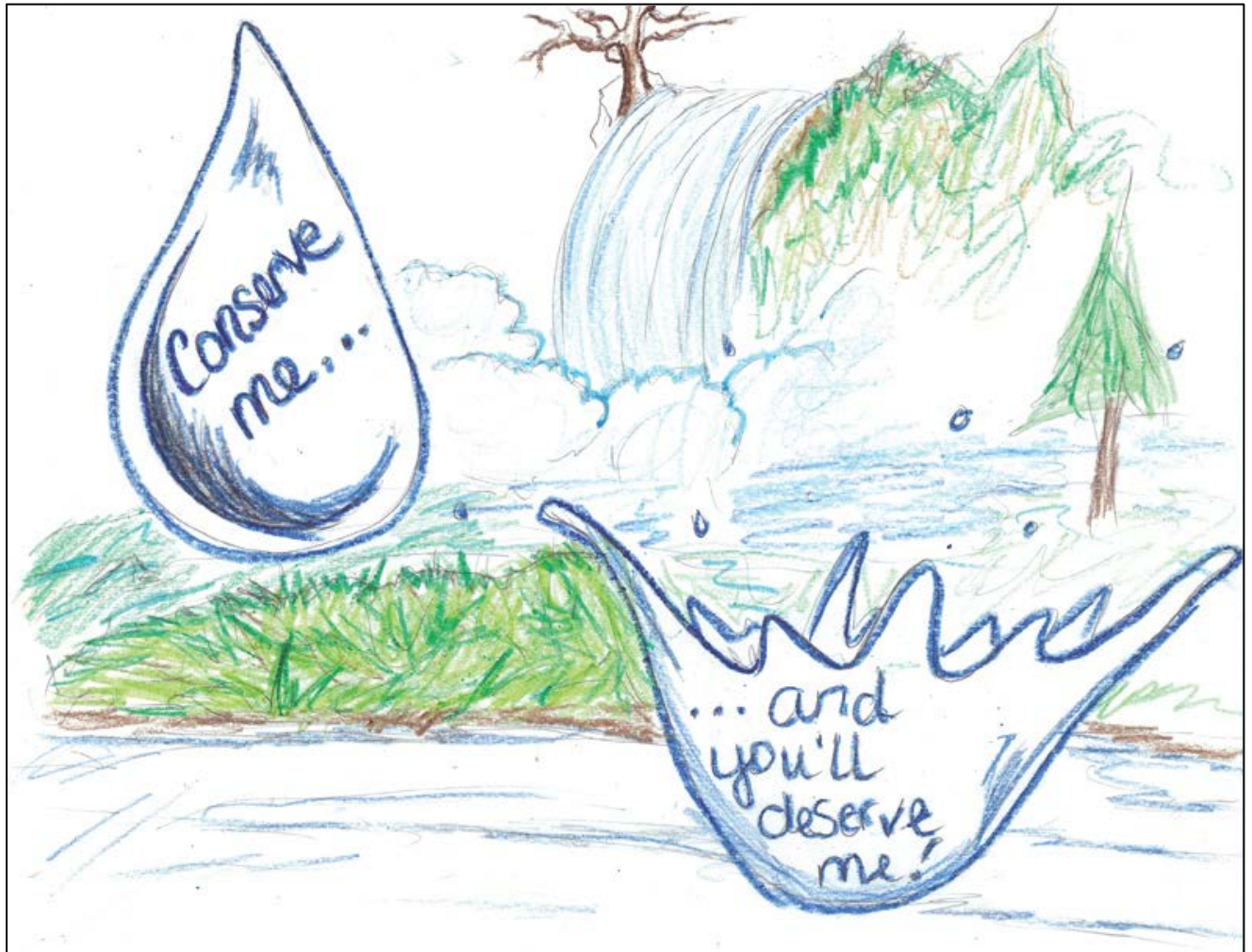


TMWA Board Meeting

Wednesday, January 16, 2013

Press Clippings

December 12, 2012 - January 7, 2013



*Desiree Villareal (Lincoln Park Elementary School)
2010 Poster Art Contest - Second Place, Grades 4-6*



This article was printed from the Green section of the *Reno News & Review*, originally published January 3, 2013.

