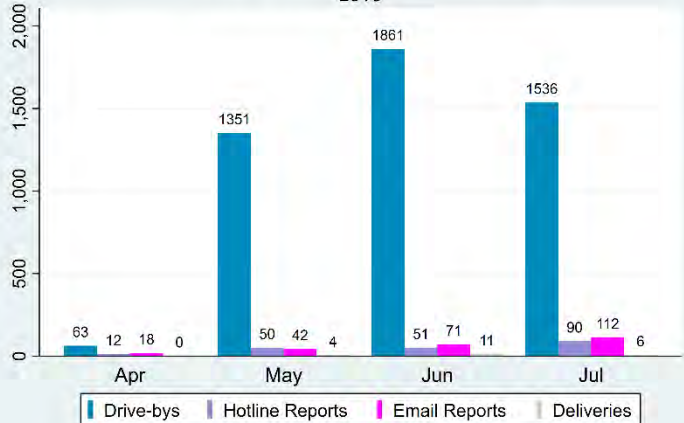
Attendees at Workshops /Tours	
Irrigation System Start-up Workshop #1	16
Irrigation System Start-up Workshop #2	6
Landscape Planning & Design Workshop	23
<b>River-Friendly Landscaping Workshop*</b>	6
Tree Care Workshop	20
Drip System Maintenance Workshop	19
Walking Tour - Valley Wood Park #1	10
<b>Watershed Warrior Workshop*</b>	2
Sprinkler System Maintenance Workshop	6
Walking Tour - River School Farm	
Walking Tour, Part 2 - Valley Wood Park #2	
Winterize Your Irrigation System Workshop #1	
Winterize Your Irrigation System Workshop #2	
Winterize Your Irrigation System Workshop #3	
Winterize Your Irrigation System Workshop #4	
<b>Total</b>	<b>108</b>

\*NEW WORKSHOP FOR 2019

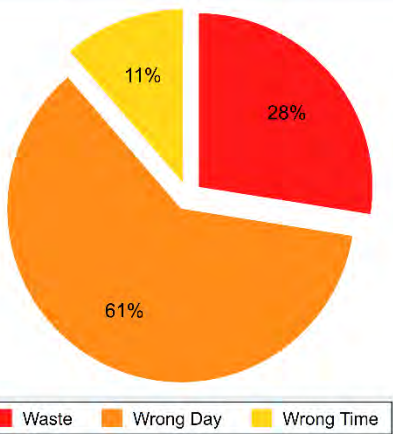
Water Watcher Contact Initiation  
2019



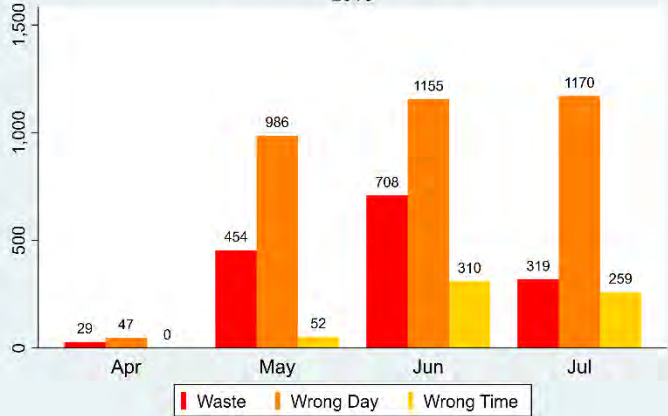
Water Watcher Contact Initiation  
2019



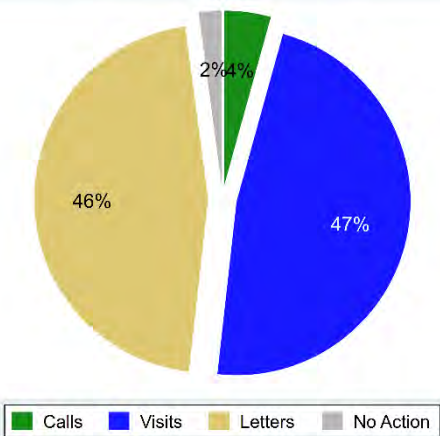
Water Violations Observed  
2019



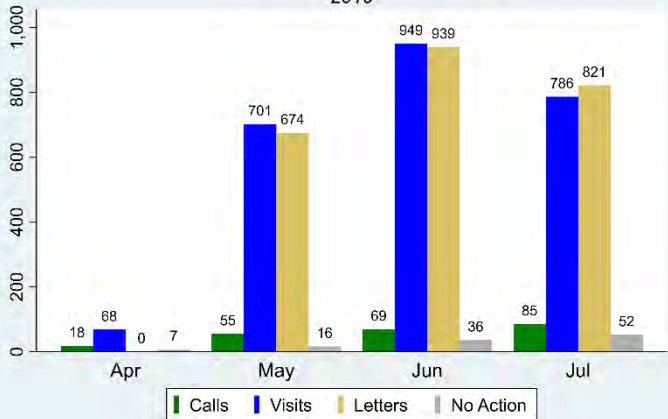
Water Violations Observed  
2019



Water Watcher Actions Taken  
2019



Water Watcher Actions Taken  
2019







## **TMWA Board Meeting**

**Wednesday, August 21, 2019**

### **Press Clippings**

**June 13, 2019 – August 13, 2019**



**Huffaker Booster Pump Station Lid Replacement**





## **Witness Testimony Continues Wednesday in Class**

### **Action Lawsuit Against City of Reno**

**UPDATE:** Following jury selection Monday, trial for the class action lawsuit began against the City of Reno seeking damages for flooding of Swan Lake in 2017.

Monday, June 10th 2019, 7:18 PM PDT by Brandon Fuhs

Updated:

Wednesday, June 12th 2019, 6:00 PM PDT

**Play Video**

---

**UPDATE:** Wednesday the court continued hearing witness testimony for the class action lawsuit filed by residents in Lemmon Valley against the City of Reno. The lawsuit alleges the city did multiple things to worsen flooding at Swan Lake in 2017. Fifty-six Lemmon Valley residents are signed on to the lawsuit.

Wednesday's first witness was Karen Johnson. She's a Lemmon Valley resident, and her husband Jeffery and son Jeffery Jr. are class action representatives.

She moved into an apartment for a year after Washoe County gave her house a yellow tag, or a notice a possible damage from flooding. She described the scene at her home in 2017, saying they had to put down wooden planks to access the home.

During cross-examination, the defense pointed out that the water never actually touched the foundation of her home, even though photos showed cracks were visible in the foundation.

The second witness was David Westhoff, and he's considered an expert witness. He's a hydrologist, and he reviewed the storm water study conducted in 2007 at the request of the Washoe County Regional Water Planning Agency and the City of Reno before it was published.

He explained that the study showed that development in the area would increase the amount of runoff that made its way to Swan Lake.

During cross-examination, the defense made it clear to the jury that Westhoff did not collect any of the data, and had little influence on the analysis in the study.

The defense also cited the 2007 study that states the water at the Reno-Stead Water Reclamation Facility was factored into the total volume of Swan Lake when they factored the risk of flooding during an extreme storm.

The third witness was Jeffery Johnson, who also testified on the condition of his home during the spring months of 2017.

---

UPDATE: Following jury selection Monday, trial for the class action lawsuit began against the City of Reno seeking damages for flooding of Swan Lake in 2017.

Prosecutors argued during opening statements Tuesday morning, that the City of Reno is responsible for raising the level of Swan Lake 1.7 feet.

They argue the city ignored a study conducted in 2007 that warned of flooding at existing homes around Swan Lake if development popped up in the area.

Prosecutors argue the city pumped water from Silver Lake in nearby Cold Springs to Swan Lake in Lemmon Valley. They also argue the city dumped water from the Reno-Stead Reclamation Facility (a water treatment plant) into Swan Lake.

A total of 56 Lemmon Valley residents are signed on to the CLA.

City Attorney Karl Hall, leading the defense, did not comment further than saying they successfully chose a jury today.

Regarding Silver Lake water, they argue if they did not pump water from Silver Lake to Swan Lake, Silver Lake would've been contaminated with sewage. The pre-trial motion also states the city has an agreement with the State of Nevada to dump water from that Reno-Stead Reclamation Facility into Swan Lake.

The court heard multiple witnesses Tuesday, including class representative Mike Walls and Truckee Meadows Fire Protection District Battalion Chief Sam Hicks, who led the incident command team to help mitigate flooding in March 2017.

There are approximately 40 witnesses expected to testify, and the trial is expected to take two and a half weeks.

---

Original Story: Several residents in Lemmon Valley near Swan Lake are suing the City of Reno for damages to their property from flooding in 2017.

On Monday, lawyers on both sides chose 10 jurors to hear the case, and opening statements were scheduled to start on Tuesday.

The lawsuit alleges the City of Reno ignored a study conducted in 2007, that details the potential of flooding at existing homes if more development was built in the area. It also alleges the City of Reno pumped water from Silver Lake to Swan Lake, and pumped effluent from their Sewage Plant even after flooding occurred in early 2017.

The trial is expected to last about two and a half weeks. The prosecution did not comment, noting the judge was clear he did not want lawyers holding press conferences after every day.

City Attorney Karl Hall, leading the defense, did not comment further than saying they successfully chose a jury today.

# Lemmon Valley residents take on Reno in trial accusing city of causing 2017 Swan Lake flood

[Sam Gross](#), **Reno Gazette Journal** Published 6:12 p.m. PT June 11, 2019

The waters in Swan Lake started rising two years ago. Residents there are still worried. Sam Gross and Benjamin Spillman and Anjeanette Damon, Reno Gazette Journal

[CONNECT](#) [TWEET](#) [LINKEDIN](#) [COMMENT](#) [EMAIL](#) [MORE](#)

The trial to decide if the city of Reno is liable for the flood damage caused to homes and property along Swan Lake in Lemmon Valley began on Tuesday.

A cadre of Lemmon Valley residents whose homes and property were damaged when Swan Lake flooded in 2017 have filed a class action lawsuit against the city.

On the line is potentially millions in Reno taxpayer dollars if the jury rules in favor of the homeowners.

The suit claims Reno used the property owners' land unjustly and without fair compensation when the city allegedly pumped, diverted or discharged excess stormwater and effluent into the normally dry lakebed during the historic winter of 2016-17, causing many properties to flood.

It also claims the city trespassed on the properties and caused a nuisance.

The root cause of the problem, the suit alleges, is unchecked development in the Lemmon Valley area that has paved over or otherwise eliminated ground that normally would have absorbed rainfall and snowmelt, permanently changing the drainage system surrounding Swan Lake.

Attorneys for the city, in response, argued Reno — like the residents whose homes flooded in 2017 — is the victim of an unforeseen natural disaster that impacted the entire region.

And the homeowners affected by the flooding, Assistant City Attorney Jonathan Shipman argued during opening statements on Tuesday, were living in a known flood-prone area.



**Buy Photo**

Washoe County sets up some HESCO barriers on the edge of Swan Lake flood waters in Lemmon Valley on Dec. 19, 2017.  
(Photo: Jason Bean/RGJ)

Attorneys on both sides made opening arguments on Tuesday and interviewed the first three witnesses, who were called to the stand by the plaintiffs.

Those witnesses were David Michael Walls, a Lemmon Valley homeowner whose property was severely damaged in 2017; Sam Hicks, a Truckee Meadows Fire Department battalion chief who served as incident commander during the flood; and Jeff Lytle, the Las Vegas-based former chief of Nevada's highly trained FEMA urban search and rescue team that was deployed to Lemmon Valley in 2017.

A 2018 Reno Gazette Journal investigation [revealed that Reno knew Swan Lake would likely flood](#) and ignored suggestions to build flood mitigation projects alongside new development in Lemmon Valley.

After another record winter in 2018-19 the water in [Swan Lake began to rise again](#), surpassing the high-water mark set during the 2017 floods and re-inundating properties that had previously dried out.



**Buy Photo**

Washoe County installs temporary inflatable barriers, called Tiger Dams, in front of homes bordering Swan Lake along Shane Way in Lemmon Valley on April 3, 2019. (Photo: Jason Bean/RGJ)

Walls and his wife, Linda, were forced to leave their home of 40-plus years in February 2017 after flooding got so bad they worried they wouldn't be able to escape if it got any higher.

They moved into a neighbor's fifth-wheel trailer up the street, where they've been living since.

Their home, he testified in court on Tuesday, remains uninhabitable. It's still surrounded by 25,000-plus sandbags, has no water or power and the septic system is unusable.

On the stand, he told the jury about watching the rising floodwaters invade the property he's owned since 1977 and inundate his home.

"It kept getting worse and worse ... the dry lake bed was not becoming dry," he said.

Hicks and then Lytle followed Walls on the stand.

Attorneys questioned the two chiefs primarily on the mechanics of the initial response to the flooding.

Hicks led the type-3 incident team in early 2017 charged with searching and securing the inundated properties and also led the installation of the initial Hesco barriers, temporary structures erected to hold back the lake water — which are still in place today.

Lytle and about 40 members of the specialized urban search and rescue team were called in to help with the effort.

# Class-action suit accuses Reno of causing flood damage

Updated 11:28 am CDT, Tuesday, June 18, 2019

RENO, Nev. (AP) — A class-action lawsuit accuses the city of Reno of causing flood damage to dozens of homes and property north of town in Lemmon Valley.

A trial began last week in the suit, filed in 2017, claiming the city pumped, diverted or discharged excess storm water into the normally dry bed of Swan Lake, which overflowed during the winter of 2016-17.

It says the flood was exacerbated by unchecked development in the area, where street paving eliminated ground that normally would have absorbed rainfall and snowmelt, permanently changing the drainage system surrounding Swan Lake.

The city maintains the homeowners were the victims of an unforeseen natural disaster. Assistant City Attorney Jonathan Shipman also argued that residents it was a flood-prone area. Fifty-six co-plaintiffs have signed onto the class-action lawsuit seeking potentially millions of dollars.

The Reno Gazette Journal cited documents in a series of stories last year that suggested the city knew Swan Lake would likely flood and ignored suggestions to build flood mitigation projects alongside new development in Lemmon Valley.

After another record winter in 2018-19 the water in Swan Lake began to rise again, surpassing the high-water mark set during the 2017 floods and re-inundating properties that had dried out.

David Westhoff, a hydrologist, testified last week that he reviewed a storm water study conducted in 2007 that showed that development in the area would increase the amount of runoff that made its way to Swan Lake.

The city counters that the 2007 study didn't provide any specific examples of developments and their impacts on flooding. It says the city has an agreement with the state to dump water from the Reno-Stead Reclamation Facility into Swan Lake.

It also says if it didn't pump water from Silver Lake in nearby Cold Springs to Swan Lake, Silver Lake would have been contaminated with sewage.

# Marlette Lake could again be source of Carson City water

Carson City | June 20, 2019

[Anne Knowles](#)

[aknowles@nevadaappeal.com](mailto:aknowles@nevadaappeal.com)



## **Marlette Lake could be a source of water again for Carson City.**

*Nevada Appeal*

Carson City could start taking water again from Marlette Lake under a new agreement with the state of Nevada.

The city's previous deal with the state ended five years ago, but Carson City continued purchasing water under the terms of the expired agreement while the two parties worked on a new contract. Then, a year and a half ago the city stopped taking Marlette Lake water when the city could no longer treat to drinking water standards, said Darren Schulz, director, Carson City Public Works.

That put the state in a bind.

"Carson City and Storey (County) were basically our only water customers. The city had been decreasing their demand for water and therefore our revenue, creating a shortfall," said Ward Patrick, director, State of Nevada Public Works.

In late 2018, the state began talking to Truckee Meadows Water Authority about making up the difference, and in April the TMWA Board of Directors authorized its general manager to negotiate a three-year option agreement with the state that would give TMWA the option to 3,090 acre feet of water for a \$250,000 fee.



Since then, the Nevada Legislature passed Senate Bill 507 appropriating \$200,000 from the state general fund to operate the Marlette Lake Water System, making up the shortfall.

So TMWA and the state stopped working on a short-term agreement, according to John Enloe, TMWA director, Natural Resources, and now a bigger deal involving all the parties is on the table.

“TMWA remains very interested in working with the state, Carson City and Storey County on a long-term water supply agreement, including allocation of the available water resources between the various entities,” said Enloe. “TMWA’s needs and interests are different than those of Carson City and Storey County, and we continue to believe that a cooperative process can result in a win-win outcome for all parties.”

The state has water rights to 3,000 acre feet from Marlette Lake, although less than that may be available depending on the snowpack and precipitation.

“I want to make sure we’re the last in line, along with Storey, to get cut,” said Carson City Mayor Bob Crowell. “We’re willing to work with the state on all these things as long as we know we won’t get hurt.”

In the meantime, Carson City and the state are expected to finalize a two-year agreement that soon will go to the Board of Supervisors for approval.

Carson City will likely agree to take water for 75 cents per gallon and use it for groundwater recharge until it can figure out a way to treat it.

“We already have approval for recharge,” said Schulz, but it’s not the optimal solution because a gallon of water injected into the groundwater returns less than a gallon.

The city is also talking to state regulators about returning it to the Carson River for credit.

Public Works has commissioned a study, expected in August, on what it would take to upgrade the Quill Water Treatment Plant to treat Marlette Lake water for drinking water.

Ultimately, and at buildout, the city might like to use as much 2,000 acre feet from Marlette Lake once it resolves how to treat the water, said Schulz.

