

TMWA Committee Members:

- Kristopher Dahir
- Naomi Duerr
- Alexis Hill



Legislative Subcommittee of the Truckee Meadows Water Authority (TMWA)

AGENDA

Monday, February 1, 2021 @ 1:00 p.m.

Meeting Via Teleconference Only

MEMBERS OF THE PUBLIC MAY ATTEND VIA THE WEB LINK, OR
TELEPHONICALLY BY CALLING THE NUMBER, LISTED BELOW.
NO PHYSICAL LOCATION IS BEING PROVIDED FOR THIS MEETING
(be sure to keep your phones on mute, and do not place the call on hold)

Please click the link below to join the webinar:

<https://tmwa.zoom.us/j/95567019360?pwd=cmlTRDN4VVBZaTBIUINUK2VBaE1wUT09>

Passcode: 747731

Or call:

Phone: (888) 788-0099

Webinar ID: 955 6701 9360

Notes:

1. This meeting is being conducted pursuant to the Governor's Declaration of Emergency Directive 006 ("Directive 006") [http://gov.nv.gov/News/Emergency_Orders/2020/2020-03-22 - COVID-19 Declaration of Emergency Directive 006/](http://gov.nv.gov/News/Emergency_Orders/2020/2020-03-22_-_COVID-19_Declaration_of_Emergency_Directive_006/).
2. The announcement of this meeting has been electronically posted in compliance with NRS 241.020(3) and Directive 006 at <http://www.tmwa.com>, and NRS 232.2175 at <https://notice.nv.gov/>.
3. Pursuant to Directive 006, the requirement contained in NRS 241.020(3)(c) that physical locations be available for the public to receive supporting material for public meetings has been suspended. Staff reports and supporting material for the meeting are available 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. Asterisks (*) denote non-action items.
5. Pursuant to Directive 006, public comment, whether on action items or general public comment, may be provided without being physically present at the meeting by submitting written comments online on TMWA's Public Comment Form (tmwa.com/PublicComment) or by email sent to boardclerk@tmwa.com prior to the Board opening the public comment period during the meeting. In addition, public comments may be provided by leaving a voicemail at (775)834-0255 prior to 4:00 p.m. the day before the scheduled meeting. Voicemail messages received will be noted during the meeting and summarized for entry into the record. Public comment is limited to three minutes and is allowed during the public comment periods. The Subcommittee may elect to receive public comment only during the two public comment periods rather than each action item. Due to constraints of TMWA's videoconference system, public comment must be provided by voicemail, email or online comment as indicated above.
6. Notice is hereby given that a quorum of the Truckee Meadows Water Authority may be present at the meeting in so much as some members of the WRWC legislative subcommittee are members of the TMWA Board of Directors. Although members constituting a quorum of the Truckee Meadows Water Authority Board may be in attendance at the meeting while serving in different capacities as representative members of different governing bodies (TMWA and WRWC), no deliberations or actions on any matter over which TMWA has supervision or control will be taken within the definition of a "meeting" under NRS 241.015 by persons constituting a quorum of the TMWA Board and acting in their capacity as members of the TMWA Board. This notice is provided in excess of caution given the potential of a quorum to be present at this meeting.

1. Roll call*
2. Public comment (limited to no more than three minutes per speaker)*
3. Approval of agenda (**For Possible Action**)
4. Approval of the minutes of August 11, 2020 (**For Possible Action**)
5. Nomination and election of Chair and Vice Chair of the Legislative Subcommittee of the Truckee Meadows Water Authority (**For Possible Action**)

6. Discussion and possible direction to staff regarding the scheduling of meetings of TMWA's Legislative Subcommittee **(For Possible Action)**
7. Presentation of status report on legislation of interest to TMWA and possible direction regarding TMWA's position on legislation **(For Possible Action)**
8. Committee comments*
9. Staff comments*
10. Public comment (limited to no more than three minutes per speaker)*
11. Adjournment **(For Possible Action)**

**DRAFT MINUTES OF THE AUGUST 11, 2020
MEETING OF THE LEGISLATIVE SUBCOMMITTEE OF
THE TRUCKEE MEADOWS WATER AUTHORITY**

The meeting of the Legislative Subcommittee of the Truckee Meadows Water Authority (TMWA) was held via Teleconference. Chair Dahir called the meeting to order at 3:04 p.m.