This article may be read online at:
<http://www.newsreview.com/reno/content?oid=8722222>
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Lakeside view

New plans for Lake Tahoe mean better water and better towns

By Ashley Hennefer

According to the Tahoe Regional Planning Agency, reducing the 72 percent of fine sediment polluting Lake Tahoe’s water requires an entire infrastructure overhaul—and as a result, several efforts to improve the Tahoe Basin’s water quality, marshes and regional transportation were approved by Lake Tahoe board members in mid-December. The plans include the Lake Tahoe Regional Plan, which will work with property owners to reduce pollution, and “Mobility 2035,” intended to establish sustainable transportation in Tahoe towns.



Owners of Tahoe properties, such as these hidden among the trees in Crystal Bay, may receive construction perks if they participate in the TRPA’s new plans.

PHOTO BY ASHLEY HENNEFER

“The biggest problem in the basin is pollution from the sediment of storm water,” says Jeff Cowen, community liaison of the TRPA. “[The Lake Tahoe Regional Plan] is a water quality restoration plan that focuses on the lake’s pollutant fine sediment—like the ground-up road sand carried around the basin. What we designed was a plan that would address people to do BMPs [best management practice of erosion].”

To read the regional plan, visit www.bit.ly/RWuG4C.

To enact BMPs, such as putting in gravel under drip lines beneath a house, the plan will revise “rules that have been on the books since the 1980s,” Cowen says. “The regulatory system in Tahoe is so strong, so robust, but we’re not changing the caps to growth.”

Because many Tahoe properties are older, BMPs are currently happening only “when property owners do a project, remodel a house—when they tear down a house or rebuild a new one.” Thus, the plan is “an incentive to do more remodeling and environmental redevelopment,” Cowen says, by offering perks. For instance, if a property owner has a BMP certificate, they can build a 500-square-foot deck.

“Currently, there’s a limit to land cover on parcels,” says Cowen. “This plan has real economic benefits for property owners.”

Another option to reduce pollution is to remove some of the 8,300 structures built on marshlands. Cowen says that knocking down or moving at least a couple hundred of these will prevent further pollution, and the structures, like old cabins, can be re-purposed in town for community resources.

But tackling the outdated town centers, especially the shopping centers which have “not seen a significant level of investment since the 1950s,” Cowen says, is a much bigger project. To prevent water pollution, vaults must be installed under parking lots and filter the water. This kind of project can cost up to \$1 million, and doesn’t ensure that the filtration meets the high infiltration standards.

So the TRPA will approach this redevelopment in a different way, Cowen says, by improving town centers. Moving town centers up, not out—such as increasing building height—will help create denser towns with more sustainable transportation. Mobility 2035—which signifies the year TRPA plans to meet the goal—will create more walking and biking paths connected from town to town.

The regional and transportation plans will go into effect on Feb. 10. Cowen says progress on residential properties may happen in the near future, but other, larger projects will take longer depending on county involvement and public response.

“The town center projects will take further down the line,” he says. “Those require local area plans, smaller scale local area plans that show environmental improvement.”



This article was printed from the Local Stories section of the *Reno News & Review*, originally published December 27, 2012.

This article may be read online at:

<http://www.newsreview.com/reno/content?oid=8670281>

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Printed on 2013-01-02.

Missouri water to Nevada?

Missouri water to Nevada?

By Dennis Myers

A U.S. Interior Department report issued Dec. 12 predicts the Colorado River Basin states will experience a supply/demand “imbalance” of 3.2 million acre-feet of water within 48 years. Nevada is one of the seven states in the Basin.

In a separate project, Interior also solicited suggestions for how to solve the impending Colorado River Basin water shortage. Many of them, such as moving an iceberg south, were not taken seriously, but U.S. Bureau of Reclamation officials said they would evaluate a proposal called the “Missouri River Reuse Project” which involves a pipeline to bring water from the Missouri River Basin to the West.

The study found that the 700-mile pipeline would be less expensive and would supply more water than other proposed alternatives that were examined. Its construction would cost nearly \$9 billion with yearly operating costs of \$1 billion.

The Interior Department said in a press release that the Dec. 12 report was “prepared by the Bureau of Reclamation and the seven Colorado River Basin states,” which led the Associated Press to issue a story headlined “Missouri River water sought by Western states.”