The problem is a disinfectant byproduct produced by using chlorine to treat the water for algae. Algae there has increased while federal regulations on the byproduct have become stricter, said Schulz.

The city continues to use about 800 acre feet of water that flows off the East Slope of the Sierra Nevada mountain range, water that never enters the lake but is considered part of the overall Marlette Lake Water System.

“We’re on track to get this solved,” said Crowell. “I want to thank the state for bearing with us.”

Geoff Dornan contributed to this report.

## Agencies seek feedback on Tahoe Keys aquatic weed control plan

News | June 24, 2019



**A diver grabs a piece of rebar before slipping below the surface to continue installing bottom barriers in South Lake Tahoe on Wednesday, Aug. 15, as part of the fight against aquatic invasive species. Since 2010, the Tahoe Fund has raised funds from private donors for more than 30 environmental improvement projects, including removal of aquatic invasive species.**

*Justin Scacco / jscacco@sierrasun.com*

### **PUBLIC WORKSHOPS**

**Tuesday, June 25, 5-7 p.m.**

Lahontan Regional Water Quality Control Board Annex Building

971 Silver Dollar Ave. South Lake Tahoe, Calif.

**Wednesday, June 26, 9:30 a.m.**

TRPA Governing Board meeting

128 Market St., Stateline, Nev.

**Tuesday, July 16, 5-7 p.m.**

## North Tahoe Event Center

8318 North Lake Tahoe Blvd., Kings Beach, Calif.

Agencies have opened the public review process for a proposed project to test different methods, including the possible use of herbicides, for controlling aquatic weeds in the Tahoe Keys.

The Tahoe Regional Planning Agency and Lahontan Regional Water Quality Control Board recently announced a series of public workshops to provide information and gather feedback on [the proposal](#).

Additionally a scoping period aimed at gathering feedback opened earlier this month. It runs until Aug. 2. Comments can be submitted at the public workshops or via email to [tahoekeysweeds@trpa.org](mailto:tahoekeysweeds@trpa.org).

The proposal is designed to learn more about the efficacy and potential impacts of new weed control technologies and the potential use of herbicides.

“It is exciting to see this collaborative process move forward.”— Darcie Goodman Collins CEO of the League

It involves a two-year study where a range of different weed-control methods would be tested at 18 sites in the Keys. Those treatment methods are separated into two groups.

Group one, which is more large-scale, includes aquatic herbicides and/or large scale ultraviolet light. The document identifies four possible herbicides for use: Endothall, Triclopyr, Penoxsulam and ProcettaCOR.

Group two, which is more targeted in nature, includes UVC light spot treatments, bottom barriers, diver-assisted suction and diver hand pulling techniques.

Many of the non-herbicide methods, including [the use of UVC light](#) and [bottom barriers](#), have been tested in Tahoe, showing varying degrees of success.

The Tahoe Keys Property Owners Association originally submitted its application to use herbicides to TRPA and Lahontan in 2018.

As part of the environmental review process, a stakeholder committee involving both agencies, the property owners association and other groups, including the League to Save Lake Tahoe, was convened to ensure a collaborative and transparent process.

Parties involved in the collaborative effort have spoken positively about the process thus far.

“It is exciting to see this collaborative process move forward,” Darcie Goodman Collins, CEO of the League, said in a statement. “Our hope is that together we will find the most effective combination of science-backed methods to test in the Tahoe Keys that will control the spread of aquatic weeds from the Keys into Lake Tahoe. We’ve already made progress using new technologies with the Tahoe Keys Property Owners Association today, and I have every belief that this will one day be a success story of how property owners, agencies and nonprofits were all able to come together to find innovative solutions to Keep Tahoe Blue.”

That collaborative effort resulted in a modified project, which is currently being considered in the public review process.

Aquatic invasive weeds have been an ongoing problem in Tahoe Keys and other marinas around the lake for decades.

The Keys development on Tahoe’s South Shore was originally constructed in the 1960s by excavating parts of the Upper Truckee River marsh to form a series of waterways, including three lagoons that amount to 172 acres of waterways, according to the project document.

The Tahoe Keys development includes 1,529 homes and townhomes, 900 docks, a commercial marina, and a commercial center.

Creation of the waterways created conditions conducive for the growth of aquatic weeds.

The hope with the testing proposal is stakeholders will be able to identify methods to bring the infestation to a manageable level and reduce the potential for re-infestations.

For information on the project and upcoming workshops, visit [tahoekeweeds.org](http://tahoekeweeds.org).

# Downtown businesses oppose plans to put public toilet on or near Old Courthouse Square

[WILL SCHMITT](#)

THE PRESS DEMOCRAT

June 25, 2019, 6:29AM

The absence of a public restroom on Santa Rosa's Old Courthouse Square can pose a dilemma for parents with young kids struggling to hold it, as well as for homeless people who have nowhere else to go.

The Santa Rosa City Council is set to change that — much to the chagrin of downtown property and business owners who fear a restroom on the square would decrease the quality of life for tourists and locals alike. On Tuesday, the council will vote on authorizing the purchase of a specially designed permanent public restroom called a Portland Loo.

If approved, the pricey potty is to be located on or near the downtown square for 24/7 use and could be open for people to do their business within a year.

The council set aside \$250,000 for purchasing and installing a downtown toilet — up to \$125,000 will go to purchasing the loo — last year during budget hearings.

City staff put the project out to bid and received only one final response, which came from Madden Fabrication, creators of the original Portland Loo.

The sturdy, utilitarian single-stall restroom — the brainchild of a Portland city official — is designed to provide constant service for a universal need while favoring public safety over comfort, according to sales manager Evan Madden. Its walls are treated to reject graffiti; its lighting is blue to foil intravenous drug users searching for veins; and slatted openings near the top and bottom of the facility provide privacy while allowing authorities to check for extra ankles, he said.

"We're not going to solve drug use or prostitution with the public restroom, but we want to make it harder for that to happen," Madden said.

Santa Rosa operates public restrooms at the Santa Rosa Transit Mall, Prince Gateway Park on Santa Rosa Avenue and the parking garage at Third and D streets, but none are open full time. Patrons of downtown businesses may be able to use facilities at certain businesses,

but the city doesn't compel them to provide restroom services to the general public, said Jason Nutt, an assistant city manager who oversees public works.

The lack of a full-time downtown public restroom has been a "difficulty for the community," Nutt said. Weighing the needs of families with children visiting the square and homeless people who may otherwise be forced to defecate on sidewalks has been a goal for city staff members mulling where to place the public toilet, he said.

"They've tried to balance what we believe the interests of the community are," Nutt said. "We know there are some community members who are adamantly opposed to adding (a restroom) into the square."

Natalie Balfour, who chairs the Downtown Action Organization, said the nonprofit representing downtown property and business owners is "100%" opposed to the installation of a public restroom on the square.

"There's a few issues that everyone agrees on, and this is one of them," she said.

Balfour said business and property owners had previously agreed to tax themselves to enhance maintenance and improve aesthetics in the downtown area and said a new public restroom there would be a move in the wrong direction. She said the city should work on making its existing nearby restrooms easier to find and improving those facilities before adding another public stall in the center of the city.

"We don't think that there shouldn't be restrooms for indigents," she said. "We think that there already are."

Nutt said city staffers have been evaluating potential locations for several months, focusing on well-lit sites in the downtown core located near water, sewer and electrical service.

Potential sites include various places on the perimeter of the square and along Santa Rosa Avenue between Second and Third streets, according to city documents.

A council panel focused on the downtown area will discuss the toilet's location at a July 10 meeting. A staff recommendation on the final site is expected to come before the City Council in August or September, said Nutt, who expects downtown business and property owners to be "very, very vocal" before then.

"They don't want to see us put something in the middle of the square that they've worked hard to reclaim for the greater community," he said.

You can reach Staff Writer Will Schmitt at 707-521-5207.

# Jury finds City of Reno liable for property loss in Swan Lake flooding

, **Reno Gazette Journal** Published 11:38 a.m. PT June 26, 2019 | Updated 8:49 p.m. PT June 26, 2019

The waters in Swan Lake started rising two years ago. Residents there are still worried. Sam Gross and Benjamin Spillman and Anjeanette Damon, Reno Gazette Journal

[CONNECT](#)[TWEET](#)[LINKEDIN](#)[COMMENT](#)[EMAIL](#)[MORE](#)

A jury found the City of Reno liable for the damage caused to private property after it pumped or diverted excess stormwater into Swan Lake, leading to massive flooding in the area in 2017.

Eight jurors returned a verdict after a few hours of deliberation on Wednesday. They found the city was liable for using private property without adequately compensating the owners and causing damage to personal property.

The city was not liable for the trespass and nuisance charges, the jury found.

"This verdict is a win for the community in Lemmon Valley," said plaintiff attorney Kerry Doyle. "The jury has validated that there was a taking of their property."

In 2018, an investigation by the Reno Gazette Journal revealed that Reno knew Swan Lake would likely flood and ignored suggestions to build flood mitigation projects alongside new development in Lemmon Valley.

The water in Swan Lake began to rise again following another record winter in 2018-19. It surpassed the high-water mark set during the 2017 floods and re-inundated properties that had previously dried out.

Several Lemmon Valley residents whose homes and property were damaged in the flood filed a class-action lawsuit against the city, which led to a two-week trial.

"We believe that the issues have been aired to the public and that the community has been able to weigh in on whether aggressive development and poor planning is allowed in the community," said Roger Doyle, who also represented the plaintiffs in the case.

## A violation of homeowners' rights

During his closing arguments, Doyle and attorney Luke Busby both argued that the City of Reno violated their clients' constitutional rights when it decided to store that excess water on private property.

"The protection of private property is just as important in the Bill of Rights," Doyle told jurors on Wednesday. "The Founding Fathers said that private property must be free of government interference.

"This was so important that states refused to sign the Constitution until these rights were put in, and the city is asking you to look the other way."

Doyle also argued the city had no right to store water at Swan Lake without a permit.

"But you heard no testimony from the city, and you saw no evidence presented by the city that they have a right to anything more than 336 acre-feet of Swan Lake," he said, adding the city exceeded the maximum amount of discharge water allowed in just two months.

## City: Weather contributed to widespread flooding

Meanwhile, Assistant City Attorney Jonathan Shipman argued city officials had no intentions on harming residents in Lemmon Valley.

"Their mission was to keep people safe," Shipman said.





**Buy Photo**

**Washoe County installs temporary inflatable barriers, called Tiger Dams, in front of homes bordering Swan Lake along Shane Way in Lemmon Valley on April 3, 2019. (Photo: Jason Bean/RGJ)**

Shipman blamed the flood on the severe weather event that impacted the region. He then pointed to a letter former Gov. Brian Sandoval wrote in early February 2017 declaring a state of emergency.

"We have the state of Nevada requesting assistance from the president of the United States," Shipman said.

In the letter, Sandoval wrote that a series of atmospheric rivers resulted in record rainfall and snowfall, totaling 4.6 inches of the 7 inches of precipitation received annually.

Shipman argued that the combination of heavy rain and snow contributed to widespread flooding in flood-prone areas. He said the city was not a substantial cause of the flooding because the area would have flooded anyway.



**Floodwaters encroach on a home near Swan Lake, an ephemeral lake north of Reno. Residents are worried snowmelt will push the water beyond the ability of barriers to contain it. March 13, 2019. (Photo: Benjamin Spillman and Sam Gross)**

"We had residents across the region that had to shelter in place for multiple days," Shipman said. "We had closed transportation routes. We had multiple counties impacted by this, and the Washoe Tribe impacted."

"Everybody declared a state of emergency."

Shipman also argued that developers wanted to build housing, businesses, and subdivisions in the area, and the city was in no position to refuse.

"On the flip side, if you say no, then they sue you for taking their property," he told jurors.

## What's next?

For Linda Walls, who is one of the plaintiffs in the case, Wednesday's verdict brought a sense of relief.

"It was so emotional," Walls said. "I can get some sleep now. It's hard to wrap my brain around it because I've been so afraid wondering what's going to happen."

Walls and her husband both have been living in a motor home for two years and four months.

"We won't be able to ever go back, and we've been there for 38 years," Walls said, adding her driveway is still flooded.

She said the verdict also represents justice, not only for her family but for all of the Lemmon Valley homeowners affected by the flood.



**Buy Photo**

**A swollen Swan Lake encroaches on private properties in Lemmon Valley on Sept. 14. (Photo: Jason Bean/RGJ)**

Tammy Holt-Still, a member of the Lemmon Valley Swan Lake Recovery Committee, hopes city officials will rectify the issues that led to the flood.

"We've been vindicated," Holt-Still said, adding she's spoken at several city council meetings about the developmental issues in the area for the past two years.

"It was no accident," she said. "They've known all along that this was going to happen at some point. They had to be prepared for it, and they didn't want to be prepared."

Holt-Still said if the city fails to fix the problems with infrastructure and the area is flooded again, the city could face another lawsuit.

For now, the homeowners and their attorneys must wait until December for a second trial, which will determine how much the plaintiffs will be paid for the damages.

Judge Barry Breslow instructed the attorneys from both sides to set a conference status hearing in July.

*Marcella Corona is a breaking news reporter who covers crime and justice in Northern Nevada. [Support her work by subscribing to RGJ.com right here.](#)*

## NID's new water meters will help track water use, detect leaks

By  
**Susan Lauer, NID**

June 28, 2019, 07:48:43 AM



June 28, 2019 – Real-time tracking of water use and quickly identifying leaks are the major benefits of the latest generation of smart water meters being installed by Nevada Irrigation District (NID) for treated water customers.

NID has installed about 6,400 Badger meter systems, a cellular communication system that provides up-to-the-minute information on water use and can help customers conserve water – and save money.

So far, about one of every three meters have been replaced, but eventually all 19,500 meters will be on the state-of-the-art system. NID will install the new meters as the previous generation radio-read meters need to be replaced, said Chip Close, water operations manager for the District. About 3,000 meters have been installed during the past year.

“It’s about efficiency and our focus on conservation,” said Close during his informational presentation to the NID Board of Directors meeting June 26. “It’s also an additional layer of information for our customer base.”

The new water meters will collect data and send the information to NID, eliminating the need for water meter readers in the future while also helping identify leaks, especially those that need immediate repairs. NID’s three water meter readers will become water efficiency technicians, further helping customers conserve water.

“We can help customers better understand their usage and identify leaks,” said Kaycee Strong, NID water efficiency technician.

Unfortunately, leaks are part of water service. For example, the new water meters detected 673 leaks on June 18, from a 1-gallon-per-hour leak to 464 gallons, Strong said.

Leaks of 100 gallons or more per hour are considered a major problem and fixed immediately. Customers with smaller leaks will receive a letter to encourage them to check everything from a garden hose left on to a need-to-repair toilet.

Leaks are detected if customers have continuous water flow for 24 straight hours without a 15-minute break, Strong said. Some larger customers, such as apartment buildings and grocery stores, have continuous flow, which makes detecting leaks more difficult.

Each of the new Badger water meters cost 86 cents per month – or about \$205,000 at full implementation per year, Close said.



# Experts disagree on Lemmon Valley flood water source

## [LINK TO VIDEO](#)

By [Terri Russell](#) |

Posted: Wed 7:15 PM, Jun 19, 2019 |

Updated: Wed 10:34 PM, Jun 19, 2019

**RENO, NV (KOLO)** Hydrologist Dave Thompson says he studied historical and current maps of the [Swan Lake](#) area and determined 2017 was not a record year for precipitation.



The flooding, he said, was due to effluent from the Reno Stead Waste Water Treatment plant combined with development.

He testified the city gave no oversight as to what would happen to water at development sites except that it went into Swan Lake. He told the jury water increased the flood levels by more than 25%, or about one foot seven inches to the top of the lake.

Plaintiff attorney Roger Doyle asked, "On the properties based on your analysis, the flooding would have occurred earlier and deeper and would have lasted longer if the city's contribution had been part of the equation?"

"That's correct," said Thompson.

Meteorologist Mike McMahon testified 2017 was the wettest year in the history of the basin. He based that on the total amount of rain falling in a short amount of time. It all landed in a closed basin, he testified, where it had nowhere to go.

His findings came from analysis from NOAA and other atmospheric information going back decades. He told the jury there was more weather history as well.

"My second opinion is that the snowfall in the south range of 395 was also the highest amount recorded in that 40-year period," McMahon.

Tuesday in court the plant manager of the Reno Stead Waste Treatment Plant testified from January 2017 to April 2017, the facility went over its capacity more than 76,000 minutes. That adds up to roughly 53 days.

That effluent all went into Swan Lake.

McMahon continues his testimony Thursday morning. He will be followed by a hydrologist who will testify on behalf of the city.

The jury could get this case as early as next Tuesday. In a civil case the decision does not have to be unanimous. 6 of the 8 jurors must be in agreement to reach a verdict.

*Copyright KOLO-TV 2019*

Get the latest updates from [kolotv.com](http://kolotv.com) delivered to your browser

# Problem Plastic: Investigating Microplastic Pollution in Nevada's Waterways

Even the tiniest pieces of plastic are a big pollution problem.

**Microplastics** are plastic pieces ranging in size from 5mm to microscopic particles, in other words, the size of a pencil's eraser or smaller. They come from a variety of sources, including the breakdown of larger products like single-use plastic bottles and from the microbeads in products like facewash and toothpaste.



A collection of marine debris including microplastics. Credit: NOAA Marine Debris Program/Flickr.