1. ROLL CALL

Members Present: Kristopher Dahir, Naomi Duerr, and Vaughn Hartung

TMWA Legal Counsel Present: Michael Pagni

TMWA Staff Present: Mark Foree, John Enloe, John Zimmerman, Danny Rotter, and Leo Drozdoff (TMWA Lobbyist)

A quorum of the TMWA Legislative Subcommittee was present.

2. PUBLIC COMMENT

There was no public comment.

3. APPROVAL OF THE AGENDA

Upon motion duly made and seconded, and carried unanimously, the TMWA Subcommittee approved the agenda.

4. APPROVAL OF THE MINUTES OF THE NOVEMBER 1, 2019 SUBCOMMITTEE MEETING

Upon motion duly made and seconded, and carried unanimously, the TMWA Subcommittee approved the minutes of November 1, 2019 meeting.

5. PRESENTATION OF INTERIM LEGISLATIVE SESSION AND GOVERNMENTAL AFFAIRS ACTIVITIES AND POSSIBLE DIRECTION TO STAFF REGARDING SAME

John Zimmerman, TMWA Water Resources Manager, and Leo Drozdoff, TMWA Lobbyist, presented the update on interim legislative affairs activities that have occurred since the update sent to the Legislative Subcommittee in May 2020.

John Enloe, TMWA Director of Natural Resources, informed the Committee that staff will present a Memorandum of Understanding (MOU) to the TMWA Board of Directors at their August 2020 meeting to approve the agreement to work together with Carson City, Storey County and the State of Nevada to allocate the approximately 10k acre-feet (AF) of water resources available from the Marlette Lake water system. Both Carson City and Storey County, which have different needs for the water resources, have made investments into existing facilities to improve delivery of service for existing and future

customers. The intent is to get everyone to work together and clear up misconceptions in order for everyone to benefit from the resources.

Chair Dahir thanked staff for working with our partner agencies and hope if they have questions, they come to TMWA.

Mr. Zimmerman reported that TMWA's purchase power agreements (PPA) for its hydroelectric facilities will expire in 2026. For the past year or so, staff has been working with McDonald-Carano to consider ways to maximize hydrogeneration. The concept would be for TMWA to partially exit the NV Energy system after 2026, become a standby customer for any energy needed in excess of the energy produced, and sell excess energy produced. The plan is to amend the renewable energy statutes to allow for this option and make it broader to apply to any local agency. Staff will meet with NV Energy to obtain their input and then would meet with the Public Utilities Commission (PUC) and other stakeholders and have the amendments ready for the 2023 Legislative Session.

Discussion followed regarding the opportunity to get input from Southern Nevada Water Authority (SNWA) and other companies in the south as staff is considering the amendments as this appears to be a statewide issue; the ability to sell the excess hydro power credits (per the PPA, they are combined with NV Energy); staff is continuing discussions with Liberty Utilities since they have an easement on the Farad property; consideration of adding alternative renewable energy to any amendment, such as solar; and staff has yet to draft a redlined version of the potential amendments.

Mr. Zimmerman and Mr. Drozdoff informed the Subcommittee staff met with key legislators regarding TMWA's Draft 2020-40 Water Resource Plan and to explain TMWA's conjunctive management of its water resources and the ability to bank surface water. Mr. Drozdoff has been key in building the relationships and helping legislators better understand TMWA's position and its resources as well as meeting with the Natural Resources and Conservation Committee to discuss bills being considered.

Chair Dahir inquired about the bills that passed last legislative session that TMWA was not completely supportive of. Mr. Zimmerman replied that staff is tracking AB62, which was hotly contested and sent to the State Engineer's office to review regulations. The State Engineer held an informal public workshop in November 2019 and published the redlined version in June 2020. TMWA provided written comments, and all other stakeholder comments were negative, so it has been put on hold until after the elections.

