



STAFF REPORT

TO: Chairman and Board Members
THRU: Mark Foree, General Manager
FROM: John Enloe, Operational Strategies Manager
DATE: July 16, 2014
SUBJECT: **Discussion and presentation of plan and schedule for public input and hearing on TMWA’s adoption of the Domestic Well Mitigation Program in connection with pending Merger with Washoe County Community Services Department and South Truckee Meadows General Improvement District water utilities**

Background:

Since the early 2000’s, numerous domestic well owners in the Mt. Rose and Galena Fan area have been experiencing water level declines as a result of municipal and domestic well groundwater pumping in areas such as Arrowcreek, Saddlehorn, Callahan Ranch, Montrêux, Galena Forest and St. James’s Village. In January 2011, the Washoe County Department of Water Resources prepared an update to the South Truckee Meadows Water Facility Plan. An element of the Water Facility Plan included a groundwater model which was used to estimate future groundwater level declines that are expected to occur from ongoing municipal and domestic well pumping.

Projected groundwater level declines were one of several factors used by Washoe County to establish the Mt. Rose – Galena Fan Domestic Well Mitigation Program in August of 2011. Development of the Domestic Well Mitigation Program involved a significant public process to reach an agreeable, long term solution to mitigate groundwater level declines and impacts to domestic wells caused in part by Washoe County and STMGID municipal groundwater pumping in the Mt. Rose Galena Fan area.

The Mt. Rose – Galena Fan Domestic Well Mitigation Program provides for reimbursement of specific well deepening costs or water system connection charges incurred by property owners within the Program Area that experienced or will experience an Unreasonable Adverse Effect as a result of municipal groundwater pumping. Under the County’s Program, an “Unreasonable Adverse Effect” means an adverse impact on a domestic well related to or caused by municipal pumping by Washoe County or South Truckee Meadows General Improvement District groundwater facilities when all of the following circumstances exist:

- i. The impacted domestic well draws from the same source aquifer as the municipal well(s) alleged to be causing the unreasonable adverse effect; and
- ii. Objective evidence exists that clearly connects municipal pumping to the impairment of the affected domestic well's ability to provide a sustainable source of potable water for the property; and
- iii. The impacted domestic well is experiencing an actual or imminent adverse effect resulting from the reduction of ground water supply to the well which leads to the actual inability of the well to produce an adequate supply of water for domestic use; and
- iv. The protectable interest in the impacted domestic well is limited to the draught allowed under NRS 534.180(1).

TMWA's proposed Mt. Rose – Galena Fan Domestic Well Mitigation Program will be based on the existing Washoe County program, and is intended to provide continuity after the merger for domestic well owners in the Mt. Rose Galena Fan area.

Schedule:

TMWA staff plan to bring a new Rule proposal to the Board in either August or September which would establish the Mt. Rose – Galena Fan Domestic Well Mitigation Program. The following schedule has been established to review the proposed Program and receive public input:

- The proposed Rule will be presented to TMWA's Standing Advisory Committee on August 5, 2014.
- TMWA staff will attend a special meeting in August to support Washoe County at an informational domestic well owner presentation regarding the pending merger of both STMGID and Washoe County water systems into TMWA, and the status of the Mt. Rose – Galena Fan Domestic Well Mitigation Program under TMWA.
- A Mt. Rose – Galena Fan Domestic Well Mitigation Program workshop for public input will be held in August at TMWA (anticipated date August 12).
- Staff anticipates a first reading of the Rule will be brought to the TMWA Board at either the August 20 or the September 17 Board meeting. The second reading would be at the following Board meeting.
- The effective date of the new Rule would be at the closing of the merger.

Action:

Staff requests direction from the Board regarding moving forward with the proposed Rule and implementation schedule.