

# WESTERN REGIONAL WATER COMMISSION BOARD OF TRUSTEES MINUTES

Friday, October 9, 2009

The regular meeting of the Western Regional Water Commission (WRWC) Board of Trustees was held on Friday, October 9, 2009, at Sparks Council Chambers, 745 Fourth Street, Sparks, Nevada.

- 1. Roll Call and Determination of presence of a Quorum** – Chairman Carrigan called the meeting to order at 1:35 p.m. There was a quorum present.

Commissioners Present:

Mike Carrigan, Chair  
John Breternitz  
Bob Larkin (left at 1:50 p.m.)  
Geno Martini  
Ron Smith

Representing:

Truckee Meadows Water Authority (TMWA)  
Washoe County  
Truckee Meadows Water Authority (TMWA)  
Truckee Meadows Water Reclamation Facility (TMWRF)  
City of Sparks

Commissioners Absent:

Dave Aiazzi, Vice-Chair  
Bob Cashell  
Steve Cohen  
Patricia Lancaster

Representing:

City of Reno  
Truckee Meadows Water Authority (TMWA)  
South Truckee Meadows General Improvement District (STMGID)  
Sun Valley General Improvement District (SVGID)

- 2. Pledge of Allegiance**

Chairman Carrigan asked Commissioner Martini to lead the Western Regional Water Commission in the Pledge of Allegiance.

- 3. Approval of Agenda**

Commissioner Martini made a motion to approve the October 9, 2009 WRWC agenda as posted. Commissioner Larkin seconded the motion, which carried unanimously.

- 4. Public Comment**

Chairman Carrigan called for public comments and hearing none, closed the public comment period.

- 5. Approval of the Minutes of the August 14, 2009 meeting.**

The minutes of the August 14, 2009 Western Regional Water Commission meeting were submitted for approval. Commissioner Breternitz made a motion to approve the minutes as submitted. Commissioner Smith seconded the motion, which carried unanimously.

**6. Discussion and possible appointment of a new Voting Public At Large Member of the NNWPC, to replace Michael Cameron and represent environmental, biological, conservation or public concerns.**

Chairman Carrigan invited Jim Smitherman to present this item. Mr. Smitherman reported that Michael Cameron, Northern Nevada Water Planning Commission (NNWPC) Voting Public At Large member recently provided his notice of intent to step down from his position. He reported that staff solicited applications to fill the position, for which seven highly-qualified applicants responded. He stated that interviews were conducted at the September and October NNWPC meetings. He reported that the NNWPC made a recommendation for Mickey Hazelwood to fill the position. He added that Mr. Hazelwood was present at today's meeting.

Commissioner Martini made a motion to approve the recommendation for Mr. Hazelwood to fill the position. Commissioner Breternitz seconded the motion, which carried unanimously.

Chairman Carrigan welcomed Mr. Hazelwood and asked if he would like to address the commission. Mr. Hazelwood thanked commissioners for the opportunity to serve on the NNWPC. He stated that he values the water resources of the region and looks forward to working with the NNWPC and WRWC.

*Chairman Carrigan stated that item 8 (action item) would be heard next in case a quorum is lost.*

**7. Presentation on the background, process, and status of the Truckee River total maximum daily load for nutrients ("TMDL"), and possible direction to staff.**

Chairman Carrigan welcomed Terri Svetich, Acting Engineering Manager for City of Reno Public Works, and John Buzzone, Washoe County Department of Water Resources. Ms. Svetich stated that this presentation is a good example of the cooperative spirit under which the City and County have been working for the Third Party Total Maximum Daily Load (TMDL) process. She reported that staffs from City of Reno, City of Sparks, Washoe County and TMWA are working together in the process.

Ms. Svetich referred to a Power Point presentation, which included a brief history and background of the Clean Water Act, which requires states to establish water quality standards based on beneficial uses. She stated that today she and Mr. Buzzone would be focusing on the Truckee River and aquatic life. If a water body is impaired, the state is required to establish a TMDL. She stated that the concern in the Truckee River is the dissolved oxygen, which is impacted by sunlight, flows, algae, aeration, organic matter and temperature, which can not be controlled. However, other contributors such as nitrogen and phosphorus are contributors that can be controlled.

