



# WASHOE COUNTY

*Integrity Communication Service*

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## STAFF REPORT

BOARD MEETING DATE: **June 28, 2022**

**DATE:** June 8, 2022

**TO:** Board of County Commissioners

**FROM:** Jennifer Heeran, P.E., Sr. Licensed Engineer, Engineering & Capital Projects, Community Services Dept, 328-3603, [jheeran@washoecounty.gov](mailto:jheeran@washoecounty.gov)

**THROUGH:** Dwayne Smith, P.E., Division Director, Engineering & Capital Projects, Community Services Department, 328-2043, [desmith@washoecounty.gov](mailto:desmith@washoecounty.gov)

**SUBJECT:** Recommendation to approve an Agreement for Professional Services between Washoe County and Tahoe Resource Conservation District (TRCD), effective July 1, 2022 through June 30, 2025, to allow TRCD to collect, analyze, and report the necessary data to satisfy the objectives and requirements for Stormwater Compliance Monitoring in the amount of [\$139,169.00 – three year cost]. (Commission District 1.)

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### SUMMARY

Washoe County Community Services Department (CSD) continues its efforts to comply with the requirements and commitments under the Interlocal Agreement (ILA) with Nevada Division of Environmental Protection (NDEP) for the benefit of clarity levels of Lake Tahoe through the implementation of the Total Maximum Daily Load (TMDL) program. Lake Tahoe TMDL requirements were established by the United States Environmental Protection Agency (EPA) and all jurisdictions within the Tahoe Basin are subject to either a federal permit or state directed program.

As part of the TMDL, Washoe County must implement a stormwater monitoring program. To do so, Washoe County has partnered, since 2015, with other Lake Tahoe Basin implementing partners to contract with the Tahoe Resource Conservation District (TRCD) to collectively fulfill the requirements of the respective NPDES permits and ILAs; this program is known as the Implementers' Monitoring Program (IMP). The partnership promotes cost savings through economies of scale associated with the basin-wide implementation of the program.

The next proposed contract between Washoe County and TRCD for Stormwater Compliance Monitoring is for three years (2022-2025) to fulfill the requirements of the remaining years of Washoe's ILA with NDEP. TRCD is the proposed consultant for this project due to their familiarity with the existing program and nature and structure of the partnership between the other implementing jurisdictions and TRCD. TRCD has submitted a scope of work and budget for the three-year project in an amount not to exceed \$139,169, commencing July 1, 2022 and concluding June 30, 2025.

AGENDA ITEM # \_\_\_\_\_

Washoe County Strategic Objective supported by this item: Fiscal Sustainability: Long-term sustainability.

### **PREVIOUS ACTION**

November 27, 2018 - The Board of County Commissioners (Board) approved the Agreement for Professional Consulting Services between Washoe County and Tahoe Resource Conservation District for the “Stormwater Compliance Monitoring” Project for the term January 1, 2019 through December 31, 2021 [in the amount of \$136,000].

October 11, 2016 - The Board approved an update to an ILA between Washoe County and NDEP, which was originally approved in July 2013. The ILA affirms Washoe County’s commitment to participate in an urban stormwater pollutant reduction program at Lake Tahoe. The ILA is a cooperative implementation of water quality improvement actions as opposed to a regulatory permit. The current Agreement is valid through 2021.

### **BACKGROUND**

Within Nevada, the Lake Tahoe TMDL (total maximum daily load) is implemented through an agreement approach, and in 2016, Washoe County updated an Interlocal Agreement (ILA) with the Nevada Division Environmental Protection (NDEP) to comply with obligations and commitments towards achieving the identified load reduction milestones and associated credit targets. Specifically, one of the requirements of the ILA is to “implement, either individually or collaboratively, a stormwater monitoring program.” Additionally, the ILA specifically acknowledges the existing collaborative effort to carry out the Implementers’ Monitoring Program (IMP), and that, “continued implementation of the approved IMP over the term of [the] agreement shall fulfill the County’s commitment.”

IMP is a partnership between the California and Nevada implementing jurisdictions and was inspired by permit/ILA language that encouraged jurisdictions to comply collaboratively with regulatory requirements to promote cost savings through economies of scale associated with basin-wide implementation. Washoe County partners with Douglas County, Nevada Department of Transportation, the City of South Lake Tahoe, El Dorado County, and Placer County to implement the program, and since the inception of the program in 2015, the partners have contracted with TRCD to collect, analyze, and report the necessary data to satisfy the objectives and requirements of the jurisdictions’ respective permits/ILAs.

While Washoe County continues to work within the requirements of the TMDL program and under the terms of the ILA with the State of Nevada, increasing challenges associated with rising costs for implementation of program infrastructure, operation, maintenance, and replacement challenges will require the County to both assess capital project implementation strategies and new funding sources as we move into the future. New funding sources will need to be identified in the near term in order to continue to meet the TMDL program targets and requirements imposed by the regulators.

**FISCAL IMPACT**

Sufficient funds and budget authority for the first year of this agreement exist in FY23 in CSD Engineering (105501), Service Contracts (710200). Subsequent years will have recommended budget for this agreement.

**RECOMMENDATION**

It is recommended that the Board of County Commissioners approve an Agreement for Professional Services between Washoe County and Tahoe Resource Conservation District (TRCD), effective July 1, 2022 through June 30, 2025, to allow TRCD to collect, analyze, and report the necessary data to satisfy the objectives and requirements for Stormwater Compliance Monitoring in the amount of [\$139,169.00 – three year cost].

**POSSIBLE MOTION**

Should the Board of County Commissioners agree with staff’s recommendation a possible motion would be: “Move to approve an Agreement for Professional Services between Washoe County and Tahoe Resource Conservation District (TRCD), effective July 1, 2022 through June 30, 2025, to allow TRCD to collect, analyze, and report the necessary data to satisfy the objectives and requirements for Stormwater Compliance Monitoring in the amount of [\$139,169.00 – three year cost].”