

**BOARD OF COUNTY COMMISSIONERS
WASHOE COUNTY, NEVADA**

TUESDAY

8:30 A.M.

APRIL 29, 2019

CONCURRENT MEETING

PRESENT:

Vaughn Hartung, Chair
Bob Lucey, Vice Chair*
Marsha Berkbigler, Commissioner†
Kitty Jung, Commissioner
Jeanne Herman, Commissioner

Nancy Parent, County Clerk
John Slaughter, County Manager
Paul Lipparelli, Legal Counsel

The Washoe County Board of Commissioners convened at 8:37 a.m. with the Reno City Council in joint session in the Commission Chambers of the Washoe County Administration Complex, 1001 East Ninth Street, Reno, Nevada. Following the Pledge of Allegiance to the flag of our Country, the Clerk called the roll and the Board conducted the following business:

19-0335 **AGENDA ITEM 3** Public Comment.

***8:40 a.m.** **Commissioner Lucey arrived.**

Ms. Tammy Holt-Still handed documents to the County Clerk which were placed on the record; among them were letters from Eric Bender, Michael Welling, and Cindy Allison. Ms. Holt-Still said residents deserved a clean lake, which she implied was impossible due to the amount of effluent being pumped into Swan Lake, the amount of impervious surface from development, and the amount of water from the Truckee Meadows Water Authority (TMWA). She said water needed to be pumped out and invited all north valleys residents in agreement with her to stand.

Mr. Tim Fadda pointed out the Commissioners were on other boards and committees and felt they received misinformation about overdevelopment. He stated he wanted a moratorium. He read portions of a letter from environmental engineer Kris Hemlein to Director of TMWA John Enlow, a copy of which was placed on file with the Clerk. In the letter, Ms. Hemlein addressed several Lemmon Valley wells which were shut down due to flooding, asked why this had happened, and requested information. She further suggested the Nevada Department of Environmental Protection should be involved in ongoing Swan Lake monitoring and remediation.

Ms. Suzanne Larsen expressed concern about the sewer plant hindering the wildlife viewing area. She wanted the Commissioners to consider what they would do if they lost their homes, schools, or churches. She suggested turning the lake into something usable like what the City of Sparks did with an old pit. She expressed concern about the rubber dams and wanted to know why nine pumps that had been placed in the area had stopped working.

Ms. Lori Beach thanked the boards for holding this meeting to address a community problem since the City of Reno owned the roads and Washoe County owned the sewer plant. She commented the funds which paid for County wages and benefits should not be included in the money spent on Lemmon Valley flooding, nor should the money used to raise the road to the treatment plant. She said the area had a socio-economic makeup unlike anywhere else in the County. She wanted building to stop and pointed out developers could not build if they wanted to because of the flooding.

Mr. Michael Coli spoke about the difficulty getting to his subdivision on windy days when water was blown over the barriers or when pumps stopped working. He felt development needed to stop until a solution was reached and said warehouses and apartments contributed to the problem. The effluent going into the lake was greater than the evaporation rate. He thought seven years was a long time to wait for the lake level to recede, adding Hesco barriers and pumps would not solve the problem.

Ms. Brenda O'Sullivan indicated she did not witness significant lake flooding in her 37 years in the valley until warehouses were built. She expressed concern about increased traffic on account of development, the fact that highway expansion would not happen soon enough, and the discoloration of the water in Swan Lake. She said she lost much landscaping in a prior flood and hoped the Board would consider a moratorium on building.

Mr. Pat Flynn noted many citizens could not make early Board meetings and suggested the Board hold a meeting at 6 p.m. He remarked he had to draw maps for friends and family to visit his house because of road closures due to flooding. He agreed traffic was a concern and asked the Board not to build anymore because it would add sewage into Swan Lake. He worried what would happen if the Hesco barriers failed.

Ms. Peg Sloss stated she moved to the area because she wanted country living and said she watched her neighbors lose their homes. She suggested making Swan Lake an asset. She said she enjoyed watching the birds and owls in the area and said they should have clean water to breed.

Mr. Steve Wolgast handed in a document, which was placed on file with the Clerk. He said the plans presented did not have details or credible cost information. He cited the opinion of professional engineer Mark Forest who felt there was a trend of increased precipitation and that, in addition to effluent discharge from the Stead plant, would reduce the available volume capacity in Swan Lake. Additionally, the engineer alleged the 100-year flood map was incorrect and should include a larger area.

Mr. Gordon Gossage with Regenesi Reno felt there was an opportunity for a comprehensive solution. He urged the Board to seek funding through a public-private partnership for feasibility studies on some of the solutions listed in the matrix. He pointed out development money would be necessary for both studies and remediation, and the community would need to agree to development. He suggested working together with current and new residents to create a new community in Lemmon Valley. He felt there could be smart growth in Lemmon Valley but it required everyone to work together. It could become a second center for the region.

†9:10 a.m. Commissioner Berkbigler arrived.

Mr. Ben Chavez agreed there was a great opportunity for planned growth and new development would create a boost in property taxes to pay for needed things. He said a new development would double the number of retention ponds on the east side of the lake, raise the road, and place stop signs at the intersection of Lemmon and Patrician Drives. He felt the speakers today did not represent the entire population of the valley. He told a story of a flooded baseball field which was only fixed because of private money.

Mr. Sam Dehne indicated most of the attendees at the meeting represented the frustration over the issues in Lemmon Valley. He spoke about the Reno-Tahoe International Airport and the cost of the new high school at Wildcreek.

Mr. Rich Gwyn proposed a moratorium on any development in the north valleys requiring a sewer hookup which would empty into Swan Lake. He wanted it to be in effect until the water was pure enough to drink. He expressed concern about the Hesco barriers trapping geese on the roadway.

Mr. Ray Lake, Chair of the North Valleys Citizen Advisory Board, referenced a study performed by the High Plains States Groundwater Demonstration Program. The study mentioned delivering treated water would allow aquifer recharge to occur naturally by pumping municipal wells less, creating passive recharge. Citing the Northern Nevada Indirect Potable Reuse Feasibility Study, he said TMWA supplied the north valleys with 11,000 acre feet of water into four basins, contributing to passive recharge. That amount of water would raise Swan Lake 6.1 feet. He wanted solutions before moving forward with the 17,000 proposed units in the north valleys.