Ms. Svetich explained that a "TMDL" is a loading to the river, which includes waste load allocation (WLA) assigned to point sources, and a load allocation (LA), which is assigned to non-point source. She referred to a map of the Truckee River and stated that Lockwood has been determined the most appropriate location for monitoring.

Ms. Svetich stated that Truckee Meadows Water Reclamation Facility (TMWRF) has been assigned a WLA of 500 pounds per day (ppd) for total nitrogen and 134 ppd for total phosphorus. Commissioner Smith asked if monitoring is performed after (downstream of) the treatment plant. Ms. Svetich stated that is correct; however, monitoring is also performed upstream of the plant. Commissioner Smith asked if the same problems existed prior to TMWRF being in place. Ms. Svetich stated there were problems, which were associated with discharges from manufacturing, industrial and wastewater treatment.

Commissioner Smith asked for a definition of “500 ppd of nitrogen”. Ms. Svetich suggested that she continue with her presentation, which might answer that question. She reported that the federal government established the National Pollutant Discharge Elimination System (NPDES). Commissioner Breternitz asked if the “ppd” is an average measurement, which Ms. Svetich stated it is.

Ms. Svetich reported that the federal government began issuing NPDES permits to industrial dischargers and water reclamation facilities for point source. She explained that the TMDL WLA forms the basis of the NPDES discharge amounts. She added that the community also has a NPDES permit for stormwater.

Ms. Svetich mentioned that Randy Pahl from Nevada Division of Environmental Protection (NDEP) was present and could answer questions. She turned the presentation over to Mr. Buzzone. Mr. Buzzone stated that TMWRF is the largest regional wastewater facility on the river. He stated that TMWRF is very technologically advanced compared to other national treatment facilities and does a great job of removing nitrogen and phosphorus from the effluent.

Mr. Buzzone stated that currently the system is working fine; however, we need to plan for the future when growth occurs. He stated that currently approximately 20 million gallons per day (MGD) of effluent is being discharged. Chairman Carrigan asked about the plant capacity. Mr. Buzzone stated that currently the plant has a peak treatment capacity of 40 MGD, which could be met in 2039 and would require a WLA of approximately 700 ppd.

Mr. Buzzone summarized that the challenge will be how to deal with planning for the future. He stated if an advanced treatment technology is implemented, reverse osmosis (RO) would be most effective; however, it is extremely expensive (from a construction and operational standpoint). He gave an example that RO treatment of 2.5 MGD would cost approximately \$28 million, with approximately \$2.2 million per year for operations.

Mr. Buzzone stated that another approach was examined to meet future needs; i.e. perhaps the TMDLs for nitrogen and phosphorus might be changed by the regulators. He explained how the “book” standards were set in 1994 and added that more site specific standards could be developed that would be more reflective of actual conditions of the river. He reported that three models are being used, which include TROM, WARMF and TRHSPF.

Mr. Buzzone stated the next steps will be to continue working with the regulatory agencies, complete the “Work Plan”, and perform modeling related to “what if?” scenarios. He added that all of the stakeholders need to be engaged in the process.

Mr. Buzzone reported that since 2004 the Cities of Reno and Sparks have spent approximately \$1.5 million to advance the TMDL review, which was primarily focused on model development. He stated that the Board approved a 5-year cash flow projection. He reported that the Work Plan will be finalized and submitted to NDEP by the end of the year. He stated that the model runs will continue and a report will be developed. He welcomed questions from commissioners.

Commissioner Smith again asked how the measurements are made. Mr. Buzzone explained for example that nitrogen exists in molecules floating in water. A water sample is taken where the molecules precipitate to the bottom where they can be measured and compared to the volume, for instance .075 milligrams per liter (mg/L). For compliance procedures, sample “snapshot” measurements are collected and then averaged to develop a “ppd” average measurement.

Commissioner Smith asked about notices on storm drains that say “discharges to the river” and asked where the discharges come into the river. Ms. Svetich stated that all along the river storm drains are

pipled into the river or tributaries. She added that as a “heads up”, the Environmental Protection Agency (EPA) is now recognizing stormwater as a point source discharge because it is “pipled” to the river. She explained that a WLA for stormwater will be established.