Mr. Zimmerman added staff is continuing to work with Nevada Department of Environmental Protection (NDEP) regarding the process for reviewing water projects. Danny Rotter, TMWA Engineering Manager, added that it continues to be a discussion regarding the process, which has taken a long time, but we are in a better position with regards to regulation. TMWA's goal is to mirror a similar process to SNWA, with the intent to have regulations and processes across the state that are consistent.

Mr. Zimmerman advised the Subcommittee that staff continues to work with NDEP to analyze ways to improve the way the Central Truckee Meadows Remediation District (CTMRD) remediates PCE contamination.

**Upon motion duly made and seconded, and carried unanimously,
the TMWA Subcommittee accepted the report.**

6. PRESENTATION ON POTENTIAL TMWA LEGISLATIVE ISSUES FOR 2021 SESSION AND POSSIBLE DIRECTION TO STAFF REGARDING SAME

Mr. Zimmerman referred to the bill draft requests (BDRs) list. Of the 213 submitted as of the date of the report, there are a few bills on water, public works, and public records and staff is tracking to ensure TMWA's interests are protected. Mr. Drozdoff added the priorities will clearly be funding and building on the issues laid out in the special sessions, but he anticipates a fair amount of water bills to be introduced.

Chair Dahir suggested staff invite the chair of the Natural Resources and Conservation Committee to take a tour of TMWA's Service Area, to better understand our water resources, before the session, if possible. Mr. Drozdoff replied yes, that could be possible.

Upon motion duly made and seconded, and carried unanimously, the TMWA Subcommittee accepted the report.

7. COMMITTEE COMMENTS

Member Duerr stated it is useful to have people from both parties and different perspectives to advocate for improved processes and she can be of assistance if needed.

Chair Dahir agreed and it is beneficial to use the tools we have.

8. STAFF COMMENTS

Mr. Zimmerman requested the Subcommittee let staff know if they want to be updated more or less frequently on legislative progress.

9. PUBLIC COMMENT

There was no public comment.

10. ADJOURNMENT

With no further business, to discuss, Chair Dahir adjourned the meeting at 4:03 p.m.

Approved by the Legislative Subcommittee of the Truckee Meadows Water Authority on

Submitted by,

Sonia Folsom, Recording Clerk



STATE OF NEVADA

2021 LEGISLATIVE SESSION

120-Day Calendar

<i>Date (Day of Session)</i>	<i>Date (Day of Session)</i>	<i>Date (Day of Session)</i>
Feb. 1 (1)	Mar. 13 (41)	Apr. 22 (81)
Feb. 2 (2)	Mar. 14 (42)	Apr. 23 (82)
Feb. 3 (3)	Mar. 15 (43) Legislators' Bill Introductions	Apr. 24 (83)
Feb. 4 (4) <i>Subcommittees Start Meeting Jointly</i>	Mar. 16 (44)	Apr. 25 (84)
Feb. 5 (5) y	Mar. 17 (45)	Apr. 26 (85)
Feb. 6 (6)	Mar. 18 (46)	Apr. 27 (86)
Feb. 7 (7)	Mar. 19 (47)	Apr. 28 (87)
Feb. 8 (8) Legislators' BDR Requests	Mar. 20 (48)	Apr. 29 (88)
Feb. 9 (9)	Mar. 21 (49)	Apr. 30 (89)
Feb. 10 (10)	Mar. 22 (50) Joint Standing Rule No. 14 and Other Remaining Bill Introductions	May 1 (90)
Feb. 11 (11)	Mar. 23 (51)	May 2 (91)
Feb. 12 (12)	Mar. 24 (52)	May 3 (92) <i>Start Resolving Budget Differences</i>
Feb. 13 (13)	Mar. 25 (53)	May 4 (93) <i>Economic Forum Report Due</i>
Feb. 14 (14)	Mar. 26 (54)	May 5 (94)
Feb. 15 (15) Joint Standing Rule No. 14 BDR Requests	Mar. 27 (55)	May 6 (95)
Feb. 16 (16)	Mar. 28 (56)	May 7 (96)
Feb. 17 (17)	Mar. 29 (57)	May 8 (97)
Feb. 18 (18)	Mar. 30 (58) <i>Start Closing Budgets</i>	May 9 (98)
Feb. 19 (19)	Mar. 31 (59)	May 10 (99)
Feb. 20 (20)	Apr. 1 (60)	May 11 (100)
Feb. 21 (21)	Apr. 2 (61)	May 12 (101)
Feb. 22 (22) Joint Standing Rule No. 14 BDR Details	Apr. 3 (62)	May 13 (102)
Feb. 23 (23)	Apr. 4 (63)	May 14 (103) Committee Passage (Second House)
Feb. 24 (24)	Apr. 5 (64)	May 15 (104) <i>Finish Budget Differences</i>
Feb. 25 (25)	Apr. 6 (65)	May 16 (105)
Feb. 26 (26)	Apr. 7 (66)	May 17 (106)
Feb. 27 (27)	Apr. 8 (67)	May 18 (107)
Feb. 28 (28)	Apr. 9 (68) Committee Passage (First House)	May 19 (108)
Mar. 1 (29)	Apr. 10 (69)	May 20 (109)
Mar. 2 (30)	Apr. 11 (70)	May 21 (110) Second House Passage
Mar. 3 (31)	Apr. 12 (71)	May 22 (111)
Mar. 4 (32)	Apr. 13 (72)	May 23 (112)
Mar. 5 (33)	Apr. 14 (73)	May 24 (113)
Mar. 6 (34)	Apr. 15 (74)	May 25 (114)
Mar. 7 (35)	Apr. 16 (75)	May 26 (115) <i>Budget Bills Introduced Exempt Bills from Committee</i>
Mar. 8 (36)	Apr. 17 (76)	May 27 (116)
Mar. 9 (37)	Apr. 18 (77)	May 28 (117)
Mar. 10 (38)	Apr. 19 (78)	May 29 (118)
Mar. 11 (39)	Apr. 20 (79) First House Passage	May 30 (119)
Mar. 12 (40)	Apr. 21 (80)	May 31 (120)