Mr. Dan McCamant pointed out Lemmon Valley Drive was still closed. He said the solutions agreed upon at a recent Reno City Council meeting would take more than five years to implement. He claimed the staff report for that item only took into account half of the 49-acre hydrological basin. He encouraged the boards to work with outside entities including the college of mines at the University of Reno, Nevada, the Desert Research Institute (DRI), and the United States Army Corps of Engineers. He pointed out the City of Reno approved an 800,000 square foot warehouse two days after the meeting mentioned earlier. He expressed concern about inaccuracies with the studies used for the Prado Ranch developments.

Mr. Russ Earle, President of the Silver Knolls Community Organization, stated Silver Lake was higher than it was in 2017 and snow from Peavine Mountain had not yet started to melt. He said most of the approved development was in the north including 1,800 homes in Silver Hills. He expressed concern about a containment basin above the Silver Knolls community that was part of the plan. He stated 50,000 homes were currently approved even though the building plan said only 32,000 to 34,000 were needed. He wanted development to happen within three miles of the McCarran Boulevard loop. He concurred meetings should take place in the evening.

Ms. Tracy Hall showed photographs from her phone of the tiger dam that was installed on her yard and said a dog who hopped over the dam almost drowned. She felt the barrier would not last long. She commented she moved back out of her home and another family had been out of their home for more than two years. She indicated she was living in a recreational vehicle on her neighbor's yard. She felt building was not a solution to the problem.

Mr. Tim Jeter said he agreed with residents' complaints, though he felt there could be solutions. He noted he met with Director of Engineering and Capital Projects Dwayne Smith about possible solutions but said nothing would happen any time soon. He expressed frustration about road closures and water spilling onto school grounds. He thought installing Hesco barriers across the back of the school would keep children safe.

Ms. Norma Brownell mentioned she used to kayak in Swan Lake until she noticed the County dumping truckloads of dirt into the lake; she was never able to determine why they were dumping. She indicated the flooding issues were preventing people from wanting to purchase homes in the area.

Ms. Carli Fripp hoped to find a solution because the problem had persisted for some time. She expressed concern that her children would attend the school that was threatened by water from the lake.

Ms. Donna Robinson requested meetings be held in the evening so more residents could attend. She showed videos on her phone of floodwaters crashing over the Hesco barriers and another showing a damaged barrier. She felt developers would only address issues in their individual developments. She said the elevation of retention ponds emptied into the lake was 4,917 feet, but the pond itself was recently at 4,923 feet. She wondered how that water would be kept from developments.

Ms. Anna Marie Nevarez voiced concern about snowplows not plowing in front of her house because of the Hesco barriers; further, the barriers prevented her snow from melting. She expressed frustration about the County not cleaning culverts in front of her house and that another culvert broke when the barriers were put in. She was told it would be fixed after the Hesco barriers were removed. She claimed County employees scolded her when they finally repaired the culvert. She mentioned NV Energy placed a pole marker on her property but she could not get an answer as to why it was put there.

Mr. Charles R. Busi stated the lake water level was five feet higher than it was in 2017 when it went over Lemmon Drive. He did not feel elevating Lemmon Drive would solve the problem. He indicated the topic of dredging the lake was introduced in March of 2017, though he was unsure if the City of Reno or Washoe County was paid to do so. He calculated dredging four feet down on a 100-acre area would not solve the problem. He agreed with a moratorium on building until the problem was solved.

Councilmember Jenny Brekhuis indicated she sent a copy of a moratorium resolution for each Commissioner and Councilmember's consideration, a copy of which was placed on file with the Clerk. She acknowledged some short-term and long-term solutions were underway but she did not see intermediate goals. She explained a moratorium was a legally-accepted use of police powers to protect the safety, welfare, and health of the public. It would allow for a suspension of regulations for a period of time to study a problem and come up with solutions. She proposed the following occur during the moratorium period: the north valleys area plan be updated by the County and the City of Reno, shifting the focus from development to a community-based approach; coordination between the two sewer plants in the area; and consideration of the long-term impacts of water importation into the basins. She argued a moratorium was not anti-development.

Ms. Sharalyn Barney asked the Board to consider the individual lives that were impacted by the Board's decisions. While her property did not experience much flooding, she noted her neighbor was permanently flooded out and would be moving. She wondered who would buy her property if flood waters continued to encroach on her property. She pointed out many people in her neighborhood were retired. She hoped the Board would balance area business ventures with the needs of the people.

Ms. Leona Galau stated she previously spoke about sump pumps shorting out when lake water blew over the barriers. Since then she discovered garbage bags had been taped over the pumps. She said she was not against development unless it impacted the safety of her community. She expressed concern about increasing the amount of effluent going into the lake and the potential ineffectiveness of raising Lemmon Drive. She said the runoff from new development would go into residents' backyards.

* * * * *

Commissioner Hartung explained staff would make presentations first and then each Commissioner and Councilmember would be given three minutes to ask questions. There would then be a second round where each official would get two minutes. He commented ancillary staff from the Regional Transportation Commission, the school district, and TMWA would make comments but the Board could not give direction to those agencies. Officials could give direction to their respective staffs.

Mayor Hillary Schieve requested another joint meeting be scheduled at 6:00 p.m. to get all questions and comments on the public record.

19-0336 **AGENDA ITEM 4** Presentation, update, and possible direction to staff regarding closed basin lake rise and protection measures in the North Valleys. Manager. (Commission District 5.)

Assistant County Manager Dave Solaro mentioned the presentation would involve all three closed basins: White Lake, Silver Lake, and Swan Lake. The presentation would summarize steps already taken and future plans based on direction from the Board of County Commissioners (BCC). Outlining the presentations in this item, he noted John Flansburg from the City of Reno would discuss Silver Lake, he would review Swan Lake, Director of Engineering and Capital Projects Dwayne Smith would outline the next steps as outlined by the BCC, and Andy Gebhardt from the Truckee Meadows Water Authority (TMWA) would provide an overview of TMWA's operations in the north valleys.