But the report itself never mentions Nevada’s state government, which appears not to have been a participant. The report did name the Southern Nevada Water Authority (SNWA), a county-level agency, as participating. SNWA is the agency that is seeking to take water from western Utah and eastern Nevada to supply the Las Vegas area with additional water, and its director, Patricia Mulroy, was quick to embrace the Missouri pipeline, too.

“Maybe it’s time for us to look at marrying the concepts of flood control and drought protection,” the Associated Press quoted Mulroy saying. “We’ve seen in the middle portion of the country some devastating flooding going on. Should we be talking about preserving those floodwaters somehow and not putting New Orleans at risk and some of the other communities at risk year after year?”

But Bob Fulkerson of the Progressive Leadership Alliance of Nevada said, “It’s a 19th-century project that has no place in the 21st century. Nevada has a bitter history with such projects, as the first Bureau

of Reclamation ... project in Nevada, the Newlands Project that diverted water from the Truckee River to the Lahontan Valley, caused the complete extinction of the Pyramid Lake Cutthroat Trout. It also killed Lake Winnemucca, where my grandfather told me of seeing so many ducks and geese that they 'blotted out the sun.' It's not only gone, it's totally forgotten. We will fight this ill-conceived boondoggle with allies in other states, and not just those in the conservation community. Our most powerful allies will be politically powerful economic interests along the Missouri River who stand much to lose under this proposal."

The Missouri River begins in Montana and winds through seven states, which were terminally thrilled to hear of the pipeline plan. The Kansas City Star reported, "Almost to a person this week, interests along the Missouri River said the political, legal and practical problems associated with the pipeline made its construction highly problematic."

A CBS station in St. Louis quoted Kansas agriculture official Burke Griggs: "If this gets any traction, people in the Missouri River Basin probably will scream."

Even Interior Secretary Ken Salazar warned the Colorado River Basin states not to count on the Missouri pipeline and urged them to look elsewhere for solutions. "There's no silver bullet to solve the imbalance between the demand for water and the supply in the Colorado River Basin over the next 50 years," he said.

National Parks Traveler said the pipeline proposal "largely ignores national parks the river flows through. Aside from passing mention in a list of parks, wildlife refuges, tribes, and national recreation areas for which the river is the 'lifeblood,' the voluminous report fails to discuss the value of the river to those 11 national parks ... and seven wildlife refuges or outline how their water rights should be preserved."

And federal regulators are not exactly friendly these days toward water transfers. Earlier this year, the Federal Energy Regulatory Commission upheld its previous denial of permitting for a pipeline from the Green River in Wyoming to Colorado's Front Range.

The full Colorado River Basin report can be read at usbr.gov/lc/region/programs/crbstudy.htm.

[print](#)

Bike Project receives \$12,850 from Tahoe Fund

by [Tribune Staff](#)

12.26.12 - 11:00 pm

INCLINE VILLAGE — Tahoe Transportation District received \$12,850 from the Tahoe Fund Dec. 3 toward the Stateline to Stateline Bikeway Project. The Tahoe Fund is a non-profit organization whose mission is to become a major source of private funding for environmental projects around the Lake Tahoe Basin with an emphasis on recreation, conservation and education.

The first one-mile section of the 3.2 mile bike path that will connect Round Hill Pines Beach with Stateline along the South Shore of Lake Tahoe has been completed, spinning the spokes toward the next phase of an eventual system of trails to connect all of Lake Tahoe.

Tahoe Transportation District (TTD) has five concurrent projects throughout the Basin and completed the first phase of the initial demonstration Bikeway Project on time and under budget while not requiring the removal of a single tree. As part of Nevada's Stateline to Stateline Bikeway Project that started earlier this year, it will ultimately span 30-plus miles from South to North shores.

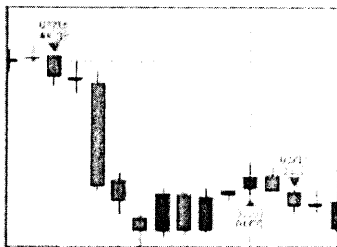
The next phase from Elks Point Road to Round Hill Pines Resort is scheduled during the 2013 construction season with \$2.5 million in secured funding.

The project benefits provide safer biking and walking opportunities to complement the lifestyle of one of America's most beautiful destinations; and positive environmental impact through: improved air quality and lake clarity from decreased auto emissions.

For details on Tahoe Transportation District and its current projects, visit www.TahoeTransportation.org or call 589-5500.