Shaded days are Mondays.

Bolded and italicized items are budget related deadlines.



STAFF REPORT

TO: Chairman and Legislative Subcommittee Members
THRU: Mark Foree, General Manager
FROM: John Zimmerman, Water Resources Manager
DATE: January 29, 2021
SUBJECT: **Presentation of status report on legislation of interest to TMWA and possible direction regarding TMWA's position on legislation**

SUMMARY

The Session begins on February 1st. Staff, general counsel Michael Pagni, and TMWA lobbyist Leo Drozdoff have reviewed the bills that have been released to date and attached is a list of the bills and staff's recommended positions. The Legislative Counsel Bureau (LCB) has been delayed in releasing bills and has been slowly adding bills daily. Accordingly, staff will provide an updated list of bills at the TMWA Legislative Subcommittee meeting. Staff will also provide an update on the State Engineer's proposed regulations on water right applications for extensions of time.

RECOMMENDATION

The Subcommittee should take action on the list of bills and recommended positions.

Key 2021 Legislative Deadlines:

February 1	Session Begins
February 8	Legislators' BDR Requests
March 15	Legislators' Bill Introductions
March 22	Committees' Bill Introductions
April 9	Committee Passage (1 st House)
April 20	First House Passage
May 14	Committee Passage (2 nd House)
May 21	Second House Passage
May 31	Session Ends

Status Of Legislation - Print View 81st (2021) Session

AB1		Revises provisions relating to training for Legislators. (BDR 17-438)	
	Sponsor	Status / Location	Notes
	Committee on Legislative Operations and Elections	First Reading	1/29: NEUTRAL
AB3		Revises provisions concerning the electronic transmission of certain maps and other documents relating to the approval of divisions of land. (BDR 22-406)	
	Sponsor	Status / Location	Notes
	Committee on Government Affairs	First Reading	1/29: SUPPORT
AB5		Makes various changes to provisions relating to judicial review of orders and decisions of the State Engineer. (BDR 48-311)	
	Sponsor	Status / Location	Notes
	Committee on Natural Resources	First Reading	1/29: NEUTRAL
AB6		Revises provisions governing an application for a temporary change relating to appropriated water. (BDR 48-309)	
	Sponsor	Status / Location	Notes
	Committee on Natural Resources	First Reading	1/29: SUPPORT
AB15		Revises the membership of the Colorado River Commission of Nevada. (BDR 48-341)	
	Sponsor	Status / Location	Notes
	Committee on Natural Resources	First Reading	1/29: NEUTRAL
AB28		Imposes an inverse preference on certain bidders for state purchasing contracts. (BDR 27-238)	
	Sponsor	Status / Location	Notes
	Committee on Government Affairs	First Reading	1/29: NETURAL