Mr. Flansburg conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk, and reviewed slides with the following titles: North Valleys Watersheds; Overview; Silver Lake Water Elevations 2017-19; Overview; 2017 Head Gate: Separates Retention Basin; 2019 Added Earthen Berm to Canal; and 2019 Hesco Installation, Public Private Coop (3 slides).

Mr. Flansburg pointed out the City of Reno was the lead agency on the Silver Lake basin while Washoe County was the lead agency on Swan Lake. He pointed out the two agencies met regularly to discuss actions to keep properties protected and understand the levels of the lakes. He indicated Swan Lake was the lowest of the three basins, though a lot of industrial development surrounded Silver Lake. Reviewing the map of water elevation, he indicated both lakes were basically dry before water year 2016/17. Snow melt was basically equal to evaporation rate.

Citing the second overview map slide, Mr. Flansburg explained the thick, blue lines were water channels between the retention pond and Silver Lake. Those two basins were equalized when Silver Lake was at a higher elevation. He said the head gate and berm that were put in place kept water from going into surrounding areas. He estimated the retention pond added an additional 10 percent to the volume capacity. He showed a number of pictures and remarked the earthen berm that was added in 2019 provided the ability to pump over the channels next to the industrial buildings if necessary; staff had not yet had to do that. He noted Hesco barriers were placed with the cooperation of Urban Outfitters, which had the lowest elevation of any of the industrial buildings in the area. Urban Outfitters purchased the barriers and Reno worked with the Nevada Division of Forestry to install them. They were able to protect the properties while allowing commerce to continue.

Mr. Solaro introduced the Swan Lake Story Map tool, which allowed anyone to scroll through a website to see the plans for the lake. He reviewed the current protections in place, including Hesco barriers, earthen berms, and the tiger dam. He explained how to show the date a protective barrier was installed and how to see the current elevation of the lake. One map showed which areas would be underwater if there

were no barriers in place. He noted the County was successful in keeping water out of every house and off most properties. He reviewed a number of pictures showing lake levels at various times, adding all the lake did not completely evaporate in 9 of the last 30 years. He noted the basin filled up with two to three feet of water during a typical spring.

Mr. Solaro explained the pumps were in place to pump out any water that became trapped on the opposite side of the barriers, especially if the culverts under Lemmon Drive were closed. He pointed out the numerous improvements made during the winter season to prepare for the rise of the lake level, including moving certain sections of Hesco barriers to other areas. This helped ensure that Lemmon Drive remained open. Referencing a chart found on the Swan Lake Story Map, he pointed out each of the past three years saw above average precipitation. He noted White Lake responded differently than the other two basins and was not experiencing as many issues.

Mr. Smith conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk. He reviewed slides with the following titles: County Commission Directives; Continue Area Protection Activities; Map; Photographs (7 slides); Short-Term Actions (2 slides); Concept Pipe Map (2 slides); Land Application Conceptual Estimate; Important Note; Longer-Term Actions; Regional Hazard Mitigation Plan (RHMP); Questions; Historic lake elevations; and Swan Lake Water Elevations 2017-19.

Mr. Smith mentioned they would focus on Swan Lake because of the impact on residents there but affirmed the engineering staffs of both the County and the City of Reno were collaborating. He invited the officials to view the area and said he had arranged tours for Commissioners and the Nevada Department of Environmental Protection (NDEP), who had recently visited the wastewater treatment plant.

Mr. Smith explained the barrier system began in March of 2017 but pumps continued to run so roadways could be maintained to allow access for emergency responders. He mentioned there was an area near Pompe Way where water passed through the road base and he stated the County was well aware of other seepage issues. He encouraged residents to utilize Washoe 311 to voice concerns. He noted a number of water quality tests were performed to verify what the treatment plant was doing. He said the installation of the sewer bypass system near the school was successful in removing 60,000 gallons of lake water going into the plant for treatment per day.

Displaying the photographs in the presentation, Mr. Smith indicated the pumps were intended to prevent the seepage shown in the third picture. Additionally the pump contractor was available with 24-hour notice of storm events to help mitigate damage and prevent seepage. Mr. Smith said he would work with Mr. Flansburg to decide about road closures if seepage created a safety hazard. He said a commercial diver helped maintain the integrity of plugs and culvert pipes in water that was up to nine feet deep. He pointed out the inflatable barriers provided elevation protection up to 4,926 feet, which was in line with the level established in 2017. He reviewed the mitigation efforts

taken for the sewer plant, including building berms, increasing erosion resistance, and installing pumps and backup power. NDEP was pleased with the progress.

Mr. Smith thanked the community for being patient, recognizing they had to deal with alternate traffic routes. He assured residents staff was doing everything possible to maintain safe conditions for them. He acknowledged the pipes used for underground storm water created challenging speed bumps for horse trailers. He admitted the County was concerned with speeding around the Hesco barriers since lanes were narrower there and was evaluating whether temporary speed bumps would be necessary. He stated the County hired a third party to evaluate the Hesco barriers for their location and condition. Additionally the County wanted to understand the lifespan of the barriers and how to store them when they were ultimately taken down. The evaluator identified a few actions that should happen in the near term but found no areas where the barriers were in danger of failing. He mentioned the County was considering various options to address seepage, citing the City's use of Visqueen plastic as an example.

Mr. Smith stated Federal Emergency Management Authority (FEMA) floodplain designations were outdated. They were assigned using the best topography information at that time but current light detection and ranging data could better allow the County to understand volumes. He stressed the importance of understanding the impacts of storm events on closed basins. He indicated the raising of Lemmon Drive would replace the Hesco barriers which were eyesores and required maintenance. He provided assurance that all projects reviewed by the County were conditioned based on the Washoe County Code, the Truckee Meadows Drainage Manual requirements, and FEMA requirements for building near flood plains.