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Profiting from Your Thirst as Global Elite Rush to Control Water Worldwide

Commodities / Water Sector Dec 21, 2012 - 11:49 AM
By: [Submissions](#)



Commodities



Jo-Shing Yang writes: **The New "Water Barons": Wall Street Mega-Banks and the Tycoons Are Buying up Water at Unprecedented Pace**

A disturbing trend in the water sector is accelerating worldwide. The new "water barons" --- the Wall Street banks and elitist multibillionaires --- are buying up water all over the world at unprecedented pace. Familiar mega-banks and investing powerhouses such as Goldman Sachs, JP Morgan Chase, Citigroup, UBS, Deutsche Bank, Credit Suisse, Macquarie Bank, Barclays Bank, the Blackstone Group, Allianz, and HSBC Bank, among others, are consolidating their control over water. Wealthy tycoons such as T. Boone Pickens, former President George H.W. Bush and his family, Hong Kong's Li Ka-shing, Philippines' Manuel V. Pangilinan and other Filipino billionaires, and others are also buying thousands of acres of land with aquifers, lakes, water rights, water utilities, and shares in water engineering and technology companies all over the world.

The second disturbing trend is that while the new water barons are buying up water all over the world, governments are moving fast to limit citizens' ability to become water self-sufficient (as evidenced by the well-publicized Gary Harrington's case in Oregon, in which the state criminalized the collection of rainwater in three ponds located on his private land, by convicting him on nine counts and sentencing him for 30 days in jail). Let's put this criminalization in perspective:

Billionaire T. Boone Pickens owned more water rights than any other individuals in America, with rights over enough of the Ogallala Aquifer to drain approximately 200,000 acre-feet (or 65 billion gallons of water) a year. But ordinary citizen Gary Harrington cannot collect rainwater runoff on 170 acres of his private land.

It's a strange New World Order in which multibillionaires and elitist banks can own aquifers and lakes, but ordinary citizens cannot even collect rainwater and snow runoff in their own backyards and private lands.

"Water is the oil of the 21st century."

Andrew Liveris, CEO of DOW Chemical Company (quoted in The Economist magazine, August 21, 2008)

In 2008, I wrote an [article](#), "Why Big Banks May Be Buying up Your Public Water System," in which I detailed how both mainstream and alternative media coverage on water has tended to focus on individual corporations and super-investors seeking to control water by buying up water rights and water utilities. But paradoxically the hidden story is a far more complicated one. I argued that the real story of the global water sector is a convoluted one involving "interlocking globalized capital": Wall Street and global investment firms, banks, and other elite private-equity firms -- often transcending national boundaries to partner with each other, with banks and hedge funds, with technology corporations and insurance giants, with regional public-sector pension funds, and with sovereign wealth funds -- are moving rapidly into the water sector to buy up not only water rights and water-treatment technologies, but also to privatize public water utilities and infrastructure.

Now, in 2012, we are seeing this trend of global consolidation of water by elite banks and tycoons accelerating. In a JP Morgan equity research document, it states clearly that "Wall Street appears well aware of the investment opportunities in water supply infrastructure, wastewater treatment, and demand management technologies." Indeed, Wall Street is preparing to cash in on the global water grab in the coming decades. For example, Goldman Sachs has amassed more than \$10 billion since 2006 for infrastructure investments, which include water. A 2008 New York Times article mentioned Goldman Sachs, Morgan Stanley, Credit Suisse, Kohlberg Kravis Roberts, and the Carlyle Group, to have "amassed an estimated an estimated \$250 billion war chest --- must of it raised in the last two years --- to finance a tidal wave of infrastructure projects in the United States and overseas."

By "water," I mean that it includes water rights (i.e., the right to tap groundwater, aquifers, and rivers), land with bodies of water on it or under it (i.e., lakes, ponds, and natural springs on the surface, or groundwater underneath), desalination projects, water-purification and treatment technologies (e.g., desalination, treatment chemicals and equipment), irrigation and well-drilling technologies, water and sanitation services and utilities, water infrastructure maintenance and construction (from pipes and distribution to all scales of treatment plants for residential, commercial, industrial, and municipal uses), water engineering services (e.g., those involved in the design and construction of water-related facilities), and retail water sector (such as those involved in the production, operation, and sales of bottled water, water vending machines, bottled water subscription and delivery services, water trucks, and water tankers).