The extent of microplastic pollution is only just beginning to be understood, with researchers discovering the tiny plastic pieces everywhere from [the air we breathe](#) to [the deep ocean](#). Because microplastics are durable, insoluble, and potentially toxic, they could pose threat to natural ecosystems and human health. But to determine the impact of microplastic pollution, researchers must first understand just how much tiny plastic is out there and where it's coming from.

DRI's Monica Arienzo, Zoe Harrold, Meghan Collins, Xuelian Bai, and University of Nevada, Reno undergraduate Julia Davidson are exploring these questions in two bodies of freshwater in Nevada: Lake Tahoe and the Las Vegas Wash.

“There has been a lot of work done to understand how much microplastic is in marine environments, but there have been far fewer studies in freshwater, and far fewer even in alpine lakes,” explained Collins, Education Program Manager at DRI. “This study is really well placed to identify what microplastics may be in the water, their sources, and their characteristics.”

The research team is collecting samples from four different sites in Las Vegas—one in Lake Mead and three in the Las Vegas Wash—and six sites in Lake Tahoe. Sites were selected to include areas both high and low human activity, like the Tahoe Keys with significant boat traffic and Emerald Bay State Park where human impact is low. Additional sampling was also conducted at three stormwater outfalls into Lake Tahoe in collaboration with the League to Save Lake Tahoe’s [Pipe Keepers citizen science program](#).



The research team sets up the pump and filter system at Lake Tahoe’s Emerald Bay State Park in May 2019.

“The sampling methods we’re using are unique,” said Arienzo, assistant research professor and project lead. “Past studies collected samples by trailing a large net from a boat or standing with it in a moving stream. Our approach is to sample and filter water in the field for microplastics using a pump, which allows us to filter upwards of 15 gallons of water in locations with still water and in places where boat access is limited.”

“Plus, we don’t have to haul netting around or carry the samples back to the lab—everything we need fits into a backpack, which makes sampling in remote and hard to access locations more feasible,” Arienzo added.

To make this novel method work, researchers place a stake with a funnel clipped to it about 20 feet from the water’s edge. The funnel, positioned on the surface of the water, is connected to tubing that runs back to the pump on shore, which draws water through the tubing and over a series of filters which can capture particles of different sizes.



Tubing runs into the column of filters, which capture particles at three different sizes as water flows through.

Sampling in all locations took place throughout the spring, and now the team is set to process and analyze the samples over the summer.

“To isolate the plastic pieces, we first have to get rid of all the organics, and we’re going to do that by oxidizing them,” explained Harrold, assistant research scientist in DRI’s Division of Earth and Ecosystem Sciences. “It’s a delicate balance between getting rid of the bugs and twigs and whatever else has ended up in there and not dissolving your plastics.”

Once the team oxidizes the organic particles left behind on the filters, they’ll separate the plastics from any remaining sediment using a high-density liquid separation method which will cause the sediments will settle to the bottom while plastics will float to the top.

From there, the team will begin identifying the different kinds of plastic pieces they find. The type of plastic, its size and shape, and the location where it was collected all provide clues about where it may have come from—for example, a nylon fiber may have come from the breakdown of synthetic clothing, and a piece of Styrofoam could have come from a single-use cup.

However, making determinations about where individual pieces of microplastic originate is far from straightforward.

“We’re only discovering more sources of microplastics,” explained Harrold. “Recent studies have shown that microplastics can be transported through the atmosphere, so though some of what we find might be coming from local sources, the pollution could also be coming from a factory manufacturing plastic on the other side of the world. We just don’t know.”





Harrold removes a filter from the sampling instrument to bring it back to the lab for analysis.

While it's daunting that there's so much still unknown about this increasingly problematic pollutant, the research team also finds it exciting.

"This is the second study ever to be done on microplastics in Lake Tahoe," said Arienzo. "It's amazing to be a part of advancing the science in this new area of study."

The team hopes that this work will contribute to a foundation of scientific information about the extent of microplastics pollution in Nevada freshwater so that scientists will be able to better identify the sources of microplastic, potential harmful effects to plant and animal life, and ways to remove it from the environment.



From left: Harrold, Arienzo, Collins, Davidson, and Bai after sampling at Emerald Bay in May 2019.

Funding for this project came from the DRI Foundation's Innovation Research Program (IRP), which is designed to support DRI faculty and staff as they pursue their very best ideas. The IRP is funded by individual contributions from science enthusiasts like you—if you'd like to donate to the IRP and help make projects like this one possible, please visit:

<http://www.dri.edu/foundation/innovation-research-program>.

# Rate increases allow city to establish water and sewer reserves

Amy Alonzo, Fernley Leader-Courier\

Published 12:08 p.m. PT June 20, 2019

A decade after its water and sewer treatment plant opened, the city of Fernley is in a position to establish water and sewer reserve funds.

Fernley City Council on Wednesday voted to establish water and sewer fund reserves, ensuring funding is available for operating, capital, capacity and emergency purposes.

The goal is to put aside a total of \$39.9 million in water reserve funds and \$21.1 million for sewer. This would cover nine months of budgeted expenses for operating problems, with additional funds set aside for capital projects. It would also set aside 5 percent of the infrastructure's worth for emergency situations and put all connection fees since July 2017 into a capacity reserve.

In 2016, a study prepared by Hansford Economic Consulting found the city would need \$20 million for major water improvements between 2017 and 2021. These projects include constructing a new water storage tank at a cost of about \$2.5 million and constructing a water line to an isolated part of the city that currently has only one line at a cost of up to \$15 million. The city faced similar challenges with its sewer fund.

But, the city had no money set aside for those projects.

The city experienced more than \$1 million in operating losses annually from 2012 to 2016 just for water services.

To address those issues, the council approved an increase in water and sewer rates in 2016, and the rate hikes took effect in 2017. Rates were increased to keep the enterprise funds in the black, to continue operations and save for capital replacement. With the rate hike kicking in during 2017, the city broke even on its water and sewer funds and brought in revenue in 2018.

In 2017, base water rates for domestic users increased from \$233 annually to \$521, while estimated annual treated water usage charges increased from \$373 to \$368 for customers who use 10,000 gallons per month. Sewer rates increased from \$264 annually for a single-family home to \$385. Rates continue to increase 3 percent annually.

With the rate increases, the city now has about \$7 million for water capital projects and is estimated to have \$14.8 million by 2021.

"Raising rates was the right thing to do. The city is now covering its operating costs and cash balances are increasing," Finance Director Denise Lewis said in a presentation to the city council. "The reserve plan being proposed is all about savings for the enterprise funds and planning for the future – something the city has never been in a position to do.

"Staff also recommends continuing with annual increases until which time reserve targets are met since it is very important to move forward in order to meet those reserve targets."

Creation of the reserves "is a key component to keeping our utility company up and going forward," Mayor Roy Edgington said. "It's important everyone understand the importance of this."

The city opened the Fernley Water Treatment Facility in 2009. The \$65 million project produces four to six million gallons per day with capacity of 20 million gallons per day.

Amy Alonzo covers Mason Valley and rural Nevada. [See her work right here.](#) [Here's how you can support local journalism.](#)

# City to Hire Third Party to Take Over Smart Water Meter Program

Decision comes after audit finds mismanagement, staffing shortages, and millions in cost overruns.

By [Sophia McCullough](#) and [Dorian Hargrove](#)

Published Jul 12, 2019 at 4:26 PM | Updated at 4:37 PM PDT on Jul 12, 2019



After years of delays, and millions in cost overruns, San Diego will hire a third-party company to take over the city's troubled conversion to smart water meters.

The announcement was made after the city auditor released [a new report highlighting](#) management and staffing issues inside the city's water department.

The City of San Diego launched its conversion to smart water meters in July of 2012 with a completion date of December 2017. But shortly after launching, numerous delays occurred due to a lack of oversight, staffing shortages, and performance issues with the meters.

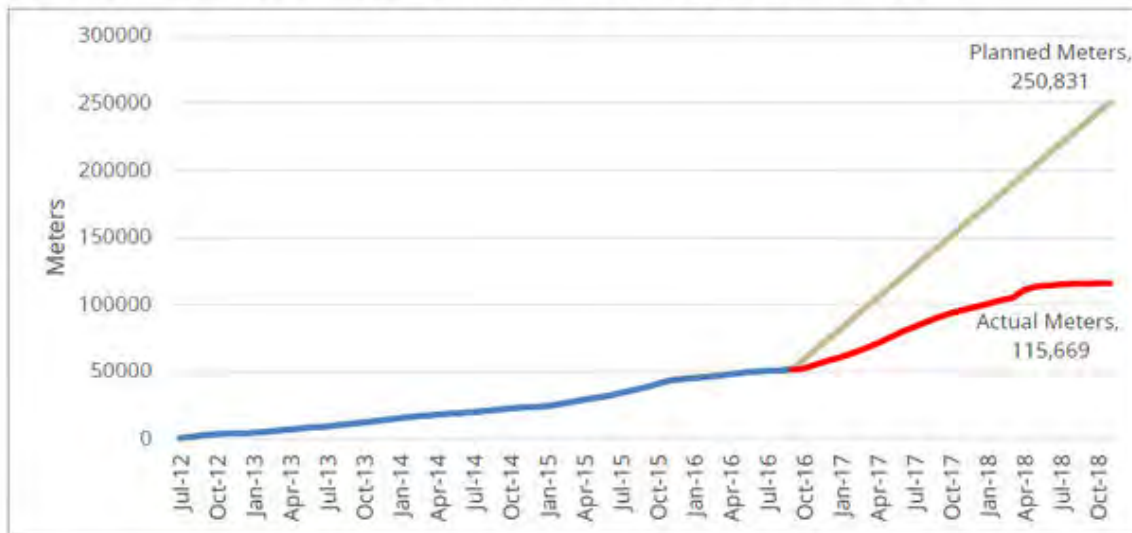
Currently only six percent of San Diego customers have smart water meters installed and the program is now \$16 million over budget.

Senior Director of Communications Craig Gustafson says the city “fully intends to identify and select, through a proposal process, a third party to install and deploy smart meters across the city.”



**Exhibit 11:**

**PUD Replaced far Fewer Meters Than Planned During Implementation**



Note: The blue and red lines on the graph reflect actual meter installations through November 1, 2018. Therefore, the planned number of meters (250,831) is less than the total number of meters Citywide (281,493) because PUD did not anticipate completing all meter replacements until March 2019.

Source: Auditor generated from PUD data. Planned installations calculated from 30-month estimate used in September 2016 to create budget for labor funds request.

Photo credit: City of San Diego

An outside company will now be tasked with completing the conversion of more than 165,000 water meters from manual-read to wireless.

“I asked for this independent review to determine how we can better serve our customers and ensure the accuracy of their water bills,” said Mayor Faulconer in a July 11 statement.

“The audit recommendations show there is significant room for improvement and I’ve directed staff to fully implement those changes in addition to dozens of other operational reforms made over the past year to improve customer service in the water department.”

The city will begin reviewing proposals from private contractors in the coming months.

# California earthquakes spur preparedness in Nevada

By [Ben Deach](#) |

Posted: Tue 4:26 PM, Jul 09, 2019 |

Updated: Wed 11:23 AM, Jul 10, 2019

**RENO, NV (KOLO)** From food, water, gear, and something to put it all in – there's one place in Reno whose business it is to prepare you for the worst case scenario.



"I've met with the FEMA people before and they don't have enough supplies for 500,000 people," said Paul Lessard, "so we encourage families to be ready."

Lessard is a product specialist at [Prep and Save](#), a survival store. He says several things have been bringing people in lately, and that includes the [Argenta Hall explosion](#) at UNR.

"I guess in schools they don't teach them about that rotten egg smell, so they get the gas shut-off tools like we sell here," he explained.

The [earthquakes that have rocked Southern California](#) have also been bringing people in.

"With earthquakes it can be from minor to severe so they don't know what they need," Lessard explained. "They have to get water because the water lines are gonna break, and they have to get food because the roads are gonna be impassible and the have to stay at their house and cook what they have."

Lessard says the hottest seller of late has been a 72-hour food kit. It's the size of a small lunch box, and it gives you enough food for three days, and can last 25 years.

And it's clear that the business of being prepared has been successful, as Prep & Save recently relocated from a small out-of-the-way store in Sparks to a bigger and busier location across from the Peppermill.

*Copyright KOLO-TV 2019*

Get the latest updates from [kolotv.com](http://kolotv.com) delivered to your browser



Days I never forget are...



## **Lake Tahoe is getting very high after spring and summer snowmelt continues to fill it, and soon officials will begin releasing water into the Truckee River.**

Beaches around Tahoe this summer are especially tight as the lake level is nearing its legal limit of 6,229.1 feet above sea level. As the East Bay Times reports, that water release is likely to begin this weekend at Tahoe Dam, which is in Tahoe City.

Dave Wathen, deputy water master for Lake Tahoe, tells the paper, "There were big beaches at lower water levels. Sand Harbor Beach near Incline Village is a very big beach. A lot of people could fit on it. Now, it's tighter. It's drastically different."

As ABC 7 notes, Lake Tahoe is now eight feet higher than it was in 2016, at the end of the drought.

Higher water levels mean higher boat docks as well, and some soil erosion in certain parts of the shoreline.

The legal height limit for the lake was set in 1935 following years of court battles that were spawned by an especially snowy winter in 1907 that also caused a dramatic rise in the lake's level — flooding many homes and businesses.

Tahoe's famous clarity also improved dramatically in the last two years, going up by ten feet in the last clarity test.

# Carson City Board of Supervisors to look at state agreement to purchase water from Marlette Lake

Carson City | July 15,  
2019

Anne  
Knowles

aknowles@nevadaappeal.co



## IF YOU GO

What: Board of Supervisors meeting

When: 8:30 a.m. Thursday, July 18

Where: Sierra Room, Community Center, 851 E. William St.

Agenda: <https://carson.org/home/showdocument?id=66687>

The Board of Supervisors on Thursday will vote whether to approve a two-year agreement with the state of Nevada to purchase water from the Marlette Lake water system.

Carson City's previous contract with the state expired five years ago, although the city continued to purchase Marlette Lake system water until about a year and a half ago when the city said the water could no longer be treated to drinking water standards. After that, the state, looking to make up for the drop in revenue, began talking to Truckee Meadows Water Authority about a possible deal, but those talks ended after the recent legislative session when money was allocated in the state budget to make up the water system's shortfall.



That led Carson City and the state to open negotiations on a short-term deal while they continue to work on a new longer-term contract.

The two-year agreement the board will vote on calls for the city to pay the ongoing debt service on bonds, about \$50,000 monthly; a monthly charge of \$12,099 for operations and maintenance; and 75 cents per thousand gallons for raw water.

The board will also consider an amended collective bargaining agreement with the Carson City Sheriff's Supervisory Association on behalf of the Carson City Sheriff's lieutenants/captains.

The amendment, which would retroactively start July 1 and go through June 30, 2024, makes changes to holiday pay, annual leave, uniform allowance and pay rates based on a new multi-tiered step system.

The supervisors will vote on two recommendations from the Planning Commission, a tentative map for the 103-lot single family subdivision on Lompa Ranch south of 5th Street, and the annual growth management ordinance.

The supervisors will take action on a joinder contract through the state for fuel. The contract, not to exceed \$1,051,424, is with Inter-State Oil Company, Carson Valley Oil, Co., and Flyers Energy, LLC, for bulk fuel and delivery services.

And the board will vote to appoint Adriana Fralick, deputy city manager, the acting public guardian until a new public guardian can be hired. The current guardian resigned as of July 18.

The Board of Supervisors meets at 8:30 a.m. in the Sierra Room, Community Center, 851 E. William St.

Oregon State University researchers have developed a new computer model for calculating the water content of snowpacks, providing an important tool for water resource managers and avalanche forecasters as well as scientists.

"In many places around the world, snow is a critical component of the hydrological cycle," said OSU civil engineering professor David Hill. "Directly measuring snow-water equivalent is difficult and expensive and can't be done everywhere. But information about snow depth is much easier to get, so our model, which more accurately estimates snow-water equivalent from snow depth than earlier models, is a big step forward."

The findings, published in *The Cryosphere*, are related to a NASA-funded snow depth project co-led by Hill and also involving Oregon State Ph.D. student Ryan Crumley.

The project is called Community Snow Observations and is part of NASA's Citizen Science for Earth Systems program. Snowshoers, backcountry skiers and snow-machine users are gathering data to use in computer modeling of snow-water equivalent, or SWE.

The Community Snow Observations research team kicked off in February 2017. Led by Hill, Gabe Wolken of the University of Alaska Fairbanks and Anthony Arendt of the University of Washington, the project originally focused on Alaskan snowpacks. Researchers then started recruiting citizen scientists in the Pacific Northwest. Currently, the project has more than 2,000 participants.

The University of Alaska Fairbanks has spearheaded the public involvement aspect of the project, while the University of Washington's chief role is managing the data. Hill and Crumley are responsible for the modeling.

In addition to snow depth information collected and uploaded by recreationists using avalanche probes, vast amounts of data are also available thanks to LIDAR, a remote sensing method that uses a pulsed laser to map the Earth's topography.

The new model developed by the Community Snow Observations team and collaborators at the University of New Hampshire calculates snow-water equivalent by factoring in snow depth, time of year, 30-year averages (normals) of winter precipitation, and seasonal differences between warm and cold temperatures.