Commissioner Smith asked for clarification of the estimated cost for RO mentioned earlier. Mr. Buzzone reiterated it would cost approximately \$28 million for the facility, with a cost of \$2.2 million per year for operations. Chairman Carrigan mentioned it would be cheaper to use effluent water for irrigation. Mr. Buzzone stated that issue is being examined. Ms. Svetich stated that one associated issue would be return flows to the river to make up water rights.

Chairman Carrigan asked about other dischargers to the river between Lake Tahoe and Reno. Ms. Svetich stated that Tahoe-Truckee Sanitation Agency (TTSA) is located in Truckee but discharges underground for polishing (similar to a leach field) prior to reaching the river.

Commissioner Breternitz asked what the timeline is for reaching the limit for discharges to the river. He stated it seems to him that the water quality of the Truckee River is more of a limitation than water quantity when examining future growth of the area. Mr. Buzzone agreed that the quality and quantity are very closely related. He stated that the Clean Water Act only provides a limitation for discharges to the river so there is a regulatory disconnect between ensuring sufficient flows to maintain quality.

Chairman Carrigan thanked Ms. Svetich and Mr. Buzzone for their very educational presentation.

**8. Discussion and possible renewal of an Agreement for Legal Services for the Western Regional Water Commission (“WRWC”) and the NNWPC with Rhodes Law Offices, Ltd., and, if approved, authorize the Chairman to execute the Agreement. (Heard out of order)**

Mr. Smitherman reported the current agreement with Rhodes Law Offices, Ltd. expires on November 1, 2009 so a new agreement is being requested. He reported that the only changes to the agreement are that it covers a two-year period rather than one and Mr. Rhodes agreed to retroactively decrease his fee by 2.5% (in line with County salary reductions). He added that the agreement could be terminated by either party with 30-day notice.

Mr. Smitherman reported that the NNWPC highly recommended approval of the agreement and commended Mr. Rhodes on his performance, as well as coming in under budget.

Commissioner Breternitz made a motion to approve the contract. Commissioner Smith seconded the motion, which carried unanimously. Chairman Carrigan thanked Mr. Rhodes for the fee reduction.

**9. Status report on pending integration/consolidation of TMWA and the Washoe County Department of Water Resources (“DWR”)**

Chairman Carrigan welcomed Rosemary Menard, DWR Director, to provide an update. Ms. Menard stated that since the September 8, 2009 joint meeting of the Board of County Commissioners and the TMWA Board, staff has been working on the Interlocal Agreement (ILA), which is a framework agreement that includes work on changes to the Joint Powers Agreement (JPA) (which will be addressed at a joint meeting on October 27, 2009) and the Operating Agreement. She stated that work is continuing on the ILA and a discussion draft will be provided to the TMWA Board next week.

Ms. Menard reported that TMWA and DWR have been communicating internally and externally and have developed a website for employees. The website provides an opportunity for questions and answers. She

stated that another key aspect for the future will be development of an “operation strategy” with a higher level of detail than in the past. She added that the draft should be available next week.

Ms. Menard summarized that the process is a work in progress and she feels the teams are working well together and making good progress.

#### **10. Discussion and possible direction to staff regarding future meeting dates and agenda items for the WRWC.**

Chairman Carrigan asked about the next meeting of the WRWC. Mr. Smitherman and Ms. Menard stated that upcoming agenda items for the November meeting include:

- Presentation on the “state of the science” for the Central Truckee Meadows Remediation District (CTMRD)
- Discussion of the Regional Water Plan Update, including an outline of the update process including timelines
- The BCC will consider a Regional Plan Amendment related to Washoe County (WC)-3 Ballot question
- Discussion of the cloud seeding program being implemented by Desert Research Institute (DRI)

Chairman Carrigan thanked staff for their update.

#### **11. Commission Comments**

None

#### **12. Staff Comments**

None

#### **13. Public Comment**

Chairman Carrigan called for public comments and hearing none, closed the public comment period.

#### **14. Adjournment**

With no further business, the meeting was adjourned at 2:10 p.m.

Respectfully submitted by,

Niki Linn, Recording Secretary

Approved by Commission in session on November 13, 2009.

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Mike Carrigan, Chairman