Update of My 2008 Article: Mega-Banks See Water as a Critical Commodity

Since 2008, many giant banks and super-investors are capturing more market share in the water sector and identifying water as a critical commodity, much hotter than petroleum.

Goldman Sachs: Water Is Still the Next Petroleum

In 2008, Goldman Sachs called water “the petroleum for the next century” and those investors who know how to play the infrastructure boom will reap huge rewards, during its annual “Top Five Risks” conference. Water is a U.S.\$425 billion industry, and a calamitous water shortage could be a more serious threat to humanity in the 21st century than food and energy shortages, according to Goldman Sachs’s conference panel. Goldman Sachs has convened numerous conferences and also published lengthy, insightful analyses of water and other critical sectors (food, energy). Goldman Sachs is positioning itself to gobble up water utilities, water engineering companies, and water resources worldwide. Since 2006, Goldman Sachs has become one of the largest infrastructure investment fund managers and has amassed a \$10 billion capital for infrastructure, including water.

In March 2012, Goldman Sachs was eyeing Veolia’s UK water utility business, estimated at £1.2 billion, and in July it successfully bought Veolia Water, which serves 3.5 million people in southeastern England.

Previously, in September 2003, Goldman Sachs partnered with one of the world’s largest private-equity firm Blackstone Group and Apollo Management to acquire Ondeo Nalco (a leading company in providing water-treatment and process chemicals and services, with more than 10,000 employees and operations in 130 countries) from French water corporation Suez S.A. for U.S.\$4.2 billion.

In October 2007, Goldman Sachs teamed up with Deutsche Bank and several partners to bid, unsuccessfully, for U.K.’s Southern Water. In November 2007, Goldman Sachs was also unsuccessful in bidding for U.K. water utility Kelda. But Goldman Sachs is still looking to buy other water utilities.

In January 2008, Goldman Sachs led a team of funds (including Liberty Harbor Master Fund and the Pinnacle Fund) to buy U.S.\$50 million of convertible notes in China Water and Drinks Inc., which supplies purified water to name-brand vendors like Coca-Cola and Taiwan’s top beverage company Uni-President. China Water and Drinks is also a leading producer and distributor of bottled water in China and also makes private-labeled bottled water (e.g., for Sands Casino, Macau). Since China has one of the worse water problems in Asia and a large emerging middle class, its bottled-water sector is the fastest-growing in the world and it’s seeing enormous profits. Additionally, China’s acute water shortages and serious pollution could “buoy demand for clean water for years to come, with China’s \$14.2 billion water industry a long-term investment destination” (Reuters, January 28, 2008).

The City of Reno, Nevada, was approached by Goldman Sachs for “a long-term asset leasing that could potentially generate significant cash for the three TMWA [Truckee Meadows Water Authority] entities. The program would allow TMWA to lease its assets for 50 years and receive an up-front cash payment” (Reno News & Review, August 28, 2008). Essentially, Goldman Sachs wants to privatize Reno’s water utility for 50 years. Given Reno’s revenue shortfall, this proposal was financially attractive. But the water board eventually rejected the proposal due to strong public opposition and outcry.

Citigroup: The Water Market Will Soon Eclipse Oil, Agriculture, and Precious Metals

Citigroup’s top economist Willem Buiter said in 2011 that the water market will soon be hotter the oil market (for example, see this and this):

“Water as an asset class will, in my view, become eventually the single most important physical-commodity based asset class, dwarfing oil, copper, agricultural commodities and precious metals.”

In its recent 2012 Water Investment Conference, Citigroup has identified top 10 trends in the water sector, as follows:

1. Desalination systems
2. Water reuse technologies
3. Produced water / water utilities
4. Membranes for filtration
5. Ultraviolet (UV) disinfection
6. Ballast-water treatment technologies
7. Forward osmosis used in desalination
8. Water-efficiency technologies and products
9. Point-of-use treatment systems
10. Chinese competitors in water

Specifically, a lucrative opportunity in water is in hydraulic fracturing (or fracking), as it generates massive demand for water and water services. Each oil well developed requires 3 to 5 million gallons of water, and 80% of this water cannot be reused because it’s three to 10 times saltier than seawater. Citigroup recommends water-rights owners sell water to fracking companies instead of to farmers because water for fracking can be sold for as much as \$3,000 per acre-foot instead of only \$50 per acre/foot to farmers.