"Using those climate normals rather than daily weather data allows our model to provide SWE estimates for areas far from any weather station," Hill said.

Researchers validated the model against a database of snow pillow measurements -- a snow pillow measures snow-water equivalents via the pressure exerted by the snow atop it -- as well as a pair of large independent data sets, one from western North America, the other from the northeastern United States.

"We also compared the model against three other models of varying degrees of complexity built in a variety of geographic regions," Hill said. "The results show our model performed better than all of them against the validation data sets. It's an effective, easy-to-use means of estimation very useful for vast areas lacking weather instrumentation -- areas for which snow depth data are readily available and daily weather data aren't."

#### **Story Source:**

[Materials](#) provided by [Oregon State University](#). Original written by Steve Lundeberg. *Note: Content may be edited for style and length.*

# Invasive mussel threat on the rise at Ruedi, other Colorado reservoirs

[Local](#) | July 13, 2019

Scott Condon  
The Aspen Times



**An employee of Colorado Parks and Wildlife decontaminates a boat at Navajo State Park in southwestern Colorado in June 2018. An inspection showed it was carrying mussels.**

*Colorado Parks and Wildlife*

TO LEARN MORE

Go to <https://cpw.state.co.us/thingstodo/Pages/Boat.aspx> to learn about the threat of invasive mussels and how to prevent their spread.

Ruedi Reservoir and other Colorado waterways are facing an increased threat of infestation by invasive mussels that could interfere with the function of dams and irrigation systems and harm native fish, according to state and local authorities.

It's not an issue that can be taken lightly, Colorado Parks and Wildlife says, because operators of reservoirs might be forced to close them to boating to protect their infrastructure.

At a statewide level, inspectors have intercepted 51 boats infested with mussels this year — equaling the total for all of last year.

The numbers are also up at Ruedi Reservoir where inspectors intercepted four boats in June and decontaminated them, according to April Long, executive director of the Ruedi Water and Power Authority. No mussels were detected at Ruedi Reservoir prior to 2018, when two craft were intercepted and decontaminated. Once clean, they are allowed to enter the water.

"The numbers show this is an increasing threat." — April Long, Ruedi Water and Power Authority

"The numbers show this is an increasing threat," Long said.

All four boats intercepted this year came from Ruedi from Lake Powell, which has been infested with mussels for several years, according to Long.

In all cases, the boats were carrying Quagga Mussels, a small shellfish native to Eurasia that was inadvertently transported to North America by cargo vessels in the late 1980s.

Long said the shellfish pose a threat to all infrastructure at Ruedi — particularly the mechanical system used at the power and water authority's hydroelectric plant beneath the dam and the mechanism the U.S. Bureau of Reclamation uses to control flows.

The shellfish reproduce rapidly and attach themselves to any surface in still water. They do not pose a threat in rivers and other running water, according to CPW officials. However, they could ruin the fishing at Ruedi. They consume plankton and disrupt the food web. They out-compete sport fish and native fish, according to the wildlife service.

Boats are supposed to be inspected when they leave Lake Powell, but inspection stations are regularly overwhelmed so some boat owners sneak through. Boaters are also supposed to clear, drain and dry their craft in between uses but that doesn't always happen. Mussels can also be found on paddleboards and canoes that have been in Powell. That poses an even greater danger that they could end up in Colorado waterways where inspections aren't undertaken.

At Ruedi, the aquatic nuisance species program began in 2008 but was not fully implemented until last year, when enough funding was secured to provide inspectors at the main ramp for extended hours.

The concessionaire that runs the campgrounds at Ruedi — Rocky Mountain Recreation Co. — runs the inspection program under contract to Ruedi Water and Power Authority. Several parties contribute funds to the program.

All boats entering and leaving the reservoir must be inspected. The main boat ramp is open from 6 a.m. to 10 p.m. during July, which is the busiest month at Ruedi. The ramp is closed to all boat traffic when inspectors are not on site.

"We've had our lock broken this year and it's happened in the past," Long said.

She thinks it is more a case of people wanting access during off-hours rather than opposition to the inspection program. Nevertheless, scofflaws could end up getting Ruedi infested with mussels, she said.

Colorado Parks and Wildlife said this would be a record for the number of boats intercepted with mussels statewide. Since the invasive species became an issue, more than 200 vessels with confirmed mussel infestations have been intercepted and decontaminated.

[scondon@aspentimes.com](mailto:scondon@aspentimes.com)

## TMWA Water Quality Report is Now Available

Posted on July 8, 2019

Every year Truckee Meadows Water Authority releases a Water Quality Report, as required by the Environmental Protection Agency (EPA). The report, which is based on data collected in the 2018 calendar year, contains information about the source of TMWA's drinking water, and how it compares to drinking water standards established by the EPA. The Water Quality Report is now available online at [tmwa.com/quality2019](http://tmwa.com/quality2019). You can also look up specific water quality information about your neighborhood by using the online map-based reference tool, which provides the latest water quality data by geographic location.

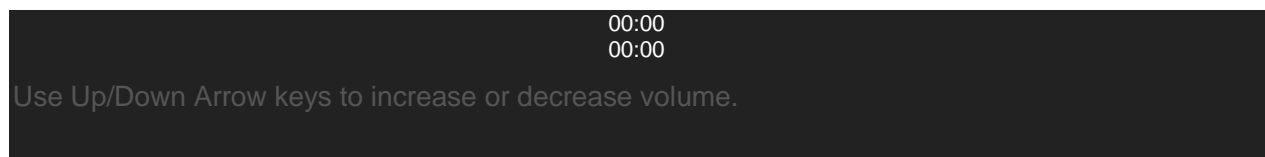
Filed Under: [KOH Local News](#)

## Get a Green Lawn Without The Waste

Posted on July 25, 2019

Even when we have a big winter, and the reservoirs are full, being water smart is still important. The people at Truckee Meadows Water Authority have tips on getting a nice green lawn, without waste.

Audio Player: [Link to audio of interview with Laine Christman](#)



Filed Under: [KOH Local News](#)



# Sign of the times for Lemmon Valley residents

By [Terri Russell](#) |

Posted: Fri 6:17 PM, Jul 26, 2019 |

Updated: Fri 6:41 PM, Jul 26, 2019

**LEMMON VALLEY, NV (KOLO)** The walk down a trail off of Compton Street in Lemmon Valley is wet and sticky.



The smell is that of sewage, a man whole cover confirms your worst suspicions.

And then after about 5 minutes you see this sign.

"No Trespassing. Waste Water Effluent. Do Not Drink. Avoid Contact."

"This water drains down into the aquifer," says Robert Ross, a Lemmon Valley resident. "I drink from and I take a shower from. And now all of a sudden it is not safe anymore. Most everyone out here is on the same well. They are drinking the same water that filters down through the ground. They are driving by. When it gets windy, the mist picks up and hits our houses. I think everyone would be afraid," says Ross.

The sign is located outside the Lemmon Valley sewer treatment plant which has been impacted by floodwaters as well as the effluent from the Reno Stead Water Treatment Plant.

That plant is west of the sign location.

The county says the signs are required. But the sign is also located very near the elementary school.

Last March residents spent their own money to test the water in several locations around Lemmon Valley, including a spot about 800 yards from the trail and sign.

While tests showed no unsafe levels of chemical or organic materials in the water then, and not all contaminants were tested for--the heat and what residents say continued dumping of waste water into Swan Lake has further degraded the area.

Look at it today, and you'd most likely disagree with a school district representative who said he'd let his kids play in the water.

Residents say they've been told by the county the water is of recreational quality.

We've yet to meet a resident who wants to take a dip.

Get the latest updates from [kolotv.com](http://kolotv.com) delivered to your browser

# Why Have Truckee River Levels Been so Low that Rafting Companies Aren't Running Yet Lake Tahoe is at Capacity?

By  
Becca Loux

-  
July 26, 2019  
0

**Readers want to know why Tahoe is full, yet such a low flow has been released to the Truckee River recently. How are the release amounts decided and when will the Truckee be full enough for rafting companies to open?**

In big years we fill the lake, and now we're basically full. When we have enough water to fill Tahoe, we're required to fill Tahoe. It's our biggest storage reservoir on the system and our main water supply. Early on you might have noticed that the release [of water from Lake Tahoe into the Truckee River] was pretty high and that's because we had more volume up there in the snow pack than we had space for in the reservoir, so we had to manage the release in such a way to control the level and prevent it from exceeding what we call the legal limit. In order to do that we had to actually spill a lot of water for a pretty good period of time.

We started spilling water out of the lake in February this year, and we continued spill releases all the way up until a couple of weeks ago. We had way too much water up there and not enough space in the lake. We were releasing close to 2,000 CFS (cubic feet/second) into the Truckee at one point early on in the year, and then we've slowly tapered that as the runoff began to taper down. By July 1, we were releasing roughly 215 CFS, because the inflow was dropping off and we were still trying to fill the lake. We were trying to release enough to prevent it from overflowing, but also capture enough inflow to fill the lake; by July 10, we had cut the release to the required minimum of 70 CFS. Inflow and losses from evaporation had reached a point where they were controlling the lake and so we didn't need to make extra releases or level-control releases to prevent it from exceeding its upper legal limit.

We started making releases to meet our demand yesterday. We went up to 100 CFS July 24, and July 25 we went up to 150 CFS, so we're gradually starting to make higher releases which will help the rafters because we have a demand for that water. We were down to the minimum because we didn't have a demand for any water to meet our targets downstream. Seventy CFS isn't enough water for the rafting companies to operate. If we don't have a demand, we can't release water; we can't waste water.



*[Editor's Note: The demand is comprised of municipal, industrial, and agricultural water rights; recreational pursuits such as rafting are not a part of that].*

In the last couple of days, the natural flow in the river is dropping off to the point where we're starting to supplement that flow with stored water. If all things go as we're expecting, we potentially will go up another 50 tomorrow, so we might be at a flow where the rafting companies can operate by as early as tomorrow. It's all dictated by our demands and the natural flow. We have a certain demand every day and we call that the Floriston rate. In the summertime, that's 500 CFS, measured in the river down at the California/Nevada state line at a gauge in the river. We call it the Farad gauge; that's where we measure our target flow. We're starting to release a little more each day to meet that demand as natural flow drops. If everything goes as it has been the last couple of days, we could be up to about 200 if the river does what we think it's gonna do. You can't control it.

Tahoe is a little unique because it's so big, with such a huge surface area and a lot of water, so if we had a really dry year and we came into the winter with low water levels, we could have a pretty big year and still not fill the lake. This year, we came in fairly high, we were just in a good spot because 2017 was a really big year and 2018 was about an average year. We came into the season with adequate storage but then we had a big water year so that forced us to spill a lot of water and we were easily able to fill. It's not record levels by any means, it's just what happens when we have a wet year.

This was the third year in a row that we filled Tahoe, and we haven't seen that since '98, '99, and 2000. So it's not a record but it's been 20 years since we've seen that. And the big difference between this year and last year is that last year we filled early. It wasn't necessarily a really wet year but when you have a lower snow pack, runoff melts out earlier. We needed water from storage earlier and it wasn't such an impact on those recreators like rafting companies. By the time they were really geared up and ready to go in the heat of the summer, we were already releasing quite a bit of water and it was a great rafting year. This year is different because we filled so late and we don't need water until now and here we are nearing the end of July. Basically, we're about a month into their season and they really haven't had much, if any, rafting.

The way we release water is spelled out clearly in our operating rules, part of our federal decree. We have to meet certain demands, but if we don't need the water, we can't just release it for recreational need unless they had a water right. They're enjoying the benefits of the flows that occur, but they can't really say "hey, release 200 because we want to go rafting!" We are in contact with those companies every day, and they understand how the system works and that these types of years it's tough because we have to wait until the natural flow gets down to where we need the water.



ONCE A TRICKLE, NOW A FLOW: Between July 10 and 24, the water master's office was allowing for only the legal minimum, 70 cubic feet per second, to be released from Lake Tahoe into the Truckee River each day. Since July 24, the release has been ramped up as natural flow downstream has diminished to the point where more water from Tahoe is needed to flow into the Truckee to meet target demands for municipal, agricultural, and industrial water rights. Image courtesy USGS  
~ Dave Wathen, chief deputy water master (US District Court Water Master's Office)

# How AI and data turn city water management from an art to a science

More cities are looking to drones and other equipment for preventive maintenance, but it is uphill work in a sector that has traditionally resisted change.



(Credit: Adeline Kon/Industry Dive )

## AUTHOR

[Chris Teale@chris\\_teale](mailto:Chris.Teale@chris_teale)

## PUBLISHED

July 29, 2019

In the face of futuristic urban change, water has been described as one of the least-disrupted municipal systems, despite its importance for survival.

The vast majority of water infrastructure in the United States is at least 50 years old, and with that age comes issues including leaks and poor water quality among others. The American Society of Civil Engineers (ASCE) estimates there are 240,000 water main breaks nationwide each year, while a News21 investigation in 2017 found that 63 million people have been exposed to unsafe drinking water. These troubling statistics are due in part to the deterioration of water infrastructure.



**Is Your Mobility Data Working for You? Why a New Approach Is Imperative**

Data is a key component of any city's plan to improve urban mobility. But most approaches to using data to solve big mobility issues are woefully outdated. Learn why adopting an "ecosystem approach" is critical in 21st-century cities.

### **Learn More**

Some cities, like Akron, OH and Washington, DC, have turned to drones, robots and automated systems to move water management into a new era — but this is not the norm. Jeff Bronowski, Akron's water bureau manager, said more people in the water sector need to be made aware of the benefits of new technologies.

"I think the industry as a whole, there needs to be a lot more awareness as to the value of these technologies and the higher quality water that can be provided to customers when you have all this information available to you," Bronowski told Smart Cities Dive.

## **The state of water systems**

Like much of America's core infrastructure, current water systems have received a failing grade from industry experts. In its 2017 report card on the sector, the ASCE graded drinking water infrastructure a "D" and wastewater a "D+." The group said there are around 240,000 water main breaks a year, wasting over 2 trillion gallons of treated drinking water.

The American Water Works Association believes an estimated \$1 trillion is needed to maintain and expand service to meet water demand for the next 25 years.

**"If you use sensors and can detect that potential fracture before it ever occurs, it's cheaper to fix, you've not wasted a lot of water, you've not disrupted a city and you've taken care of a problem before it actually occurs."**

Kim Nelson

*Executive director, state and local government solutions, Microsoft*

Digital technology could help ease that backlog of maintenance and move the sector forward, according to a white paper released in June by the International Water Association (IWA) and water technology company Xylem. The report urges leaders in the water sector to think boldly about how they can use digital tools, and the impact it could have.

That includes calling on water companies to create an "innovation culture" that encourages staff at all levels to find technological solutions; build consensus and a business strategy for how technology will be implemented; and develop a way to manage data that is collected in the field and use it to optimize business processes.

Katharine Cross, strategic programs manager at the IWA and a co-author of the report, told Smart Cities Dive that while the water sector has a reputation for conservatism — due to needing to minimize the risk of damaging water supplies — using technology could be key to addressing sustainability, resilience, and even behavioral and cultural issues.

## Water Rescue Near Chalk Bluff Diversion Dam

Rescue crews performed a water rescue near the Chalk Bluff Diversion Dam at the Truckee River. Officials say a family was going down river and their raft flipped over. Most of the family got to shore but one person was swept downstream.

Wednesday, July 31st 2019, 11:26 PM PDT  
Updated:  
Wednesday, July 31st 2019, 11:28 PM PDT



On Wednesday, rescue crews performed a water rescue near the Chalk Bluff Diversion Dam at the Truckee River.

Officials say a family was going down river and their raft flipped over.

Most of the family got to shore but one person was swept downstream.

Follow this story to get email or text alerts from **KTVN** when there is a future article following this storyline.

Officials say the woman who was swept away was not hurt. She made it to shore but crews helped pull her out.

Crews are reuniting the family and say they did the right thing in calling 9-1-1 immediately. "It's easier to rescue one person than it is multiple," said Derek Reid from the Truckee Meadows Fire Protection district.

Officials want to remind everyone that while river levels are back to lower levels, it's still important to be safe.

People should still wear a life jacket and set up a plan in case they get separated from friends.



# one truckee river

SUMMER 2019



one truckee  river | **Month**  
Celebrate  
your river

**Thank you to Renown Health for sponsoring the  
second annual One Truckee River Month!**

In 2019, **103 events**, as well as two month-long events, were hosted by One Truckee River and numerous businesses, organizations, and agencies throughout the Truckee River watershed.

**14,547 attendees** enjoyed events during One Truckee River Month. This number is based on counts from our multiple event hosts who have responded to our survey thus far.

That's an **88.92% increase in attendees** and **24.14 %increase in events** from 2018. Additionally, 50% of 2019's events were unique events.



**RIVER EVENTS ARE STILL HAPPENING  
HERE!**



### HOW DO YOU ENJOY NATURE?

One Truckee River and [Truckee Meadows Tomorrow](#) are partnering together to understand how the Truckee Meadows community utilizes the Truckee River. Do you spend time along it? How? What would you like to see more of in the river's parks and greenbelts? [Share your thoughts!](#)





## RIVER RESTROOM PROGRESS

With a long-term goal of providing approximately nine public restrooms on the 114-mile Tahoe Pyramid Trail, the River Restroom Project is beginning to get traction with the planned installation of a new public restroom at Reno's Brodhead Park. Recognizing potential economic, environmental and health benefits for users of the trail, Renown Health and Truckee Meadows Water Authority are working together to explore options to support this initiative. More news to come in the near future on this OTR priority action item.