Mr. Smith pointed out the lake level rose about 10 feet in 2017, followed by 2.5 feet of evaporation during the summer; 2018 saw a 1.5 foot rise in the winter and 2.5 feet of evaporation in the summer. 2.5 feet of evaporation was considered typical. He said a buffer needed to be created for additional storm water to come into the lake. He mentioned many of the ideas for flood mitigation were suggested by residents and all options were still being considered. He felt removing a certain amount of water from the lake annually would balance water that entered through drainage or storm events. All plans would be monitored to ensure there were no unintended consequences and he mentioned mechanical aeration was suggested by a resident. He anticipated each intermediate plan would be implemented quickly, though each would require permits, collaboration with the City of Reno, and assistance from landowners.

Mr. Smith reviewed two slides showing the concept of pipe alignment in the Prado Ranch North development, stressing they did not represent an actual plan. He met with a developer about moving water into that area and the developer recognized the opportunity to mitigate the issue. The developer requested certain areas be left available for development but he was interested in assisting the two municipalities with their rapid infiltration basin concept. Mr. Smith said there were opportunities near the airport regarding the use of crops to help remove water from the lake. There would be up-front

costs associated with pipes and pumps for water removal, but operational costs could be reduced if less water needed to be removed during any given year.

Mr. Smith noted there had been concern expressed by residents in response to the County's 'just in time' approach. This type of approach required respecting both the affected residents and funding strategies. Regarding the possibility of adding more Hesco barriers at the school, he said the portable buildings were not currently at risk but the County would work with the school district if water levels continued to rise. He admitted there was a desire to close the gap along Lemmon Drive without Hesco barriers but said he would rather be prudent and only spend money in the right places. They would certainly do so if the water levels rose. He commented the Nevada Division of Forestry recently set up sandbags at 9950 Lemmon Drive.

Mr. Smith mentioned the wastewater plant was complaint and there was a temporary bypass strategy in place if the berms breached, which would send untreated water to the Reno/Stead Water Reclamation Facility (RSWRF). He introduced Emergency Management Administrator Aaron Kenneston to discuss the Regional Hazard Mitigation Plan (RHMP).

Mr. Kenneston said he administered the emergency management homeland security program, operated the regional emergency operations center, and supported incident commanders in the field. After the Y2K scare, the Disaster Mitigation Act of 2000 was passed, requiring the County to write mitigation plans. As part of the first update of the RHMP in 2005, each jurisdiction wrote plans. He said regional plans were drafted in 2010 by the County and the Cities of Reno and Sparks. In 2015, two tribes were added as well as the Truckee Meadows Flood Authority.

Mr. Kenneston mentioned it was time to update the plan again including the addition of the North Lake Tahoe Fire Protection District. Every five years, agencies needed to integrate lessons and hazards that occurred during the prior five years into the latest update. He confirmed the current update would include concerns about flooding in closed basins and wildfires. He noted they employed a contractor, Ecology and Environment, Inc., who would work with the engineering staffs of local governments; a third meeting was scheduled in May. Staff began an outreach effort including conducting a community survey, which he encouraged everyone to take. The goal was to create a list of all potential ideas to reduce or eliminate hazards. He provided several examples of things that had been done in the past. He stated regions without valid plans were not eligible for mitigation funds; FEMA would only engage with regions on items in their plan. FEMA would consider those items for funding, at which point they would be evaluated via cost-benefit analysis. Only then could the region apply for grants to fund those projects. It would all begin with an update to the RHMP.

Mr. Smith mentioned the closed basin mitigation plan process involved analysis of risk and reoccurrence, understanding of the costs and funding strategies for options, and input from residents. He pointed out the County did not have an enterprise fund for storm water; they maintained storm water ditches through the roads fund. He

acknowledged there was an opportunity to fund the operation and maintenance of storm water facilities. In regard to the Lemmon Valley's wastewater treatment plant, he noted there was a draft analysis of options, ranging from leaving the plant as is to decommissioning it. He thought it was feasible to eventually treat water to a class A+ classification, which is the standard used for drinking water. In working with the Nevada Water Innovation Institute at the University of Nevada, Reno, he said a number of partnering agencies realized there was a connection between regional effluent management and storm water. He commented staff was using the lessons learned in the north valleys to help with other areas of the County before they were affected.

Mr. Smith said the Board of County Commissioners was committed to providing maintenance of the lake within its defined boundaries as well as initiating immediate and intermediate mitigation processes. He stressed the County recognized the needs in the area and he looked forward to returning after the RHMP update was complete.

Mr. Gebhardt conducted a PowerPoint presentation, a copy of which was placed on file with the Clerk, and reviewed the first slide of the presentation. He indicated there had been some misconceptions regarding what TMWA was doing with Fish Springs Ranch water. He pointed out TMWA was not charged with approving development, it was charged with providing the water supply for growth. He said a reliable water supply was ensured by having options if one source of water became unavailable. The three sources of water for Lemmon Valley were the five wells, the Chalk Bluff water treatment plant, and Fish Springs Ranch. He noted wells had been the primary source until the merger between Washoe County water utilities and TMWA. After the merger, they found a way to integrate the Lemmon Valley area into the main distribution system to ensure there was redundancy.

Mr. Gebhardt explained Fish Springs Ranch had not been operational after the flooding in 2017. The water provided to the area during that time came from the Chalk Bluff Water Treatment Plant and it was safe. Wells were used as backups since the Fish Springs supply was not available. He explained TMWA built and maintained roads, thoroughly tested the water for quality, and worked with NDEP to ensure everyone was satisfied with its efforts. It was concluded getting Fish Springs Ranch operational would be optimal since the wells were in the middle of the lake. TMWA spent all of 2018 and the beginning of 2019 getting Fish Springs Ranch operational and, once it was, they opted to discontinue bringing water from Chalk Bluff. Currently, Fish Springs Ranch was the primary water source and Chalk Bluff was the backup.

Mr. Gebhardt stated TMWA did not ever put any water into Swan Lake. He stated they took over 100 water samples to make sure they met all water quality concerns. He provided assurance the Lemmon Valley wells could still be utilized if TMWA had access to them; roads could be built if necessary. This area had two sources of water readily available and a third option could exist with some effort. This was no different than anywhere else in the valley.