Powered by Limelight

Posted: Thu 1:14 PM, Dec 20, 2012

Reporter: Terri RussellEmail

Updated: Thu 2:43 PM, Dec 20, 2012

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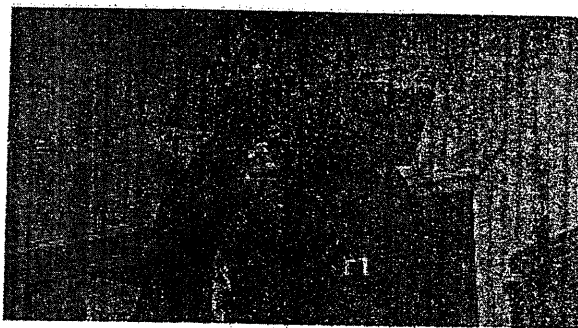
Taking Care of Living Christmas Trees

Before they enter the house, most Christmas Trees need a little trim here a little tuck there.

That's not typically the case for a "living" Christmas tree.

However the stakes are much much higher.

"We had some trees that's didn't make it so we decided what the heck, let's do a different route this year. My biggest concern is I have another tree that doesn't make it," says Sparks resident Andy Gebhardt who says he's thinking about a living tree this year.



Gebhardt has come to the Garden Shop to get some good information on his living Christmas tree from Dale Carlon with the [Community Forest Coalition](#).

Carlon says Gebhardt has the right to be concerned about killing the living tree because that is what typically happens.

"It's the acclimation period we are talking about. Folks just assume you can take this tree directly into the house and enjoy it," says Carlon.

Carlon says there are many trees to choose from, Austrian Pine, Vanderwolf, Blue Spruce, Western White Pine, and Dwarf Alberta Spruce are most popular to the area.

But if you are going to do this right, Thursday night is probably the deadline so that the tree is in the house by Christmas Eve.

He suggests outside in the day, in the garage at night Thursday and Friday.

On Saturday and Sunday keep the tree in garage for a 48-hour period.

Then he says bring the tree in on Monday to decorate.

"We don't want it near a window where it is going to get hot in the day. We don't want it near a heat source where its going to get warm during the day. And with regards to watering what we recommend is ice cubes," Carlon tells Gebhardt.

Carlon says the tree can stay indoors for 7 to 10 days, then it must go outside.

To re-acclimate the tree, Carlon says simply reverse the process.

Carlon says people are worried about not being able to replant the tree that the ground is too frozen.

He says don't worry about that because it rarely happens in Reno.

But he does suggest digging a hole the day you buy the tree, that way you'll be ready to replant it.

Living trees can range from \$70 to \$300.

That's why Carlon says most people don't buy a living tree every Christmas.

He says its usually reserved for a significant year like a wedding, anniversary, new home, or birth of a baby.

[Previous Story](#) | [Next Story](#) >

Find this article at:

<http://www.kolotv.com/news/northernnevadanews/headlines/Living-Christmas-Tree-Care--184324661.html>

Check the box to include the list of links referenced in the article.

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Council gives nod for revisions to city's dedication agreement

*Written by Betty Aleck
Dec 20*

rgj.com

FERNLEY — The Fernley City Council has approved some revisions to the city's Water Rights Dedication Incentivization Program.

City Engineer Shari Whalen said the program was enacted to encourage residents to dedicate their surface water to the city. The program offers an alternative to water rights purchase programs that have been initiated by outside entities to buy water rights off the Truckee Division. Additionally, once the water right is dedicated to the city, it cannot be transferred out of the city's service area.

The city has three incentive programs: Gifted Dedication, Deferred Fee Dedication and Green Dedication.

Whalen said the Gifted Dedication program includes water rights of less than two acre-feet. A benefit to this program is that dedicator would no longer be responsible for paying the Truckee-Carson Irrigation District Operation and Maintenance Fees of about \$330 per year. The city would also pay for legal and engineering fees associated with the dedication. The revision to this program is that the water rights owner would not receive will-serve credits.