## A FLOATER'S GUIDE TO CARING FOR THE TRUCKEE

For many people, this will mean swimming and floating on the Truckee to cool down on those hot summer days. However, as much fun as it is to make the most of our incredible river, it is essential to consider your safety and the river's health before you go. [Read our tips here!](#)

## INTERESTED IN RIVER-FRIENDLY LANDSCAPING?

CHECK OUT OUR EDUCATIONAL BLOG SERIES



One Truckee River (OTR) works to ensure a healthy, thriving, sustainable river connected to the hearts and minds of its community. The One Truckee River Management Plan guides the coordinated management, protection, and stewardship for the Truckee River across all jurisdictional boundaries and sectors.

This email was sent to [marlene@goodstandingoutreach.com](mailto:marlene@goodstandingoutreach.com)

[why did I get this?](#) [unsubscribe from this list](#) [update subscription preferences](#)

One Truckee River • PO Box 20288 • Reno • Nevada • 89515

<http://www.onetruckeeriver.org>



[Click here to view the online version.](#)

# Lake Tahoe Water Wars, Part I

By  
Mark McLaughlin  
-  
July 31, 2019



Running logs down Truckee River. | Courtesy North Lake Tahoe Historical Society

After his short stint in Nevada Territory writing for the Virginia City Daily Territorial Enterprise, humorist Mark Twain was credited with saying, "Whiskey is for drinking. Water is for fighting over." The quote hasn't been verified, but it fits Twain's clever wit and sharp sense of observation.

Water is indeed the most precious natural resource in the arid West and from that perspective it should come as no surprise that water-rights issues on Lake Tahoe and Truckee River have been at the center of negotiation and controversy since pioneers first settled the region.

Only 20 years after topographical engineer John C. Frémont first saw Lake Tahoe in 1844, there were already plenty of entrepreneurs scheming how to exploit the waters of this spectacular mountain lake. The most ambitious of **these early diversion plans included transporting water to Carson City and Virginia City, Nev.; to the gold diggings of western Placer County and even to San Francisco.** Although these mammoth public-works projects failed to gain sufficient popular, political and economic support, by the early 20th Century Lake Tahoe had been tapped as the primary reservoir for irrigation and municipal water use in western Nevada.

In 1870, engineer Alexis von Schmidt oversaw construction of a small dam a short distance below the headwaters of the Truckee River (Lake Tahoe's only outlet) to create water storage for his proposed grand aqueduct to San Francisco. The rock-filled timber-crib dam raised the level of the lake, but Von Schmidt's project fizzled due to suspicion of its financial cost by San Francisco residents, as well as fierce local resistance in Truckee and particularly by western Nevada. Meanwhile the California legislature authorized the Donner Boom and Logging Company, a subsidiary of the Central Pacific Railroad, to take control of the dam. The company regulated, for a fee, water flow to float logs to the sawmills in Truckee and later for power generation. The Tahoe dam was trouble from the start. Water impounded for log fluming caused flooding along shoreline owned by wealthy and politically influential, lakefront property owners. The original dam was later enlarged when Truckee River General Electric Company acquired ownership to provide a steady, year-round water source for hydroelectric power plants along the river. Based on this seemingly reliable and inexpensive energy source, various entrepreneurs built processing and manufacturing plants along the Truckee River.

To maintain a year-round minimum flow, the company raised water levels in the Tahoe Basin, again drawing heated protests from lakeshore owners complaining about soil erosion and the impact on their piers, boathouses and beaches. Ongoing shoreline erosion due to enhanced water levels is still a major issue at Lake Tahoe since sediment loading into the lake introduces nutrients that feed and algae that reduces water clarity.

Bi-state bickering over the allocation of Lake Tahoe water continued until 1890 when a well-connected attorney and soon-to-be congressman Francis G. Newlands proposed a network of reservoirs in the Sierra to serve the future development of western Nevada. According to Newlands, Tahoe afforded the "cheapest reservoir space in the West." Newlands' radical ideas and bold rhetoric concerning the appropriation of Lake Tahoe water for agricultural expansion in Nevada — the driest state in the nation — upset California residents and politicians.

Immediately after his election to the U.S. Senate, Newlands sponsored a measure through which the federal government would provide water for irrigation in arid regions throughout the West. President William McKinley had not supported the proposal, but after his assassination in September 1901, vice president Teddy Roosevelt took over.

Roosevelt liked the idea and signaled his approval for the legislation. Shortly after, he signed the 1902 Reclamation Act. Since Sen. Newlands had crafted the bill, his district was rewarded with the first reclamation project. This bi-state venture was the precursor to future western water storage mega-projects like the Hoover, Glen Canyon and Oroville dams. In 1903, the Department of the Interior notified California and Nevada officials that the federal government would be assuming the right to control the water stored in Lake Tahoe behind the dam. Sen. Newlands had upped the ante in the battle over Tahoe water.

In 1903, the first major effort under the Reclamation Act, the Federal Newlands Reclamation Project, broke ground in western Nevada with the goal of transforming Lahontan Valley desert into farmland. The area receives about 4 inches of precipitation annually. By 1905, the Derby Diversion Dam was in place east of Reno diverting Truckee River water into a 32-mile-long canal that nourished newly established farms near Fallon in the Lahontan Valley and supplemented flow in the lower Carson River. Despite the massive irrigation project, everyone was assured that there would be plenty of water available for all users on the Truckee River system.

Unfortunately, the engineers who planned the Newlands Irrigation Project miscalculated and overestimated the reliability of the Truckee River water supply. Highly erratic periods of precipitation and river flows combined with limited upstream storage failed to accommodate extreme periods of drought. Angry farmers who had been lured to the project rebelled over water shortages during the growing season.

To address concerns by the Pyramid Lake Paiute Indian Tribe located downstream of the Derby Dam, a U.S. government treaty promised the Paiute Indians enough water to maintain their historic fishery at the mouth of the river. Despite these assurances, the Derby Dam cut water flow into Pyramid Lake by half.

By 1967, Pyramid Lake had dropped 87 feet, which prevented the endangered cui-ui fish and threatened Lahontan cutthroat trout from migrating upstream to spawn. Falling water levels, increased salinity and upstream pollution from the Floriston paper mill nearly destroyed the tribe's vital fishery.

Ironically, while lakes and wetlands in Western Nevada were drying up, lakefront owners at Lake Tahoe were once again protesting that excessively high-water levels behind the dam were impacting property values and their business interests. To increase their political clout, in 1913 a group of prominent

landowners created the Lake Tahoe Protection Association to preserve the lake's beauty and ecology, while simultaneously securing their vested interests.

The epic winter of 1906-07 dumped an all-time record of 73.5 feet of snow on the Tahoe Sierra. The deep snowpack melted rapidly when torrential rain soaked the region in late February and March. Due to dangerously high-water levels behind the dam, the power company released too much water, which cut short the amount available for Nevada farmers later in that summer's growing season. Something needed to be done.

Read Part II in the next edition and at [TheTahoeWeekly.com](http://TheTahoeWeekly.com). [Click on History under the Explore Tahoe menu.](#)

# Federal Officials Announce Priority Actions Supporting Long-Term Drought Resilience

Media Contact: Theresa Eisenman, 202-513-0574, [teisenman@usbr.gov](mailto:teisenman@usbr.gov)  
EPA Press Office, [press@epa.gov](mailto:press@epa.gov)

For Release: July 31, 2019



Assistant Secretary for Water and Science Tim Petty, Ph.D. (fourth from left) and Reclamation Commissioner Brenda Burman (far right) and other senior administration officials participate in a panel discussion at the Second National Drought Forum. WASHINGTON — Today, senior administration officials participated in the Second National Drought Forum where they announced Priority Actions Supporting Long-Term Drought Resilience. This document outlines key ways in which federal agencies support state, tribal and local efforts to protect the security of our food supply, the integrity of critical infrastructure, the resilience of our economy, and the health and safety of our people and ecosystems.

The document was developed by the National Drought Resilience Partnership (NDRP), a federal collaborative formed to promote long-term drought resilience nationwide. While authority lies with the states to manage water resources, federal agencies play a key role in supporting states, tribes, communities, agriculture, industry, and the private sector owners and operators of critical national infrastructure to prepare for, mitigate against, respond to, and recover from drought.

The following statements were released after today's panel:

"Under the leadership of President Trump, we are taking unprecedented steps at the federal level to coordinate and empower states, tribes, local communities, and water users to promote drought preparedness and resiliency and ensure reliable water supply throughout the West. The U.S. Geological Survey and Bureau of Reclamation play integral parts in this, whether it's the science or infrastructure piece of this equation," **said U.S. Department of the Interior Assistant Secretary for Water and Science Dr. Tim Petty.**

"The Western states have experienced intense drought with the potential to severely impact agriculture, municipal water supplies and hydropower production. We've demonstrated that infrastructure investments, innovative approaches to conservation, and collaboration build drought resiliency and reduces risks," **said Bureau of Reclamation Commissioner Brenda Burman.**

"We know we can accomplish more when we work together, and the National Drought Resilience Partnership facilitates collaboration among federal partners to help the country respond to drought and to prepare for the future" **said U.S. Department of Agriculture Under Secretary for Farm Production and Conservation Bill Northey.**



"These priorities are a large part of our game plan to how we can protect our food and water supply, and to build resilience on our farms and ranches and in our communities and businesses"

"The impact of drought on public health and the environment is far reaching because it reduces both water quantity and water quality," **said U.S. Environmental Protection Agency Assistant Administrator for Water David Ross.** "Through EPA initiatives, such as the National Water Reuse Action Plan, we are working to ensure a sufficient supply of clean water for the American people."

"Water quality and availability is a national issue and it is one that affects every American. Through this partnership, the data produced by the U.S. Geological Survey will be integrated into a comprehensive framework of information sharing that is flexible and responsive to the nation's decision-makers, ensuring every community understands drought preparedness, mitigation, and resiliency," **said U.S. Geological Survey Director James Reilly.**

"The National Drought Resilience Partnership is essential to the continued collaboration amongst federal agencies regarding the nation's water resources. I am committed to this partnership and will ensure the Corps' support to other agencies as they work drought-related issues and coordinate to reduce duplicative and redundant efforts," **said U.S. Department of Army Assistant Secretary of the Army for Civil Works Ricky "R.D." James.**

"The National Drought Resilience Partnership is inspiring action across the federal government. DOE is pleased to collaborate with other agencies to stimulate American innovation and technology solutions that address drought resilience through the Water Security Grand Challenge and other activities," **said U.S. Department of Energy Assistant Secretary for Energy Efficiency and Renewable Energy Daniel Simmons.**

The NDRP and the document released today focus on fostering a national dialogue about how federal agencies can support these entities in building a more drought-resilient nation for sufficient water quality and quantity and a vibrant economy at the local level. NDRP categorizes its drought resilience efforts along six goal areas, which provide a framework to systematically address how the federal government supports building long-term drought resilience:

1. Data Collection and Integration
2. Communicating Drought Risk to Critical Infrastructure
3. Drought Planning and Capacity Building
4. Coordination of Drought Activity
5. Market-based Approaches for Infrastructure and Efficiency
6. Innovative Water Use, Efficiency, and Technology

## **Background**

Established in 2016, the NDRP is comprised of federal agencies that work together to leverage technical and financial federal resources, strengthen communication, and foster collaboration among its members to productively support state, tribal, and local efforts to build, protect, and sustain drought resilience capacity at regional and basin scales.

The NDRP co-chairs are the Department of Agriculture and Environmental Protection Agency. The additional interagency NDRP Member Agencies and offices include the Department of Defense; the Department of the Interior (DOI); the Department of Commerce; the Department of Energy; the Department of Homeland Security (DHS); the Office of the Assistant Secretary of the Army for Civil Works; the Office of Management and Budget; the Office of Science and Technology Policy; the National Economic Council; the Council on Environmental Quality; the National Security Council staff; and such other agencies or offices as the agencies set forth above, by consensus, deem appropriate. Currently, other



offices include: the Office of Water Prediction, the National Weather Service, the National Oceanic and Atmospheric Administration, the National Integrated Drought Information System, which all are within the Department of Commerce; the Bureau of Reclamation and the United States Geological Survey, within the DOI; National Aeronautics and Space Administration; DHS Cybersecurity and Infrastructure Security Agency – National Risk Management Center; the Centers for Disease Control; and the Federal Emergency Management Agency. Member agencies collaborate to ensure successful outcomes with maximum efficiency and minimal duplication.

# # #

Reclamation is the largest wholesale water supplier in the United States, and the nation's second largest producer of hydroelectric power. Its facilities also provide substantial flood control, recreation, and fish and wildlife benefits. Visit our website at <https://www.usbr.gov> and follow us on Twitter [@USBR](https://twitter.com/USBR).

Relevant Link:

[National Integrated Drought Information System](#)

[Reclamation Drought Program](#)



Getty Images

## Lake Tahoe Is Deeper And Clearer



**MELISSA CULROSS**

**JULY 15, 2019 - 8:11 AM**

**CATEGORIES:**

**[LINK TO RADIO INTERVIEW](#)**

The water level at Lake Tahoe is high this summer with the surface of the lake having risen eight feet since the beginning of 2016.

This is all due to the snowy winters that followed years of drought. Melting snow has flown into the lake, raising the water level and increasing the clarity.

"Lake Tahoe, which is of course renowned for its clarity, has gotten a lot clearer with all of this snow melt," according to Pacific Institute President Emeritus Peter Gleick. "The water quality has improved."

**Related:** [What's Good For The Drought Can Be Bad For The Bay](#)

Beaches have shrunk due to the deeper water. Erosion and flooding are a risk during years with abundant snowfall and rain, Gleick said.

"We like wet years. We don't want extremely wet years and we don't want extremely dry years," said Gleick. "That's the risk of climate change —these extreme events. It would be nice if everything was sort of in between."

Reno and other parts of Nevada will benefit from the conditions this year, Gleick said.

# Reno might appeal Swan Lake ruling to supreme court. Jury found it liable for flood damage

[Sam Gross](#), [Reno Gazette Journal](#) Published 2:31 p.m. PT July 31, 2019 | Updated 3:20 p.m. PT July 31, 2019

The waters in Swan Lake started rising two years ago. Residents there are still worried. Sam Gross and Benjamin Spillman and Anjeanette Damon, Reno Gazette Journal

[CONNECT](#) [TWEET](#) [LINKEDIN](#) [COMMENT](#) [EMAIL](#) [MORE](#)

The City of Reno is considering appealing a jury ruling that blames the city for damage done to homes and property when it diverted excess stormwater into the lake in 2017, leading to massive flooding in the area.

The Reno City Council on Aug. 5, will consider authorizing the city attorney's office to take "all necessary and appropriate steps" to petition the ruling to the Nevada Supreme Court.



**Buy Photo**

A swollen Swan Lake encroaches on private properties in Lemmon Valley on Sept. 14. (Photo: Jason Bean/RGJ)

After the record setting winter of 2016-17, the closed basin of Swan Lake in Lemmon Valley began to swell with water that quickly inundated nearby homes and property — a problem that was exacerbated by Reno diverting additional storm water into the already flooded basin.

The flooding forced residents from their homes, damaging several residences so severely that they are uninhabitable to this day.

Swan Lake flooded again this year, even cresting the previous high-water mark set during the 2017 flood, after the region was pounded by another record-setting winter.

## **DIG DEEPER**

### **More Swan Lake flooding**

[RGJ Investigates: Reno knew Lemmon Valley would flood, but it allowed development anyway](#)

[Jury finds City of Reno liable for property loss in Swan Lake flooding](#)

[Fixing Swan Lake 'nightmare' flooding in north Reno won't be cheap or easy](#)

[Drone footage shows flooded Lemmon Valley school playground, WCSD has installed fencing](#)

In the lawsuit brought against the city, Swan Lake residents argued that Reno infringed upon their constitutional rights by storing waste water on their property without properly compensating them.

At the end of June this year, a jury of eight sided with the Swan Lake residents, [ruling the city was liable for the damage](#). A second trial, scheduled for December, will determine just how much the city owes its residents.

The decision to appeal the ruling to the Nevada Supreme Court will go before the city council at a workshop meeting scheduled for 5:30 p.m. in the council chambers at city hall on Aug. 5.

Water & Land

## **Indy Environment: Reno approves climate action plan with focus on sustainability, lowering emissions**

By



[Daniel Rothberg](#)

August 1st, 2019 - 2:00am

March for Science in Reno, Nev. on March 4, 2017. (David Calvert/The Nevada Independent) Indy Environment: Reno approves climate action plan with focus on sustainability, lowering emissions

[Sign-up here](#) to receive it in your inbox. For suggestions or tips, email [daniel@thenvindy.com](mailto:daniel@thenvindy.com).

On Wednesday, the Reno City Council unanimously signed off on a comprehensive 165-page plan outlining steps toward making the city more resistant to climate change. It was a significant step that came together with input from a broad section of community groups, urban planners and environmentalists. The report sets concrete goals in areas from food security to emissions.

And it is a response to the threat that cities face from warming temperatures and changes in precipitation. Over the last half-century, Reno's average annual temperature has increased nearly seven degrees. The report expects climate change to worsen wildfires and affect the snowpack, the primary source of the region's drinking water. Those changing dynamics will likely have implications for air pollution, public health, water supplies and everyday livability.