Mr. Solaro stated many staff members were available to answer questions.

Chair Hartung noted the County asked the Regional Transportation Commission (RTC) to begin the design process of elevating Lemmon Drive. He asked Engineering Manager Doug Malloy to speak briefly on that.

As Mr. Malloy approached the podium, County Manager John Slaughter stated Mayor Hillary Schieve had left the meeting and they would attempt to get her on the phone. Councilmember Naomi Duerr assumed the position of Vice Mayor.

Mr. Malloy explained the RTC Board would hear an item during its May 20 meeting regarding a request for proposal for professional engineering services to begin preliminary design and environmental work. He said the 2040 Regional Transportation Plan contained two projects: widening Lemmon Drive from U.S. 395 to Military Road and widening and elevating the road from Fleetwood Drive to Chickadee Drive. Chair Hartung noted he had requested that project should extend from Fleetwood Drive to Ramsey Way. Mr. Malloy responded there would be discussions about this topic at that meeting.

Chair Hartung asked whether these projects were predicated on any development and Mr. Malloy indicated they were not.

Chair Hartung explained each Commissioner and Councilmember would be given three minutes for comments and questions. Mayor Schieve rejoined the meeting via telephone.

Councilmember Neoma Jardon asked whether this had been submitted to the federal government as an emergency. Mr. Solaro replied there had not been discussions about whether to ask for a federal declaration of emergency. He indicated they could research this to determine eligibility. Councilmember Jardon noted their congressional delegation had expressed interest in helping them through the process.

Councilmember Jardon asked whether there was an opportunity to utilize Swan Lake in the way Helms Pit was turned into the Sparks Marina. Mr. Solaro said staff was exploring the idea of adding amenities such as walking paths but there was a question whether this would be a long-lasting source of water. He agreed it would be a great benefit to the community as long as there was a sustainable water supply.

Councilmember Jardon inquired whether this area had ever had two significant water years in close proximity to each other as it did in 2017 and 2019. Mr. Gebhardt responded he was not aware of any such instance in documented history.

Councilmember Jardon asked about the contributors to water levels in Swan Lake, citing comments that development was attributing to water levels. Mr. Smith answered the runoff from development was a conditionable item which was addressed through the use of retention or detention basins and volumetric mitigation requirements.

He noted initial mapping was performed in 2017 and it was determined roughly 12 percent of parcel surface areas had been developed. He acknowledged there was a need to understand impacts from development. An impervious surface calculation would be helpful in answering that question. Councilmember Jardon asked whether that was being performed. Mr. Smith said the County was not but he believed some actions were being taken in response to a lawsuit. He stressed the atmospheric river events of 2017 saturated the ground and concurred the recent weather was unique. The RHMP would address this.

Commissioner Herman noted she had asked for a moratorium a few times and had voted against development that would negatively impact Lemmon Valley. She contended a reservoir on the east side of Swan Lake would remove three to four feet of water from the lake and it would not cost very much. She said the ground around the lake was pretty saturated and infiltration would be difficult. She mentioned areas in the southeast and in Alaska had success elevating homes and it would cost the County less than buying out homeowners.

Councilmember Jenny Brekhus thought engineers were concentrating on acute emergencies but she felt the focus should be understanding the character of the community and the carrying capacity of the basins. She felt a development moratorium would allow that to happen. She acknowledged there could be short-term challenges but the Reno Master Plan and other planned projects could help. She thought land sellers and consultant planning firms were telling out-of-state buyers to come which caused grief and distraction. She thought a break would be pro-development.

Councilmember Brekhus emphasized no watered-down development proposals should be accepted; every water and sewer hookup exacerbated the issues. She thought home buyouts, condemnations, and relocations should be considered during the moratorium. She commented the Lemmon Valley elevation and expansion project would take funds away from regional road investments and it could have impacts on other valleys. She requested the topic of moratoriums to be included on the next scheduled agenda for each body, followed by interlocal agreements. She also wanted an agreement outlining the plan to use RSWRF as a backup for the Lemmon Valley plant.

Commissioner Berkbigler asked whether there were currently discussions about placing Hesco barriers around the school, noting kids could climb over the fence that was there. Mr. Solaro replied staff was continuing discussions with the WCSD about protections on the back side of the school.

Commissioner Berkbigler inquired about the water quality of the lake. Mr. Solaro stated every test taken around various locations of the lake met recreational water quality standards, just as the Sparks Marina and Lake Tahoe did.

Commissioner Berkbigler asked whether dredging the lake would be necessary to make a permanent lake there. Mr. Solaro said water supply would be a larger issue than the depth of the lake. Regarding dredging, Commissioner Berkbigler asked

where the material removed from the lake would go. Mr. Solaro admitted a location would need to be found for a lot of material if that option was chosen.

Councilmember Oscar Delgado indicated he was confident in the information being presented to the boards but asked whether planning pieces could move in parallel with development. He acknowledged the community wanted to consider a moratorium but he wondered whether that was in line with the procedures already in place. Mr. Solaro said the County believed it could proceed with appropriate development based on current proposals, though he remarked it might not be the best scenario. He stated the County could not wait because there were solutions that could be implemented with collaboration of development, residents, and County and City staff. He said projects could be conditioned appropriately given the new understanding of the base flood elevation.

Councilmember Delgado mentioned the City typically worked off data and policies already in place. He asked Mr. Flansburg to confirm amendments were being made to development proposals in accordance with current data. Mr. Flansburg said the conditioning of development permits was based on the latest information. Developers considered things such as higher flood storage mitigation standards, for example. He indicated the City would continue to consider infrastructure, sewer treatment plants, and effluent management if the area was to continue to grow.

Vice Mayor Duerr noted she had a list of over twenty questions so she requested a follow-up briefing. She mentioned a bill passed when she was the head of the Truckee River Flood Project which allowed public financial assistance to private property owners to address wells, septic tanks, and flooding. The authorization provided in the bill was set to expire on June 1, 2019. She asked whether there was a plan in the current legislative session to remove the sunset clause and allow continued authorization. Mr. Slaughter said the County would look into the issue.