The Deferred Fee Dedication program involves more than two-acre feet of water rights that are not being used, but can be used in the future. The city pays for the legal and engineering fees associated with the dedication. The revision to this program includes, "In the event that a dedicator wants to dedicate water immediately, but does not wish to request will-serves until a later date, fees for review of the water rights may be deferred until such time that will-serves are requested or the dedicator wishes to assign the banked water rights." Benefits to this program is that the TCID O & M fees are paid by the city and manner and use of the water rights will be changed by the city to municipal purposes, which increases the value of the water right.

The Green Dedication program involves water dedication of over two acre fee and is water that is being used for irrigation. The revision to this program includes, "Once the property owner no longer wishes to irrigate, the dedicated water rights may be banked in exchange for will-serve commitments at the option of the dedicator. Once the property is no longer irrigated, the same terms as the standard agreement apply." Under this program, the city pays for TCID O & M fees and legal and engineering fees at the time of dedication. The use of the water rights will be changed by the city to municipal purposes, which increases the value of the water right

Fernley outlines claim to Donner Lake water

*Written by Betty Aleck
Dec 11*

rgj.com

FERNLEY — Back in 1943, the Truckee-Carson Irrigation District purchased Donner Lake as tenant-in-common with the Sierra Pacific Power Company.

The purchase was made to provide upstream water storage, and for the Truckee Division for drought protection.

The issue of the city's rights to Donner Lake were discussed at last Wednesday's Fernley City Council meeting, and the council voted unanimously to send a letter to the TCID outlining the city's legal claim on behalf of Truckee Division water rights owners, to water stored in Donner Lake for drought protection.

Water rights attorney Paul Taggart told the council the letter involves "a claim the City of Fernley has to the Donner Lake storage, and this is a water right at Donner Lake and was approved by TCID for farmers in the Newlands Project, in particular the Truckee Division."

The Truckee Division includes water rights owners in Fernley, Hazen and Swingle Bench.

Taggart told the council that upstream storage is a "very important resource in our future planning for how we're going to serve our customers."

He added that when the city asks the Nevada State Engineer for will serves, the State Engineer will look at what the drought years have been for surface water.

Additionally, Taggart said, "Donner Lake is there, it's been there. It's a resource for farmers in this area. This letter is intended to indicate our understanding and our belief that's our water and to ask TCID to recognize that; and ultimately were hoping it leads to discussion and an agreement on how that water can be used mutually by TCID, Fernley and farmers in the Truckee Division."

A staff report prepared by city engineer Shari Whalen indicated that in 1929, prior to TCID's purchase of the lake, TCID used the water for drought protection for the Truckee Division.

The reported also indicated, "In the early 1990s, TCID was no longer allowed to convey Donner Lake water through the Newlands Project; however, it is staff's opinion that the City of Fernley is not subject to the same restriction as TCID for use of the Donner Lake water."

Fernley's letter asks for assurance from the irrigation district's board that Donner Lake water will "remain available to the Truckee Division as drought protection."

Part of the letter said, "TCID purchase Donner Lake specifically to ensure that adequate water supplies are available to the Truckee Division water owners when needed. TCID should therefore continue to hold the lake as protection against drought conditions and insurance against resulting water supply diminution of the Truckee Division."

The letter cited numerous historical events that indicated Donner Lake water was used for water shortage in the Truckee Division, adding, "When TCID purchased Donner Lake water and storage rights in 1943, it did so for the benefit of water users in the Truckee Division."

Another portion of the city's letter cited a 1998 document drafted by then TCID Director Bill Shephard that indicated Donner Lake water is to be used solely within the Truckee Division. Shephard stated the reason for the purchase was "to give the Truckee Division some water stored water protection in drought years."

In conclusion, the city's letter read, "Fernley requests that TCID acknowledge the long history and relationship between the Truckee Division and Donner Lake."

City Council to meet this Wednesday

Filed Under *Leader-Courier* *Leader-Courier Community Fernley City Council Western Nevada Churchill County*
Dec 04

rgj.com

Staff Report

FERNLEY The Fernley City Council will meet this Wednesday at 5 p.m. in the council chambers at City Hall. Some of the agenda items include the following:

- *Discussion and possible action to appoint Mayor's appointment of Lori Matheus as Municipal Court Judge.
- *Presentation and discussion by the U.S. Bureau of Reclamation regarding the 2012 Truckee Canal Safe Flow Assessment.
- *Public Hearing: Presentation, discussion and possible action on the Fiscal Year 2013 Community Development Block Grant application for a Downtown Corridor Revitalization Plan and City Sponsorship of CDBG set aside projects; UNR Small Business Development Center Grant, Western Nevada Development District Small Business Revolving Loan Grant and Churchill County's Homeless Continuum of Care application.
- *Public Hearing: Discussion and possible action to adopt Bill 180 as an Ordinance authorizing the City of Fernley to enter into a Development Agreement to allow for the release of the surety bonds for Green Valley Estates Tentative Subdivision Map, condition of approval #4 on Phase 5A, B and C, located west of Ricci Lane and north of TCID canal.
- *Public Hearing: Discussion and possible action to adopt Bill 181 as an Ordinance amending Municipal Code, Title 8: Parks and Recreation and other matters property related thereto.
- *Discussion and possible action to approve Facility Use Fee Schedule Resolution #12-016, Revised Facility Use Policy and Application.
- *Discussion and possible action to approve Special Event Fee Schedule Resolution #12-017, Special Event Policy and Application.
- *Discussion and possible action to approve revised and updated Dedication agreement for the following types of water rights dedications: 1. Standard Dedication. 2. Gift (no will-serve) dedication. 3. "Green" dedication. 4. Deferred fees dedication.
- *Discussion and possible direction to staff regarding a city policy on the assignment of banked water rights, requiring all future assignments to be recorded with Lyon County Recorder's Office.
- *Discussion and possible action regarding letter to TCID from Fernley detailing Fernley's ownership claim to Donner Lake Water Storage.
- *Discussion and possible action to approve Mayor's re-appointments: A. Re-appointment of Leslieann Hayden to Lyon County Room Tax Board. B. Re-appointment of Ed Meagher to Washoe County East Truckee Canyon.

Fernley OKs addendum to TCID pact

Written by Betty Aleck

Dec 03

rgj.com

FERNLEY — With virtually no discussion, the Fernley City Council voted to approve an addendum to a settlement agreement between the city and the Truckee-Carson Irrigation District.

The city previously entered into an agreement with TCID to resolve all issues resulting from the Fernley Flood of 2008, rather than pursuing litigation.

Under the agreement, the city formally withdrew its claims against TCID, which were initially filed on Jan. 5, 2010, and which sought resolution of damages to city property caused by the Jan. 5, 2008, flood. The withdrawal was contingent upon the irrigation district waiving O& M fees for the irrigation seasons of 2012 and 2013.

City Attorney Bandi Jensen indicated in her staff report, “The parties agreed to an amount in settlement and have further agreed by Addenda to how that balance would be paid to the city.”

Jensen’s final addendum is the final step to resolve the claims between the city and TCID related to Settlement Agreement and Mutual Release. According to Jensen, “The Addendum allows for culvert improvements near (culvert) TC-1 and also reduced the balance owed by the Operation and Maintenance Fees for the City of Fernley with TCID for surface water rights.”

The irrigation district owes the city \$74,494.10 and agreed to construct and replace culvert TC-1. The undertaking will cost \$22,000, the balance owed to the city is \$52,494, and the parties agree to place that amount toward the city’s 2012 O & M fee of \$97,313.57, which leaves a balance owed by the city of \$44,819.47. The city agreed to pay that amount within 60 days.

The agreement required TCID to pay associated costs to relocate, replace and construct culvert TC1 located on Truckee Lane, and according to the agreement, “Payment for costs associated with TC1 relocation, including, but not limited to, design, construction and related easement acquisition, for a delivery from the TCID operated facility to the City of Fernley Water Treatment Plant, located at 1315 Mesa Drive.”

According to the addendum, “The total amount to be off set for consideration in this Addendum C between the work on TC-1 and the O & M Fees is hereby agreed between the parties to be \$74,494.10; thereby leaving a balance owed to the city of zero dollars. As this satisfies all remanding outstanding balances owed by the city, the Settlement Agreement and Mutual Release is hereby satisfied.”

Other provisions of the agreement include the dedication of TCID-owned water rights within the city to the City of Fernley. The agreement also reduces the O & M fees for water owned by the city that is leased and used for agricultural purposes within the Truckee Division.

Additionally, the agreement calls for TCID to dismiss with prejudice “any and all third party claims, cross claims or other claims for relief against the city.”

Previous addenda have included the balance of Operation and Maintenance fees owed by the city on Lyon County roadways and surface water rights.