As a result, the report looks at mitigation and adaptation — emission reductions and climate resilience. The plan, supported by environmental groups such as the Sierra Club, also got buy-in from a business community that sees an opportunity in clean energy jobs and a world that is increasingly looking for how governments are responding to climate change. The report notes that Moody's now considers a municipality's resilience to climate when assigning credit ratings.

The full plan is online, but there are a couple of items worth highlighting.

The report said the listed goals, taken together, look to progressively reduce emissions in three steps (28 percent by 2025, 40 percent by 2030 and 80 percent by 2050). If that seems out-of-reach, it is worth noting that emissions for the city dropped an estimated 13.6 percent between 2008 and 2014 as the state has transitioned off of coal and worked to boost renewables. According to a greenhouse gas inventory in the report, energy remains the largest source of emissions, followed by the transportation sector.

In addition to pushing for a fuller transition to clean energy, the report identifies ways to tackle transportation pollution by reducing city fleet emissions, encouraging electric vehicles, and placing an emphasis more walkable neighborhoods. But the report goes beyond carbon emissions, looking at other areas to improve sustainability, such as reducing solid waste and watershed restoration.

A big reason climate change is felt worse by cities is because heat is often trapped in concrete and developed areas, creating what is known as an urban heat island. The report identifies increasing tree cover as a way to reduce that effect, reaching 10 percent canopy cover by 2036.

Since the global food system is a contributor to climate pollution, the plan seeks to improve food security and the local supply chain. This section contained one of the most striking statistics in the whole report: “Statewide, 1 in 8 people and 1 in 5 children struggle with hunger.” The report says food security is increasing in Washoe County, but it stresses that more work is needed.

After two years, the plan is done. Now the challenge will be to implement it.

*Here are some other stories I’m watching...*

**Rethinking Panaca:** As of the second anniversary of the Panaca bombing last year, the motivations behind two powerful explosions that rattled the rural town continued to elude the sheriff and residents. It seemed that most people had moved on. The bombing never got much coverage outside of Nevada. The only casualty was the attacker Glenn Franklin Jones. It was in a small town.

That is where the [new season of Bundyville](#) picks up, but the podcast finds there was a lot more to the suicide bombing. Lurking underneath the surface was anti-government extremism. Through a records request, reporter Leah Sottile was able to piece together evidence showing that the bomber was influenced by Robert LaVoy Finicum, an Arizona rancher who was shot by law enforcement during the Malheur standoff and was quickly turned into a martyr for the Patriot movement. Sifting through the pages of his journals, Sottile reported that Jones had invoked Finicum’s name over and over, as well as referencing Waco and Ruby Ridge. His writings also appeared to reveal that his initial aim was to raze a Bureau of Land Management (BLM) office.

“What I found was much more than a workplace grievance,” she said in an interview.

For the podcast, Sottile interviewed the Lincoln County sheriff who speculated that Jones, once a quiet resident of Panaca who was living in Kingman, Arizona at the time of the bombing, had been radicalized.

It left the sheriff asking the question: “Where did this come from?”

There is a lot more to unpack, and I will in future stories. But I asked Sottile what to make of all this. Is this just a fringe movement? She said there is a tendency to look at anti-government extremist activities across the West and think: “Stop talking about the Bundys. Stop talking about these fringe people.” But, she added, “The bottom line is this is not an ideology that is going away.”

The entire series is a tremendous piece of journalism about the American West and the federal government, reported with as much nuance and thought as the first season on Bundy Ranch. I can’t recommend it enough.

**To the lowest bidder:** On Tuesday, the BLM held a competitive auction for oil leases across 200 parcels spanning 389,334 acres in multiple counties. When the results came in, the BLM received bids on 15 parcels, according to its [online sale results](#). Eleven of these parcels were sold at the minimum bid of \$2 per acre, without competing offers. The new sale results line up with the trend I reported about earlier in the week. In other states, the BLM sells most of the acreage that it offers for oil and gas leasing. But in Nevada, it sells a fraction of what it offers — often at a bargain — and an even smaller fraction is ever developed. As one [oil lease-holder said in my story](#): “Nevada has been a magnet for people with some really wild ideas.”

**Jackpot bikepacking:** An Idaho newspaper looks at the [sport of bikepacking](#), which is exactly what it sounds like and is happening near Jackpot. I read it and want to go bikepacking now.

**Power in numbers:** Utah activists are asking the state’s governor to push back against nuclear waste shipments, arguing that residents could be endangered if they live near freeways. [The Salt Lake Tribune](#) reports that the move comes as New Mexico’s governor said she opposed storing spent nuclear fuel in her state, even on a temporary basis. “Clearly, it is critical that first responders in Utah be aware in advance of these shipments,” the Utah groups write in a letter.

**The BLM’s new leader:** Ex-BLM officials and conservation groups are concerned that the new acting director of the agency, William Perry Pendley, could further open federal public land to industry, [Bloomberg](#) reports. In the past, Pendley has supported the transfer of federal land, although the agency said this week that it “adamantly opposes the idea.” A conservative attorney and a former president of the Mountain States Legal Foundation, Pendley also represented Patch of Heaven, the Christian retreat in Nevada’s Amargosa Valley. The camp has been [locked in a water rights dispute](#) with the U.S. Fish and Wildlife Service involving endangered species

**Wildfire risks:** A [new project allows you to assess wildfire risk](#) in states and small communities across the West. It allows users to plug in different towns to a database that looks at fire risk. The [Arizona Republic](#) article that goes along with it references Elko directly. It has the state’s third-highest wildfire hazard score. The newspaper did an impressive job. It’s worth reading.





[View this email in your browser](#)



## **Tahoe Fund Partnering With Tahoe Water Suppliers Association To Get More People To DRINK TAHOE TAP**

With 99.994% purity, Tahoe tap water was voted the best tasting water in the country by the National Rural Water Association. The Tahoe Fund is partnering with the Tahoe Water Suppliers Association to encourage more people to DRINK TAHOE TAP to reduce the use of single-use plastics. Grants are now available to organizations in the Tahoe Basin to install water bottle refill stations. To apply for a grant, organizations can visit [DRINKTAHOETAP.org](https://www.drinktahoetap.org).

“The Tahoe area is set apart by having award-winning water available in our communities. The Tahoe Tap Water Bottle Filling Station Grant Program is intended to promote greater access for both visitors and locals to Tahoe Tap at businesses and facilities,” said Madonna Dunbar, executive director of the Tahoe Water Suppliers Association. “It’s a win-win, resulting in fewer single use plastic bottle waste in the environment and greater tap water access for people. TWSA is delighted to partner with Tahoe Fund on this project.”



Available on a first-come basis, \$500 grants will be offered to Basin businesses who complete the application, install water bottle refill stations and submit proof of installation and payment. The program was designed to encourage environmental stewardship and reduce the use of single-use plastics by providing a way to easily refill reusable water bottles. Visitors and local residents can easily find nearby water bottle refill stations by using the free TAP app at <https://findtap.com>.

“We are happy to make it easier for people to reduce and reuse while refueling on some of the best water in the country,” said Cory Ritchie, Tahoe Fund board member. “Our partnership with TWSA provides an opportunity for our donors to help inspire greater stewardship of Lake Tahoe.”

---

Learn more about the DRINK TAHOE TAP initiative at [DRINKTAHOETAP.org](https://DRINKTAHOETAP.org).

[Donate Now](#)

---

# Removing Tiny Shrimp May Help Climate-Proof Lake Tahoe's Clarity Annual Tahoe State of the Lake Report Released

By Kat Kerlin on August 1, 2019 in [Environment](#)



The sun rises over Emerald Bay at Lake Tahoe. (Joe Proudman/UC Davis)

Lake Tahoe, with its iconic blue waters straddling the borders of Nevada and California, continues to face a litany of threats related to climate change. But a promising new project to remove tiny, invasive shrimp could be a big step toward climate-proofing its famed lake clarity.

That's according to the annual *Tahoe: State of the Lake* report, released today by the [UC Davis Tahoe Environmental Research Center](#). The report presents data from 2018 regarding lake clarity, temperature, snowpack, invasive species, algae, nutrient loads and more, all in the context of the long-term record.

Billions of invasive Mysis shrimp, introduced in the 1960s, live in Lake Tahoe, where they eat native zooplankton that historically helped keep the lake blue and clear while also serving as a food source for native fish. UC Davis TERC researchers found that when Mysis shrimp mysteriously disappeared from Emerald Bay in 2011, native zooplankton rebounded almost immediately. Within two years, clarity had increased by almost 40 feet. The reverse effect occurred when the Mysis returned.

TERC is now halfway into a two-year pilot project, with many late nights trawling for shrimp, to find an effective means of removing enough Mysis shrimp to improve lake clarity indefinitely.

## Removing *Mysis* shrimp



Scientists from UC Davis' Tahoe Environmental Research Center night trawl for invasive *Mysis* shrimp for a research project at Lake Tahoe. (UC Davis TERC)

“Even with [climate change](#), we’re finding that if you get rid of the shrimp, clarity improves,” said Geoffrey Schladow, director of UC Davis TERC and a professor in the College of Engineering. “Their removal allows for the return of native zooplankton, which have the ability to consume both tiny algae and fine clay particles that have reduced clarity in the past. That is huge.”

### Clarity

Clarity improved dramatically in 2018 to 70.9 feet, thanks to a return to more normal weather and streamflow conditions. This represents a 10.5-foot increase over the 2017 value, but is still far short of the clarity restoration target of 97.4 feet. Over the long term, summer clarity has been declining and largely offsetting gains made in the winter months.

### Heat, snow, rain and fire

Temperature and precipitation were average in 2018. However, the lake's air and water temperatures have been warming since measurements began in 1968. The average water surface temperature in 2018 was 53.2 F, the second warmest on record. The maximum daily summer surface water temperature was one of the highest observed at 77.5 F on Aug. 6.

By century's end, the Tahoe Basin is projected to experience air temperatures up to 9 degrees higher than today's average. A shift from a snow-based to a rain-based climate will result in peak streamflows occurring months earlier than present day, with those flows arriving as warmer water. Consequences could include changes to fish spawning, a loss of water storage and elevated wildfire risk.

### Mixing

The most serious climate changes for the lake over the coming decades are likely to be driven by changes in physical processes like mixing, not simply changes in air temperature.





Emerald Bay at Lake Tahoe. (Brant Allen/UC Davis TERC)

Warming prevents the lake from fully mixing in winter, which it failed to do in 2018 for the seventh straight year. Lack of deep mixing further warms lake surface temperatures and contributes to nitrate buildup and algal growth. Nitrate concentration was at an all-time high in 2018, at 20.9 micrograms per liter. Such nutrient loading can affect blueness, clarity and stimulate algal growth.

## Aspens

The report also describes an emerging threat to forest health. The white satin moth is defoliating stands of aspen trees in part of the Tahoe Basin. Some of these trees are considered “heritage trees,” with their trunks showing the carvings of Basque shepherders from the early 1900s.

## Many solutions working together

“The efforts long underway in the Tahoe Basin to improve lake health and clarity have been and continue to be important,” Schladow said. “Maintaining and building resiliency requires many solutions working together, as well as more tools in our toolbox than we’ve currently been using. That’s one reason we find this ecological solution to be so exciting. Our clarity goals don’t have to be derailed by climate change.”

The *Tahoe: State of the Lake* report and the center’s long-term dataset have become essential for responsible management by elected officials and public agencies tasked with restoring and managing the Tahoe ecosystem. Federal, state and community leaders will gather at the 23<sup>rd</sup> annual Lake Tahoe Summit on Aug. 20 to discuss many of the issues and potential solutions presented by this research.

Schladow will provide a public presentation of the report tonight, Aug. 1, at 6 p.m., at the UC Davis Tahoe Science Center in Incline Village, Nevada. Event information is at <http://tahoe.ucdavis.edu/events/>.

The report’s production was supported in part by the California Tahoe Conservancy, Lahontan Regional Water Quality Control Board, Tahoe Fund, Tahoe Lakefront Owners Association, Tahoe Regional Planning Agency, Lake Tahoe Marina Association, League to Save Lake Tahoe,

Nevada Division of Environmental Protection, Parasol, Tahoe Water Suppliers Association, and Incline Village Waste Not Program.

## Media contact(s)

[Geoffrey Schladow](mailto:gschladow@ucdavis.edu), Tahoe Environmental Research Center, 530-902-2272, [gschladow@ucdavis.edu](mailto:gschladow@ucdavis.edu)

[Kat Kerlin](mailto:kekerlin@ucdavis.edu), News and Media Relations, 530-752-7704, [kekerlin@ucdavis.edu](mailto:kekerlin@ucdavis.edu)

# Council votes to appeal Lemmon Valley ruling, votes against moratorium



By [Ben Deach](#) |

Posted: Mon 11:22 PM, Aug 05, 2019 |

Updated: Tue 6:44 AM, Aug 06, 2019



**RENO, NV. (KOLO)** Two key decisions have been made by the Reno City Council regarding the Lemmon Valley flooding situation.

The Reno City Council has voted to appeal the recent ruling holding them liable for flooding damages.

The appeal will go to the Nevada Supreme Court for a writ of mandamus, which is a legal order to correct an abuse of discretion.

All of the council approved the idea except for Mayor Schieve and Councilwoman Jenny Brekhus.

City attorney Karl Hall says their belief is not everyone in the lawsuit was actually affected, and that would impact damages.

The council meeting was also packed with Lemmon Valley residents eager to voice their concern over new housing developments in the area. Dozens of residents, like Tim Fadda called for a total moratorium.

"We need a moratorium on all construction in the north valleys area until we can get proper storm drain runoff," Fadda remarked during public comment.

But the council voted against the moratorium.

The majority of the council feels there is a critical housing shortage, and that developments can be addressed on a case by case basis. The council emphasized that they will monitor projected water flows if and when developments are approved.

Get the latest updates from [kolotv.com](http://kolotv.com) delivered to your browser



# Water-efficient landscape training and certification offered

8/5/2019 | By: Staff Report [Print](#)

## Cooperative Extension class prepares landscapers for Qualified Water Efficient Landscaper certification



Participants will learn how to conduct a water audit on an existing landscape during the QWEL training. Photo by Jenn Fisher, Cooperative Extension.

[University of Nevada Cooperative Extension](#) invites local green-industry professionals, including landscapers, groundskeepers and nursery workers, to attend the [Qualified Water Efficient Landscaper \(QWEL\) training](#) in Reno, Aug. 20-22. The training will prepare participants to take the certification exam on Aug. 23 to become certified professionals.

"This training provides the opportunity for green-industry professionals to step up their education, making them more competitive in the industry and training them to help Nevadans become more water efficient," Cooperative Extension Northern Area Horticulture Specialist Heidi Kratsch said.

The training is part of Extension's [Qualified Water Efficient Landscaper Certification \(QWEL\) Program](#). Professionals certified by the program, which was designed by the Sonoma-Marín Saving Water Partnership and is recognized by the Environmental Protection Agency, will be listed on the [EPA's WaterSense website](#), <https://www.epa.gov/watersense>, and on the [QWEL website](#), where local landowners can find them for hire. In addition, certified QWEL professionals can use the QWEL logo on their vehicles and business cards as a means of marketing their qualifications to their customers.

Classes are taught by Cooperative Extension and **Truckee Meadows Water Authority** faculty, staff and industry professionals. Participants will be provided with local water, soil and plant information; basic and advanced irrigation principles; and hands-on water audit skills they can use in the field.

Anyone can take the training for personal knowledge, and professionals are encouraged to take the exam to become certified. Workshops will be held:

- Aug. 20, 9 a.m.-3 p.m., lunch will be provided
- Aug. 21, 9 a.m.-5 p.m., lunch will be provided
- Aug. 22, 8:30 a.m.-5 p.m., lunch will be provided
- Aug. 23, 9 a.m.-noon: certification exam

Cost for the training is \$100 and includes the hands-on water audit, reference manual, class supplies, lunch and refreshments. The certification exam is 9 a.m.-noon, Aug. 23, and the cost is \$50. Both the training and the certification exam are at the Cooperative Extension office at 4955 Energy Way in Reno.

Registration is a two-step process, beginning at the [QWEL-Reno webpage](https://www.qwel.net/pub/class/73), <https://www.qwel.net/pub/class/73>. For more information on classes or certification, contact Cooperative Extension Commercial Landscape Horticulture Program Coordinator Jenn Fisher at [fisherj@unce.unr.edu](mailto:fisherj@unce.unr.edu) or 775-336-0249. Persons in need of special accommodations or assistance should call at least three days prior to the beginning of the workshops.

# Reno City Council to see plan for pipeline between Swan Lake, American Flat

[Sam Gross](#), [Reno Gazette Journal](#) Published 4:35 p.m. PT Aug. 1, 2019 | Updated 5:46 p.m. PT Aug. 1, 2019

The waters in Swan Lake started rising two years ago. Residents there are still worried. Sam Gross and Benjamin Spillman and Anjeanette Damon, Reno Gazette Journal

[CONNECT](#) [TWEET](#) [LINKEDIN](#) [COMMENT](#) [EMAIL](#) [MORE](#)

A plan to drain Swan Lake appears to be taking shape.

In a joint meeting Tuesday with the Reno-Tahoe Airport Authority, the Reno City Council will be presented a plan to build a four-mile pipeline from Swan Lake in Lemmon Valley north to American Flat to pump water out of the lake that has inundated homes and property since it swelled in 2017.