Vice Mayor Duerr pointed out she had heard many good ideas from both residents and staff and wondered whether there could be monthly or bi-monthly meetings between the two to discuss ideas. Mr. Solaro answered reaching out to the community would be part of the ongoing hazard mitigation planning process. He remarked the majority of suggestions listed in the options matrix were supplied by the community.

Commissioner Lucey inquired about the third-party evaluation of the barriers and Mr. Smith responded U.S. Flood Control was the company performing them.

Commissioner Lucey noted there would long-term maintenance needs with any solution and he ultimately wanted to see both the initial costs for each solution as well as long-term costs. He wondered whether the water source in that area was sustainable. He asked whether the concrete pipeline alignments shown in Mr. Smith's presentation would be permanent. Mr. Smith corrected his earlier statement, saying the Flood Defense Group was the third-party evaluator. Regarding Commissioner Lucey's query, Mr. Smith indicated the slide was intended to demonstrate a concept, but he

believed some type of plastic or fused high-density polyethylene material would be used. Those decisions would be made as the process moved forward.

Commissioner Lucey stated he did not believe a moratorium would address water in Swan Lake or other closed basins in the north valleys. He expressed concern that any changes to Swan Lake would alter the natural flows into the lake and wanted to know more about the impacts to those flows.

Councilmember Bonnie Weber concurred another meeting should be held at 6:00 p.m. and she liked Vice Mayor Duerr's idea of holding community meetings. However, she wondered if continued discussions would be helpful since the boards had already heard a lot of the issues. She expressed concern that the County and the City had been negligent in getting factual information out to the public and thought it would be nice to find a way to achieve that.

Councilmember Weber asked for clarification about residents' ability to use flood insurance. Mr. Smith said flood insurance was available to anyone who wanted to purchase it, including people outside traditional flood zones. Insurance costs were usually low for residents outside those areas. He mentioned many residents in that area had already paid off their homes and, without a federally-backed mortgage, were not required to carry flood insurance. As a result, many of them did not carry it.

Chair Hartung directed the Clerk to stop the three-minute timer when staff was answering questions.

Commissioner Jung felt several evening meetings would be necessary, during which she wished to perform surveys of all taxpayers about the right approach to address these issues. She wanted a breakdown of what had been spent to date at the federal level, the state level, and at various local agencies.

Commissioner Jung asked whether the County was statutorily required to release effluent into Swan Lake. Mr. Smith responded the County held a Nevada permit which allowed for the discharge of treated effluent into the basin. He explained water would normally be treated and sent to evaporation ponds north of the treatment plant twice a year, where much of it would evaporate. Given the high water levels there, they were treating the effluent to a higher standard and releasing it into Swan Lake. Commissioner Jung asked whether there was a statutory requirement to release effluent in an effort to preserve a wildlife area. Mr. Smith said the County and the City had agreements to perpetuate aviation areas.

Commissioner Jung inquired whether the County could use discretion if water levels were too high. Mr. Smith said the County would provide water to those areas when the lake was dry. When pressed about the process when the lake was flooded, he answered there was no alternative management strategy in place. Commissioner Jung wanted staff to study how to better manage situations involving statutory agreements.

Commissioner Jung asked about contractors being allowed to take water from Swan Lake to control construction dust rather than paying TMWA for water. Mr. Flansburg answered RSWRF currently handled construction water needs. Commissioner Jung clarified she had previously asked County staff to look into her suggestion, which she felt should have been done many years ago if it was allowable and all parties agreed. Mr. Solaro responded there would be challenges presented by the shallowness of the lake; it was easier to utilize the fill station at the Stead plant than to have trucks find areas to safely take water from the lake. Commissioner Jung wanted discussions about this topic to be accelerated.

Chair Hartung asked Mayor Schieve for input but Reno City Clerk Ashley Turney indicated she was no longer on the phone and would not be for the remainder of the meeting.

Via telephone, Councilmember Devon Reese asked whether any federal or state funds were available for efforts undertaken in these basins. He expressed sympathy for north valleys residents but also concern that the City and County budgets would not effectuate a positive outcome. Mr. Solaro said hazards would be identified during the RHMP process and finishing that plan would allow agencies to apply for FEMA grants. He reminded the boards that staff would research the possibility of an emergency declaration to try to obtain federal funding. He added they already submitted a hazard mitigation grant application for the purchase of homes, which was a direct result of the federal declaration of disaster in January and February of 2017.

Councilmember Reese inquired about a timeline for updating the RHMP. Mr. Solaro anticipated the update would be finalized and submitted to FEMA for review in November. He noted community meetings addressing not just flooding but other hazards like wildfires needed to happen first.

Chair Hartung recalled the Board gave direction to staff to contain the lake and study solutions to lower the lake level including the cost of those options. He asked which two areas of the lake would have to be mitigated with berms and levees if the RTC was able to make the Lemmon Drive widening and elevating project happen sooner. Mr. Solaro answered the northeast corner from Albert Way to Shane Way was one area and the other was Lemmon Valley Park and Lemmon Valley Elementary School (LVES).

Chair Hartung queried Mr. Solaro as to whether staff believed pre-disaster mitigation grants from FEMA could be utilized in those areas. Mr. Solaro said those grants were exactly what staff hoped for in the long term.

Chair Hartung mentioned the possibility of agricultural uses, including alfalfa fields in the American Flat area. A horticulturist told him four to six acre feet of water were used in every acre of alfalfa. Chair Hartung wondered whether the alfalfa could be used not only to feed local horses but be given to the Bureau of Land Management (BLM) to feed horses at a facility on Winnemucca Ranch Road. Mr. Solaro responded staff was working with the National Resource Conservation Service to

determine the right type of crops for the soils in that area. Discussions with the BLM about the costs associated with harvesting any crops would follow. Chair Hartung suggested the BLM could pay for the harvesting if the crops were given to them.

Chair Hartung wanted the idea of a reservoir on the east side of the lake to remain on the table and requested a list of steps that would need to be taken as well as potential hazards.