AB37		Revises provisions relating to the enforcement of obligations for support of children. (BDR 3-301)	
	Sponsor Committee on Judiciary	Status / Location First Reading	Notes 1/29: NEUTRAL
AB39		Revises provisions relating to public records. (BDR 19-333)	
	Sponsor Committee on Government Affairs	Status / Location First Reading	Notes 1/29: NEUTRAL
AB49		Revises provisions relating to disciplinary action by the State Contractors' Board. (BDR 54-322)	
	Sponsor Committee on Commerce and Labor	Status / Location First Reading	Notes 1/29: NEUTRAL
AB61		Revises provisions relating to trade practices. (BDR 52-424)	
	Sponsor Committee on Commerce and Labor	Status / Location First Reading	Notes 1/29: NEUTRAL
AB65		Revises provisions relating to ethics in government. (BDR 23-257)	
	Sponsor Committee on Legislative Operations and Elections	Status / Location First Reading	Notes 1/29: NEUTRAL
AB83		Revises the date of the legal holiday for the observance of Nevada Day. (BDR 19-70)	
	Sponsor Yeager	Status / Location First Reading	Notes 1/29: NEUTRAL

SB11	<p>Authorizes certain incorporated cities to impose a supplemental governmental services tax. (BDR 32-433)</p> <p>Sponsor Committee on Revenue and Economic Development</p>	<p>Status / Location First Reading</p>	<p>Notes 1/29: NEUTRAL</p>
SB13	<p>Revises provisions relating to collective bargaining by local government employers. (BDR 31-370)</p> <p>Sponsor Committee on Government Affairs</p>	<p>Status / Location First Reading</p>	<p>Notes 1/29: NEUTRAL</p>
SB14	<p>Revises provisions relating to certain emergency response plans and assessments. (BDR 36-280)</p> <p>Sponsor Committee on Government Affairs</p>	<p>Status / Location First Reading</p>	<p>Notes 1/29: NEUTRAL</p>
SB18	<p>Revises provisions governing penalties for certain violations relating to public utilities. (BDR 58-277)</p> <p>Sponsor Committee on Growth and Infrastructure</p>	<p>Status / Location First Reading</p>	<p>Notes 1/29: NEUTRAL</p>
SB26	<p>Revises provisions relating to the protection of personally identifiable information from release. (BDR 52-332)</p> <p>Sponsor Committee on Commerce and Labor</p>	<p>Status / Location First Reading</p>	<p>Notes 1/29: NEUTRAL</p>

SB33		Revises certain provisions relating to natural resource management. (BDR 47-312)	
	Sponsor Committee on Natural Resources	Status / Location First Reading	Notes 1/29: NEUTRAL
SB40		Provides for the collection of certain data relating to health care. (BDR 40-415)	
	Sponsor Committee on Health and Human Services	Status / Location First Reading	Notes 1/29: NEUTRAL
SB67		Revises provisions relating to public works. (BDR 28-400)	
	Sponsor Committee on Government Affairs	Status / Location First Reading	Notes 1/29: NEUTRAL
SB71		Revises provisions governing unclaimed property. (BDR 10-398)	
	Sponsor Committee on Judiciary	Status / Location First Reading	Notes 1/29: NEUTRAL
SB73		Allows the imposition of certain taxes or the reallocation of certain tax revenue to fund certain natural resources projects and services in the City of Reno based on the recommendations of a committee and voter approval. (BDR S-432)	
	Sponsor Committee on Revenue and Economic Development	Status / Location First Reading	Notes 1/29: NEUTRAL
SJR1		Proposes to amend the Nevada Constitution to provide that the Nevada Court of Appeals has original jurisdiction over certain cases relating to water. (BDR C-310)	
	Sponsor Committee on Judiciary	Status / Location Resolution File	Notes 1/29: NEUTRAL