On Monday, the council is scheduled to decide [whether it will appeal](#) a June jury ruling that names the city liable for damage caused to the homes and property surrounding Swan Lake after it diverted excess stormwater into the closed basin in 2017, exacerbating the flooding.

The overland pipeline would be temporary, according to the meeting's [agenda packet](#), and its total cost — plus the cost of additional flood mitigation — would not exceed \$3 million.



A swollen Swan Lake is seen encroaching on the home of Linda Walls in Lemmon Valley on Sept. 14, 2017. (Photo: Jason Bean/RGJ)

Diagrams of the proposed pipeline included in the packet show it originating from the northern end of Swan Lake and following the approximate path of Lemmon Valley Drive to the northwest until it intersects with American Flat Road.

That path crosses a significant amount of land controlled by the airport authority, which is why it is involved in the meeting.

Pumping water from Swan Lake to American Flat could remove 600 acre-feet of water per year from the lake, according to the packet, resulting in a half-foot drop in lake level. The pipeline is estimated to be in place and operational for about two years, depending on precipitation in the next few winters.

And higher-than-average winter precipitation is what led to Swan Lake swelling into homes and onto property in the first place.



A screen grab of a map showing the approximate location of a roughly four-mile pipeline between Swan Lake and American Flat. (Photo: City of Reno)

The winter of 2016-17 saw a precipitation total of 225 percent of normal, causing the closed basin lakebed — which until then was normally relatively dry — to fill and rise to dangerous levels.

That flooding claimed homes, which are still uninhabitable today, and forced authorities to construct miles of sand-filled HESCO barriers and install several heavy-duty pumps to push the water back.

That infrastructure, designed to be temporary, is still in place today.

Above-average winters continued in 2017-18 and 2018-19. This most recent winter, which saw 175 percent of normal precipitation, pushed the lake surface level to a new high in March.

Residents sued the city for violating their constitutional rights by storing water on their private property and, in June of this year, a jury decided on their behalf. Just how much the city will owe them will be decided at a second trial scheduled to start in December.

In Tuesday's meeting, the council and airport authority will see a presentation of the pipeline plan and could approve an agreement between the two entities for Reno to have access to airport land for the project.

The council could also authorize city staff to award a contract to a company with the best bid to complete the pipeline project, which would not exceed \$3 million.

---

*Sam Gross is a breaking news reporter for the Reno Gazette Journal who covers wildfires, emergencies and more. [Support his work by subscribing to RGJ.com right here.](https://www.rgj.com)*

## New fire preparedness tools unveiled by the City of South Lake Tahoe

Submitted by paula on Wed, 08/07/2019 - 4:34pm



Paula Peterson

SOUTH LAKE TAHOE, Calif. - There will be another fire in California, but when and where cannot be predicted and is unknown - but what is known is there will be another community that is devastated by wildland fire.

Residents around Lake Tahoe and the Sierra know this all too well and have been talking about concerns of wildfire threats in and around the Tahoe Basin. Those conversations have turned into plans and the City of South Lake Tahoe has just released an interactive website to help both residents and visitors map out an evacuation plan based on their neighborhood.

The Camp Fire, Tubbs Fire and other major fires in the state have taught people several things, with the biggest lesson being "every community needs to prepare for evacuation."



# Council & Commission approve proposed pipeline for Swan Lake



*By Staff |*  
Posted: Tue 7:01 PM, Aug 06, 2019 |  
Updated: Tue 9:50 PM, Aug 06, 2019

**LEMMON VALLEY, NV (KOLO) -** A proposed pipeline project to move water from Swan Lake to the Stead Airport and into American Flat is moving forward.

The Reno City Council along with the Washoe County Commission approved the plan Tuesday, August 6, 2019 during a joint meeting which also involved the Washoe County Airport Authority.

The city approved an open bid of \$3 million to build the pipeline.

Washoe County approved money from water rights sales at \$2.5 million to pay for flood improvement projects in Lemmon Valley.

Commissioners also approved the water be used for irrigation on county owned land.

The water pumped through the pipeline will be used to grow crops; possibly alfalfa.

Water levels at Swan Lake could be reduced by up to one-and-a-half feet.

Theresa Kretschmer who lives on American Flat says she was never notified about the proposal, and believes the plan was pushed through without thought to the residents impacted by the pipeline.

"I'm concerned with what they are going to grow there," said Kretschmer. "And are they going to spray any contaminants in the air? Do we need to worry about our health? And the water table. They are pumping that water out there, its been sitting there for a long time it has algae in it. It has effluent water in it. And they are going to pump it in our water table and it is going to go into Antelope Valley not just the American Flat area," she said.

While some Lemmon Valley residents said during public comment they were happy something was being done with the water, others said the amount of water taken out of Swan Lake will be negligible.

Engineering experts said the plan will remove most of the water from Swan Lake in three years.

*Copyright KOLO-TV 2019*



# A Song of Water and Fire, Part One

*Cleaning muddy water; local watershed protection against future wildfire*

By  
**Alex Hoeft**

-  
August 8, 2019



**ASH LAND:** The 2016 Emerald Fire in South Lake Tahoe burned 176 acres of forest, causing 500 people to be evacuated. It will take 100 to 125 years for the burn area to return to what it once was, with help from the U.S. Forest Service Lake Tahoe Basin Management Unit. Photo courtesy Cal Fire, Amador-El Dorado Unit

Wildfire is a four-letter word in California.

No need to go into detail about the recent devastating fires in the area; Moonshine Ink and papers across the country have written plenty about the tragic Camp, Mendocino Complex, and numerous other fires that have destroyed not only acres of California land, but many of the structures and lives within.

Instead, let us consider a different angle on this natural disaster: wildfire's effects on local water, meadows, wetlands, and riparian zones (aka the Truckee River watershed). When it comes to a high-severity wildfire, water ecosystems might not be the first thing on people's minds.

Yet in the case of our watersheds, apparent opposites fire and water have an interconnected fate that fire service professionals and watershed experts alike have learned not to deny. When a catastrophic wildfire meets an ill-prepared (read: overcrowded with vegetation) watershed, the water supply will suffer not just immediately – excessive sediment loading clouding water, harming underwater life, clogging intakes, and eroding riverbanks — but for years to come.

In fact, the Truckee River is still suffering the lasting effects from a catastrophic fire over 18 years ago.

The Martis Fire, which broke out on Father's Day in 2001, burned over 14,500 acres between Reno and Truckee, including portions of the Truckee River corridor. Staff members of The Nature Conservancy (TNC) Nevada compare stretches of the river running through Reno to chocolate milk to this day because of the sediment loading.

"That fire jumped over Bronco [Creek] and Gray Creek watersheds, and those watersheds have always been somewhat problematic," said Mickey Hazelwood, Eastern Sierra Nevada program director with TNC. "They flow out of Nevada westward into the Truckee River. There's always been some sediment loading coming out of there, but after that landscape burned, [Martis Fire] was a pretty intense fire, it really destabilized those already steep sub-watersheds."



CHOCOLATE MILK: Land adjacent to Gray Creek was burned during the 2001 Martis Fire, and a mudslide after the winter of 2017 sent sediment downstream to the Truckee River. Sediment loading is one of the harmful aspects to a watershed during and after a catastrophic wildfire. Photo courtesy Truckee Meadows Water Authority

Now, anytime a rain event happens, Bronco and Gray creeks send sediment downstream. In particular, the wet winter of 2017 dumped large amounts of water and snow into these two creeks, yielding what Hazelwood described as “a huge slug of mud and debris into the Truckee River.”

The excess amounts of sediment mean a different approach for water authorities when it comes to prepping the drinking supply. If standard chemical water cleaning methods aren’t effective during a wildfire, Reno-Sparks water purveyor Truckee Meadows Water Authority has backup plans. That’s according to John Enloe, TMWA’s director of Natural Resources Planning and Management.

“If it’s a short-term event, say there’s a catastrophic wildfire and then you get some thunderstorm event and you’re washing down a lot of ash, we would let that water go by and run the system off our wells,” Enloe said.

TMWA has 90-plus municipal wells that could meet average-day demands for weeks. Enloe explained another likely solution during a wildfire is for the water authority to implement chemical feed facilities to treat the water on a “temporary emergency basis.”

And should water service lines melt like they have in recent California fires, TMWA can provide emergency water fill stations.

Though Enloe can’t imagine a wildfire scenario where the entire water system would be affected, he said TMWA is still worried about the possibility.

“Community water systems are not designed to fight wildfires,” Enloe said. “That’s a problem when you’ve got people living on the edge.”

But there’s a big asterisk on the negative effects of wildfire on water. Catastrophic wildfires are, to put it simply, potentially deadly for all in their wake. Low-intensity fires, on the other hand, can provide service to watersheds; the natural landscape exists to benefit from intermittent fires, with some native plants even requiring fire in order to sprout.



UNAVOIDABLE: Scott Conway, U.S. Forest Service District Ranger, explained that fire is inevitable. The cause of the 2016 Emerald Fire was a live green tree snapping and falling through power lines. Winds aided the fire from there. Photo courtesy Cal Fire, Amador-El Dorado Unit

Those low intensity fires trigger new growth in both vegetation and wildlife in the surrounding forests and the greater watershed, explained Lisa Wallace, executive director of the Truckee River Watershed Council.

“In summary, there is a scale of wildfire that’s a threat,” Wallace said, “but there’s also a scale of wildfire that’s beneficial that we do want to have happen within the watershed.”

TNC Nevada is fine-tuning the differences. The nonprofit recently finished a Headwaters Forest Study with the USFS and TMWA. Chris Fichtel, project manager at TNC Nevada, said the study is using science to build a case for watershed protection against high-severity wildfires. After the science, TNC and its partners will reach out to stakeholders and community and business leaders to launch an awareness campaign.

In the meantime, multiple agencies are targeting different spots around the Truckee River watershed with solutions to address some of the areas more likely to suffer from a catastrophic burn. Though the work isn’t necessarily a direct reaction to TNC’s study, some projects nonetheless align with recommendations from the report: the U.S. Forest Service’s Ladybug Project east of Stampede, Tahoe National Forest’s Big Jack East Project, TNC’s work at Independence Lake, and Sagehen Creek Field Station (a collaborative project between the USFS, TNF, and University of California).

“I think that while there’s a lot ... that’s concerning and discouraging, the fact that there is work going on in areas that not only the forest service would prioritize, but organizations like ourselves and water managers would prioritize, I think that’s a good thing,” TNC’s Hazelwood said. “We just need to figure out how to do more.”

In recent years, the Truckee River has been more fortunate, not dealing with any fires directly within its boundaries. But that only means the clock is ticking.

“That’s part of what scares us so much,” Hazelwood said, “that it’s been years. You just assume that the window’s getting shorter.”

## On Fire Explanation

In this edition we are launching our On Fire series, which delves into the issue of wildfire through a spectrum of lenses, including public education, breakdown of the science, graphic depictions, unique personalities, and more. This month, we focus on watershed and fire, and how they affect each other.

Check out our original centerfold painting on p. 24, depicting the potential effects of catastrophic wildfire in the Basin. We believe this aspect of the discussion provides visual understanding of the issues, gives optimism for lasting effects of watershed work, and tells the story in a compelling way not yet seen.





**SMOKE ON THE WATER:** The King Fire severely burned the Stumpy Meadows reservoir perimeter in 2014. Water sources can serve as a natural barrier for wildfires, but only if they're prepared through regular controlled burning. Photo courtesy U.S. Forest Service

## A Song of Water and Fire, Part Two

*Barrier or buffet? When wildfire meets water, preparation is key*

**By**  
**Alex Hoefft**

A gut reaction when faced with fire is to dump water on it. These elements have been pitted against each other as natural enemies since time immemorial — hot opposes cold, up is never down, water is contrary to fire.

On Mother Nature's scale, however, the sharp distinction between water and fire shrinks in helpfulness: An ineffective watershed can actually serve as fodder to a catastrophic fire. Prometheus's gift to man is a tricky one, but local and statewide organizations are beginning to band together to address this chicken-or-the-egg conundrum, namely that water needs some fire to successfully fight the big fire.

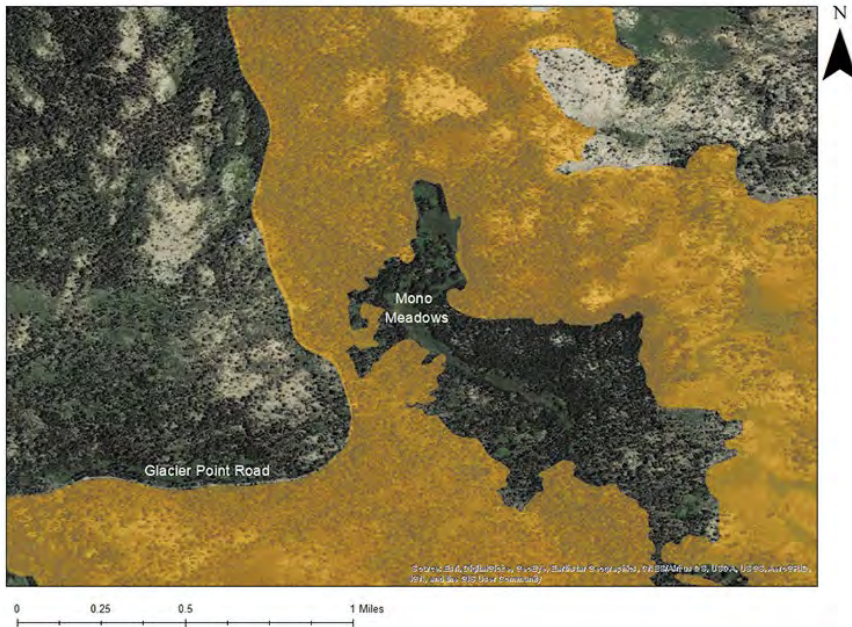
For example, Yosemite National Park's Mono Meadow played the role of fire buffer in 2017, slowing the spread of flames as a successful fire-water-fire trifecta to the Empire Fire.

"There's sort of this big hole in the middle of the fire where it didn't burn," explained Gabrielle Boisrame, a postdoctoral fellow with the Desert Research Institute, which she attributes directly to a wet meadow.

Mono Meadow is part of a unique-to-California watershed, Boisrame said. The National Park Service has allowed wildfires to burn naturally here for about 40 years, thinning out forests, removing fuels, and sustainably condensing the number of trees.

"The meadow didn't totally stop the fire, but it slowed it down and the fire had to go around the meadow," Boisrame wrote in an email to Moonshine Ink. "If the firefighters had wanted to, they likely could have used Mono Meadows as a natural barrier to help contain the fire more, but in this case they made a deliberate choice to let the fire burn deeper into the wilderness area ... in order to reduce the fuel load and help maintain this area's fire-adapted ecosystem."

Chris Anthony, division chief with Cal Fire, talked about the propensity of firefighters to look for natural barriers to utilize during wildfire — ridge tops, river drainages, roads, treated forests — all dependent upon the fire's location, surrounding geography, and ultimate safety of the people.



WET BLANKET: The Empire Fire blazed through Yosemite National Park in 2017, but was put on pause when it met Mono Meadow. The wet meadow helped serve as a buffer to the flames thanks to its fire-adapted ecosystem. Image courtesy Gabrielle Boisrame

“The [2017] Nuns Fire in Napa and Sonoma counties, there were definitely areas where the fire backed down into the drainages and we used the drainages as control points for the fire,” Anthony said.

If the opportunity to use a riparian area is there, Anthony said firefighters will take it: “We would like to believe that lakes or water courses would have an impact on wildland fire behavior, and under certain circumstances it certainly does.”

But not always. Fire-adapted ecosystems offer helpful natural barriers to wildfire, but not all riparian zones are effectively fire-adapted. The Empire and Nuns fires emerge in stark contrast to the 2007 Angora Fire, when the riparian zone served as the “wick” to the 3,100 acres just east of Fallen Leaf Lake. So says Jeff Brown, reserve manager at the University of California, Berkeley’s Sagehen Creek Field Station.

“[The fire] raced up the riparian zone because nobody does anything in the riparian zone,” Brown said. “They really don’t serve the buffer you might think [they] would because there’s so much other stuff in them now.”

Stuff here meaning evergreens moving into stream zones where they historically haven’t been thanks to regular disturbances like low intensity fires. This movement increases fuel loads with vegetation that’s more susceptible to burning than stream staples like aspens and cottonwoods.

If wet meadows and riparian zones were burned regularly through low intensity fires, Brown went on, they’d function just fine, serving their proper natural role as buffer to catastrophic wildfires. This would also help avoid damage to stream vegetation that holds banks in place and provides diverse wildlife habitats. Again, see the Angora Fire.

Truckee is now utilizing this idea of healthy watersheds to battle catastrophic wildfire, an idea that wasn't always so obvious.

The local U.S. Forest Service branch and the Truckee River Watershed Council used to work adjacently but separately, with the USFS focusing on forest areas and TRWC on wetlands, meadows, and riparian areas. "Philosophical differences" between the two dictated this divide, as TRWC executive director Lisa Wallace described it.



COLLABORATIVE CONTROL: USFS and the TRWC are working together on Ladybug Project, a wildfire resilience and forest health project that will positively affect the adjacent Stampede Reservoir, part of the Truckee River watershed. Photo courtesy U.S. Forest Service – Tahoe National Forest  
There's a mutual understanding there now, though.