Chair Hartung indicated a second round of questions and comments would begin with each Commissioner and Councilmember receiving two minutes.

Councilmember Jardon asked who specifically would pursue the emergency declaration for funding and how long that could take. Mr. Solaro thought Mr. Kenneston might have already reached out to the State to determine the parameters; Mr. Solaro hoped to have some information about feasibility and timeframes by the end of the meeting. Councilmember Jardon admitted it was possible the request would be denied but thought it was worth asking.

Councilmember Jardon felt residents wanted assurances they would not have to live with Hesco barriers forever. She affirmed the County and City had been working well together and were not pointing fingers at each other, but she also felt there was an opportunity to include developers in coming up with solutions, not just for their developments but for the entire community. Citing Commissioner Jung's suggestion about pulling water from the lake, she pointed out developers' opinions were absent from this discussion.

Councilmember Jardon wanted assurances that barriers would be placed around the school by the next school year if flood waters did not recede. Mr. Solaro stated they were considering the use of sand berms as a barrier until the road could be raised. This would allow the County to redeploy segments of Hesco barrier to the south end where there was no barrier. He understood the concerns about the unsightliness of the barriers but remarked they were effective. He committed to working with the WCSD to shore up areas around the school.

Commissioner Herman mentioned alfalfa would use water in the summer but she felt a winter crop was needed. She thought the reservoir could be the fastest and most cost-effective way to give a safety net to area residents.

Councilmember Brekhus said she supported the notion of a public cost accounting of emergency expenditures, which were more costly than planned expenditures. She wanted an understanding of inadequate, regional infrastructure. She thought having development proceed while trying to solidify plans was inadvisable because the development process was highly negotiated. She expressed concern about silting and exposed soils in a development that had recently been approved. She wanted interlocal agreements which laid out what each board's staffs would do. She was worried about the plan to send emergency Lemmon Valley sewer water to the Stead plant, noting

Reno had enacted an emergency ordinance to ration sewer supply. The plan could impact the Truckee Meadows Water Reclamation Facility (TMWRF), thereby impacting the whole region's sewer capacity.

Commissioner Berkbigler agreed these public meetings should have been done earlier and more would likely need to occur. Acknowledging that Mr. Smith's slide showing piping was only a concept, she asked how beneficial pumping water to another location inside the basin would be. Mr. Smith responded the purpose of the land application, agriculture, and rapid infiltration approach was to maximize surface area and utilize the evapotranspiration of plants to remove water from the basin. He noted certain areas of the basin were more capable of rapid infiltration at the surface and monitoring programs would be necessary. Commissioner Berkbigler asked whether the purpose of that would be to get water into a lower aquifer. Mr. Smith responded there was no one solution but the combination of land application, rapid infiltration, and mechanical aeration was the lowest-cost, short-term plan to create space for mitigation planning efforts.

Commissioner Berkbigler liked the idea of using alfalfa as a short-term solution but she expressed concern about moving water from one place to another within the basin.

Vice Mayor Duerr asked for an estimate of how long it would take the lake to recede. Mr. Smith responded the water evaporated from the basin at about 2.5 vertical feet of water each year. Without augmenting the natural evaporation, it would take at least five years to dry up or get to a very low level. He felt lake levels could recede within a few years to a level where the Hesco barriers could be removed.

Vice Mayor Duerr inquired about the status of the Desert Research Institute's (DRI's) study concerning the cause of water infiltrating into the lake. Mr. Smith said the surface water and ground water predictive study would help understand the triggers for infiltration issues. He indicated work was ongoing and the original timeframe was for it to be complete in the fall.

Vice Mayor Duerr underscored the importance of transparency and communication with the public. She opined solutions needed to be technically feasible, practical, cost-efficient, and socially acceptable to the community. She asked whether a special assessment district (SAD) had been considered which would take into account who had impervious surfaces, how much runoff they produced, and how much they would be willing to pay. Mr. Smith thought the RHMP process would help determine not only which strategies best served the community and governmental entities but also their costs. SADs were a proven tool that allowed municipalities to manage those efforts.

Vice Mayor Duerr asked whether a planned flow shave could be used to send water to TMWRF instead of discharging it into the lake. Mr. Flansburg replied the flow shave project was in place and it would take a portion of the raw sewage and

redirect it to TMWRF; he expected that to begin within a week or two. This would remove some flows currently coming into the lake.

Commissioner Lucey ceded his time to Councilmember Jardon.

Vice Mayor Duerr likened the impervious ground study to the Community Homeless Advisory Board, which was a community approach to developing a plan. She pointed out it would be difficult to allocate additional resources without knowing the cause of the issues. Mr. Smith clarified he referred to the predictive model for ground and surface water being performed by DRI. He stated staff had not initiated an impervious surface study for the closed basins, though he recognized the advantage of such a study and would seek a consultant to help staff with that study. He was unsure of a timeline for this to be completed.

Councilmember Jardon felt the distribution of funds would be largely dictated by the findings of that study. She opined it was premature to even suggest a moratorium without understanding the causation of the issues. Mr. Smith agreed good data would be necessary and he would work with the City on that.

Referencing the matrix of possible solutions, Councilmember Weber requested staff add the possibility of allowing water trucks to take water out of the lake rather than taking it from RSWRF. She thought this should have been done a while ago. She wanted more information about Washoe County's notification of residents about flood insurance. Mr. Smith explained the County initiated the Community Rating Service program to provide the opportunity to reduce residents' flood insurance premium rates by 15 percent. The County worked directly with the community on education programs and notifying residents who were located in flood plains.

Commissioner Jung asserted there was already public investment for regional issues and it was impossible to predict weather further than three days away. She said how much had been spent was unknown because FEMA had not yet reimbursed the County; California was getting the attention because of their massive wildfires. She pointed out the County's emergency fund had been depleted two budget years in a row over this issue. She wondered what the payoff would be for the rest of the taxpayers. She concurred the lake should be a regional amenity which would enhance the property values of the people who had suffered.