"We realized ... that our efforts were completely intertwined and that the health of the watershed equaled the health of the forest," said Scott Conway, district ranger of the Truckee Ranger District. "Pretty much every project now, there's always some conversation with [the TRWC] on what we're doing and what their goals are."

The two groups are currently working together on the Ladybug Project, which will address forest health and resilience to wildfire within the 3,000 acres east of Stampede Reservoir.

"Reducing fire fuels for the impacts of high severity fire, reducing sedimentation from roads (so improving roads), and also aspen restoration as well as some meadow

restoration," described Conway. "The watershed council is involved with some or many of those aspects."

The collaboration could provide a precedent for future fire-preventative forest care. Forest, meet your local watershed.

The companion work of the USFS and the TRWC shows one way the local community is determined to use nature's own medicine against it: A healthy watershed can serve as a natural buffer to the high intensity blazes that plague California's lands, but that health only comes with regular burns.



Water & Land

## Indy Environment: Past decisions loom over Reno, Washoe County votes on Lemmon Valley flooding



By

[Daniel Rothberg](#)

August 8th, 2019 - 2:00am

*The Indy Environment newsletter breaks down reporting on water, public land and development. [Sign-up here](#) to receive it in your inbox. For suggestions or tips, email [daniel@thenvindy.com](mailto:daniel@thenvindy.com).*

Call it an environmental justice story. Call it a climate story. Call it a runaway development story. Whatever framing you pick (and there is some truth to all), the past has come sloshing back in the response to flood water trapped in Lemmon Valley, about 10 miles from downtown Reno.

It's playing out like so many other environmental issues — policymakers forced to contend with the consequences of decisions made decades ago and figure out how to avoid past mistakes.

Lemmon Valley, with a population of about 5,000, is one of several basins north of Reno that has no natural outlet for water. With nowhere else to go, stormwater collects at the valley floor — filling Swan Lake — until it infiltrates into the ground or evaporates. If there is too much water, as was the case in 2017, then there's flooding. But the weather swings only tell part of the story.

Across the West, 2017 was marked by heavy precipitation. When it rained, it poured. And Swan Lake rose beyond its historical elevation and overflow water flooded the homes encircling it. By February, the county reported that nearly 90 properties had water on their premises, according to a recent court order that found the city of Reno, in part, liable for the flooding. With another high water year in 2019, the flooding issues in Lemmon Valley were complicated even further.

Residents remain frustrated with how long it has taken the government to respond and worry that Lemmon Valley's distance from the city has left them "out of sight, out of mind." As local governments continue to approve development there, many have called for a moratorium.

For the past two years, the city and county have struggled over how to respond.

The county put in short-term measures — temporary barriers and pumps — to contain water to the lake. There are a number of complicating factors. Land ownership is split between the city, county and the Bureau of Land Management. There are also funding constraints. At two lengthy public meetings this week, county and city politicians began discussing how to move forward.

On Tuesday, the Washoe County Commission and Reno City Council approved a temporary pipeline, with a price tag not to exceed \$3 million, to pump water out from the lake and use it four miles away. But it was criticized by Councilwoman Jenny Brekhus, concerned by the lack of transparency around the process and that it could enable development in an area where past development is often blamed for contributing to the flooding problem. Flashback to a meeting one day before.

On Monday, Brekhus proposed a temporary moratorium on development in the area, which was voted down by the council. That's because the flooding is not only about climate or two years of above-average precipitation. It's also about how planning decisions have affected the area.

This is at the heart of the court order against the city. In June, a [jury found the city](#) was liable for contributing to the flood by building infrastructure that allowed rapid development and increased water use while receiving studies that more flooding mitigation was necessary to sustain growth. [This is Reno](#) first reported that the city had been warned of potential flood risks.

City and county planners have argued that new homes — a big regional need — will be required to include more mitigation and that new development could contribute to the solution for the valley, as [homebuilders pledge to update infrastructure](#). Plus the limits of existing infrastructure, such as a near-capacity sewer plant, already provide a de facto moratorium for Lemmon Valley.

On Monday, the City Council voted to appeal the court order, asking the Supreme Court to weigh in on the District Court judge's determination that all the residents could bring a class-action case.

Brekhus and Mayor Hillary Schieve voted against the appeal.

# Cleanup Begins After Stead Pallet Fire

Crews are cleaning up the mess left behind after a large fire broke out at a pallet company.

Friday, August 9th 2019, 6:08 PM PDT by Paul Nelson



Crews are cleaning up the mess left behind after a large fire broke out at a pallet company. A lot of that includes pumping the massive amounts of runoff. The fire started at about 7:15 Thursday night.

"The flames looked treacherous," Brian Kulpin, Spokesperson for Reno-Stead Airport said. "You had 40-foot flames, at least, billowing smoke, the winds blowing, the winds changing direction. It was a really uncomfortable situation when I got onto the scene."

The fire happened at Quality Supply, which specializes in pallets, crates and shipping containers. The fire was across the street from the Reno-Stead Airport. For the most part, crews kept the fire contained to that property.

Follow this story to get email or text alerts from **KTVN** when there is a future article following this storyline.

"The fire did kind of jump across the street and caught some of the brush on fire but we deployed some more additional resources over there to keep them out of the hangars," Batt. Chief Dirk Minore, Reno Fire Department said.

Kulpin says the only damage at the airport was a fence that crews had to break through to pull a fire hose. He says fire crews kept the fire from spreading to the airport.

"We have aircraft inside, some of them have gasoline in the wings of those aircraft," Kulpin said. "It could have been really disastrous out there. So you can't underestimate the effort that was put in to protect the airport last night."

Two firefighters got hurt during the fire. One of them had a burn and the other had a strained muscle but Minore says both are back on full duty.

The cause of the fire is under investigation. Minore says it started at Quality Supply and that there were not any reports of lightning in the area.

"The heat was so intense and there was so much heat for so long that it becomes different to pinpoint exactly where it came from," Minore said.

NV Energy spent most of Friday, restoring power to the area. They left around 4:45 PM and the surrounding streets are open. Fire crews kept an eye on the scene to make sure the fire didn't reignite.

"A fire of that magnitude and all the different little hiding spots that fire can hide, the winds have a tendency sometimes to flare things back up," Minore said. "So we're going to constantly monitor it."

Minore says the fire required so many crews that it asked Truckee Meadows Water Authority to increase water pressure.

"When we have 6,7,8,9,10 engines all pumping water at the same time, it's more water than the hydrant system can handle," Minore said.

Kulpin said the Airport Authority and Truckee Meadows Fire Protection District assisted RFD.

"We work together all the time and practice, and last night, it was put into action and it all worked," Kulpin said.

# BLM finds fewer homeless camps, less trash after latest cleanup near Truckee River

by Shah Ahmad Friday, August 9th 2019



TRUCKEE HOMELESS CAMP 2.PNG

SPARKS, Nev. (News 4 & Fox 11) — [With homeless camps popping up near the Truckee River](#), the Bureau of Land Management and other local agencies are working with the homeless to help them find permanent housing solutions and clean the river.

Back in early June, the BLM received reports of heavy trash on their land. When the BLM first visited some of the areas, they encountered more than a dozen camps with homeless people. The homeless camps had left waste that were contaminating both the land and river.

"The biggest concern out here is the large amount of trash," explained Logan Briscoe, a law enforcement ranger with the BLM. "What we're trying to do is remove those unsanitary conditions, dumping in the river, and human feces that is starting to accumulate."

Since early June, the BLM has been reminding homeless populations of their 14 day camping rule, which says you can't be on BLM lands for more than 14 days in a 28-day span.

After multiple cleaning efforts, including the one on Friday, Aug 9, they've seen a sizable drop in the amount of trash and the number of homeless.

Local agencies have also made an effort of using humane methods to approach the homeless. Instead of forcing them off the land, the BLM, Washoe County Sheriff's Office, and M.O.S.T (Mobile Outreach Safety Team) have been working with the homeless to find them more permanent housing.

"We're doing our best to work with them and let them know of any housing resources that may be available," said Bob Harmon, spokesperson for the Washoe County Sheriff's Office. "So that the problem doesn't just become throwing them out of this area where they then migrate into Reno and Sparks, and then the problem just moves further up or down."

Over the course of these cleanups, the BLM has worked with the homeless to help them gather their things and given them extra time to reclaim them.





*If officials are unsure if a camp site is abandoned, they leave a post warning of BLM's 14-day policy to give the owner time to reclaim their things.*



*With trash piling up on public lands, the BLM and other local agencies have been working with the homeless to find them long-term housing.*

***The material that's out here is connected to human beings so we want to make sure that they have plenty of opportunity to claim what they want to keep before we clean it up.***

A unit within Washoe County's Human Services Agency, M.O.S.T, has focused their efforts on rehabilitating the homeless and finding them more permanent housing. While Harmon understands not every homeless person will accept their help, he says he's already starting to see the impact of their efforts.

***Just today, for example, with one of the folks that lives along the river. The M.O.S.T. volunteer was able to link him to some kind of housing. So, come Monday, he will have a place to lay his head and that's very important for allowing him to try to move on with his life.***

Since the most recent cleanup back in July, the BLM says they've seen the number of homeless camps drop from roughly 15 camps to two camps.



# Restoring Lake Tahoe's clarity

---

by Dwayne Macie

Monday, August 12th 2019

## [Link to video](#)

*The 2019 Total Maximum Daily Load (TMDL) report released by the Nevada Department of Conservation and Natural Resources -- is showing that local governments and highway departments at Lake Tahoe exceeded pollutant reduction goals.*



Local governments and highway departments at Lake Tahoe are exceeding pollutant reduction goals, according to the 2019 Total Maximum Daily Load (TMDL) report released by the Nevada Department of Conservation and Natural Resources.

Twenty years ago, Lake Tahoe was losing a foot of clarity per year. Steps have been taken to reduce fine sediments by using environmentally friendly wintertime road operations practices, technologies, and products, as well as installing stormwater treatments that capture and clean dirty runoff.

Lake Tahoe's water clarity reached an all-time low of 60 feet in 2017. This was due to a record year for precipitation, snowpack, and warm lake temperature. One year later, the water clarity returned to 71 feet. Over the last 5 years, the average clarity is 70 feet.

Another way researchers are looking to improve lake clarity is by removing an invasive species of shrimp. Mysis shrimp were introduced into Lake Tahoe in the 1960s. In 2011, the Mysis shrimp mysteriously disappeared and within two years the clarity in Emerald Bay increased by an astonishing 40 feet. The opposite effect occurred when the shrimp returned.

The goal of the projects is to return Lake Tahoe's clarity to its all-time record of 97.4 feet.

# Reno's LUX dynamics breaks ground on new building; 50 new jobs expected

[News](#) | August 12, 2019

NNBV staff report



**An overview of the new LUX dynamics location in Reno.**

*Courtesy United Construction*

RENO, Nev. — United Construction is partnering with LUX dynamics to design and build the Reno-based lighting fixture company's new manufacturing facility.

The 51,050-square-foot tilt-up building will be located within blocks of the existing LUX dynamics corporate headquarters at 1350 Capital Blvd. in Reno, according to an Aug. 7 press release from United Construction.

When the facility is complete, LUX reportedly will have capacity to expand its team of 48 to upwards of 100 employees. LUX will continue administrative and R&D operations at its corporate headquarters after the new building is ready.

[LUX dynamics](#) was founded in 2008 by inventor John McCarty after he identified an opportunity to improve the design of industrial lighting fixtures so they would stay cooler, and in turn, last longer.

Their designs for high quality, longer-lasting products garner high demand nationwide among government agencies, NASA, industrial facilities, gymnasiums and even aquatic centers.

“While LUX dynamics’ luminaires are frequently used in local facilities, the biggest driver of recent growth comes from government contracts for use throughout the United States,” according to the press release. “Their products are 100% made in America and engineered to reduce replacement costs.”

Construction for the new building has already begun, according to United, and [a groundbreaking ceremony will take place Friday, August 16.](#)

According to the press release, the building will feature 28-foot clear-height ceilings and a 5,724-square-foot mezzanine that offers flexible expansion options.

“We are honored that LUX dynamics selected us to build their new facility. There is something symbolic about building for an expanding, Reno-based company that nationally represents quality and ingenuity cultivated in our own backyard,” Michael Russell, CEO of United Construction, said in a statement. “Our industrial projects proudly feature LUX dynamics fixtures, similar to the ones that are illuminating NASA. They are manufactured down the street from our office — and that is incredible.”

McCarty said he is grateful for the support he has received from the Northern Nevada community and would like to acknowledge Doug Erwin and Nancy McCormick with the Economic Development Authority of Western Nevada (EDAWN).

Also, as a long-time member of Entrepreneurs’ Organization (EO) Reno Tahoe, McCarty said he appreciates the support he’s received from them over the years.

# Reno City Council: Development can continue in North Valleys, appeal for Swan Lake lawsuit

[Sam Gross](#), Reno Gazette Journal

Published 2:39 a.m. PT Aug. 6, 2019

Thirteen months after a record winter flooded Swan Lake in Lemmon Valley, homes remain surrounded by water. Jason Bean and Anjeanette Damon/RGJ

New construction will continue in Reno's North Valleys while the city of Reno will appeal a jury decision that held it liable for the destruction caused by flooding there.

The Reno City Council made those decisions in a late-night Monday meeting.

The meeting comes after Swan Lake swelled and flooded homes and property on its banks in recent winters. That water has ebbed and surged in the years since but has remained a threat to nearby residents.

Here's what happened on Monday:

## Reno City Council appeals jury decision

In June, a jury ruled in favor of the affected residents in a class action lawsuit against Reno.

Council members on Monday voted in favor of the city attorney's office to appealing the decision to the Nevada Supreme Court before the case moves forward to the damages stage of the suit, claiming they were denied due process.

Out of the 54 plaintiffs signed onto the suit, City Attorney Karl Hall said only a few of them had been required to provide proof that floodwater ever touched their property.

The residents claimed — among other things — the city infringed upon their rights when it diverted excess storm water into Swan Lake in 2017, “storing” water on the resident's land without compensating them.

In 2018, [an investigation by the Reno Gazette Journal](#) revealed that Reno knew Swan Lake would likely flood and ignored suggestions to build flood mitigation projects alongside new development in Lemmon Valley.



Buy Photo



## Council says no to development moratorium

The Reno City Council on Monday voted down a moratorium on development in the North Valleys that would have paused new construction.

The moratorium stemmed from destructive flooding at Swan Lake, which has been linked to development in the North Valleys that did too little to mitigate water runoff and was exacerbated by the city diverting storm water into the closed basin.

"We don't need a moratorium to do the right thing and get things done," said Councilwoman Naomi Duerr during the meeting.

Councilwoman Jenny Brekhus, who proposed the moratorium, was the only person to vote in its favor.



[Buy Photo](#)

It was standing room only at an Aug. 5 workshop of the Reno City Council, where a moratorium on new building in the Lemmon Valley area and an appeal of a jury ruling that named the city liable for damage to homes and property surrounding Swan Lake were weighed. *(Photo: Sam Gross/RGJ)*

## Steps taken to address flooding at Swan Lake

The council also passed a resolution Monday to take steps to address the Swan Lake flooding in the immediate future.

Many of those who live on the shores of Swan Lake that had their homes and properties flooded during the heavy winter of 2017 are in an unincorporated portion of Washoe County, and are not under the purview of the Reno City Council — though the decision made Monday directly affects them.

"We're hurting. This was supposed to be my retirement years," Donna Robinson, a resident from the unincorporated portion of Lemmon Valley affected by the flooding, told the council Monday. "But instead, I have three mortgages on my house and I'm paying bills I shouldn't be paying."

From: Westlake, Marci  
Sent: Monday, July 08, 2019 2:26 PM  
To: WEBSITE: Comments to the Board <[info@waterforms.net](mailto:info@waterforms.net)>; [REDACTED]  
Subject: RE: New submission from Comments to the Board

Hello Wanda,

I see that you have contacted the call center and they are having the preferred due date of the 11<sup>th</sup> removed so, that your bills would be due on or around the 25<sup>th</sup> of every month.  
If you have any further questions please let me know.

Thank you.

**Marci Westlake**  
Customer Service Manager  
Truckee Meadows Water Authority  
1355 Capital Blvd. | Reno, NV 89502  
O: (775) 834-8074  
[mwestlake@tmwa.com](mailto:mwestlake@tmwa.com) | [www.tmwa.com](http://www.tmwa.com)



From: WEBSITE: Comments to the Board <[info@waterforms.net](mailto:info@waterforms.net)>  
Sent: Monday, July 08, 2019 1:42 PM  
To: Westlake, Marci <[mwestlake@tmwa.com](mailto:mwestlake@tmwa.com)>  
Subject: New submission from Comments to the Board

**Name**

Wanda [REDACTED]

**Email**

[REDACTED]

**Account Number**

[REDACTED]

**Comments**

when the account transferred from county I discussed my fixed income and paychecks on the 2nd wednesday of the month. That that time they moved my past due date to the latest possible. At this time you have moved the meter read date and bills are not coming before due. I have called twice and the issue is not getting resolved. Please fix to allow for mailing time and allow payment. If I had not looked, I would be late since he said it would be mid month like NV energy.

I appreciate your immediate attention to this.

Wanda [REDACTED]

\*\*\*Our vision is to enhance the quality of life in the Truckee Meadows by delivering exceptional, customer-focused water services.\*\*\*