On the call for public comment, Mr. Pete Etchart, Chief Operating Officer for the WCSD, stressed he was in constant communication with Michael Lansing, the principal of LVES. The principal continued to assure him the school did not currently need anything. Mr. Etchart emphasized children were always supervised on the playground and LVES was an excellent community school.

Ms. Tammy Holt-Still displayed two documents, copies of which were placed on file with the Clerk. She asserted the past three years did not feature unusual weather since prior years featured well above average precipitation as well but the lake

never breached its boundary. The difference was 3,000 acres of impervious ground. She thought the focus should not be on controlling the lake but on what was feeding the lake. She claimed funds would still be available if the County had not removed the state of emergency. She stated development was not the answer and questioned the use of retention ponds.

Ms. Lori Beach indicated many residents did not carry flood insurance because it did not cover damage caused by soil differential. She expressed interest in touring the area with Mr. Smith and offered to help the boards put pressure on other elected officials to get FEMA funds. She wondered whether Washoe County Question 1 (WC-1) funds could be used for LVES. She listed a number of citizens she felt the County should contact for input.

Ms. Brenda O'Sullivan suggested storing mountain and foothill runoff which could then be used for other needs and to help control the lake level. She expressed reservation about continuing development since areas currently holding water were not counted as part of the lake.

Ms. Peg Sloss praised the area and its residents for treating her like family. She urged the Board to help save the lake, the animals, and the residents.

12:27 p.m. Commissioner Lucey left the meeting.

Ms. Linda Cunrod showed a video on her phone of water on her street and water flowing onto the property where Prado Ranch would be. She pointed out alfalfa did not grow in boggy areas. She claimed damage from off-highway vehicles created erosion so water ran directly onto the Prado Ranch property and fire engines could not reach fires caused by shooters because the roads had been so damaged. She suggested using an alternate road like Deodar Way until the seepage under Lemmon Valley Drive was fixed. She felt assessment fees should be paid only by those contributing to runoff.

Mr. Ray Lake cited the feasibility study he referenced earlier in the meeting, saying it was dated January of 2017; the passive recharge data he quoted was from 1996. He felt pumping water out of the lake was not the solution; addressing it before it entered the lake was. He remarked the City of Reno was seeking a special use permit to expand the sewer treatment plant to 4 million gallons per day and he stressed that needed to be considered before additional construction happened. He argued most of the residents who were in favor of development had not been flooded and agreed people on wells and septic tanks should not pay to be part of a storm water utility. He provided copies of the studies to the Clerk for the record.

Ms. Leona Galau expressed frustration that one entity would approve development that had been rejected by the other. She stated Swan Lake could not hold the current effluent going into the lake, pointing out the lake did not flood like this during the 1997 storm season. She compared flood mitigation to operating room procedures and said

a 'just in time' approach did not work. She agreed the agencies could not predict the weather but they could predict the amount of effluent.

Ms. Donna Robinson contended water from the lake pushed up her ditches. She noted there were no graphs about the amount of effluent going into the lake. She wondered why there were signs posted around the lake not to touch the water if it was treated to recreational standards. She noted she received \$1,200 from her flood insurance when the damage to her home was estimated at \$106,000; other residents were denied five times and received nothing. Additionally, flood insurance did not cover garages, crawl spaces, or differential movement.

Ms. Sharalyn Barney remarked flood insurance would not cover the cracks in her house or the dropping of her ceiling caused by the unstable soil from the water table. She wished to know whether dredging the lake would contaminate the aquifer. She asked whether the meeting would be broadcast on a local government channel so she could watch it again later.

Mr. Sam Dehne was called but was not present to speak.

Chair Hartung pointed out the item was styled for action and he would entertain any motions.

Commissioner Jung wanted information provided to her either validating or disproving Ms. Holt-Still's chart which outlined different years with significant precipitation. Mr. Solaro responded by saying he would create a story map showing annual precipitation and developed surface area since 1984. Commissioner Jung requested the criteria that were used to pull out of the state of emergency be included in the story map. She opined WC-1 funds could be used there if they made the area into a park. She asked that the amount of effluent that flowed from both plants since 1984 be added to the story map. Lastly, she wanted to know whether the lake could legally be dredged and if that would affect that aquifer.

Commissioner Herman requested an item about a moratorium be placed on an agenda.

Councilmember Jardon asked when another meeting like this would be held. Reno City Manager Sabra Newby said there would be a meeting with the County Chair and the City Mayor the following week and it could be discussed at that time. Councilmember Jardon recalled hearing some preliminary study and evaporation information might become available in June. She echoed the opinion that Hesco barriers should be considered around the school for the upcoming school year. Additionally she wanted more information about federal funds and she thought some of her questions could be answered within a month or two. Vice Mayor Duerr admitted many questions were asked of staff at the meeting and not all questions needed to be answered before the next meeting was held. Councilmember Jardon requested members of the development community be included at the next meeting.

Councilmember Brekhus noted she would email the Reno City Manager for a moratorium item to be placed on the next agenda. While she appreciated the idea of holding additional joint meetings, she questioned whether they were the best use of time. She felt policies needed to be inked laying out what each jurisdiction would do. During a potential moratorium she wanted interlocal agreements to be executed which would hold every agency accountable and define how resources would be pooled. She pointed out any regional investments in this area would take away from projects in other areas.

Councilmember Weber urged the WCSD to erect barriers around the school because it would be important for students' wellbeing. She was unsure whether another meeting of both boards was necessary because she felt much could be accomplished with smaller groups. She would be happy to accommodate if it was decided to hold more joint meetings.

Vice Mayor Duerr mentioned many concerns were heard about immediate issues and some things had to happen in 30 days. She requested the City Manager include an agenda item for either the May 22 Reno City Council meeting or one in June to get answers to some of their questions.

Councilmember Jardon liked the format of this joint meeting and suggested creating a website to answer frequently asked questions and provide data about Lemmon Valley. She thought all entities with data could contribute to the site. The Reno City Council voted on and passed a motion about the creation of that website.

Vice Mayor Duerr stressed the importance of keeping the public connected to the process. She asked each Councilmember to submit questions to the Manager to put them on an agenda.

12:53 p.m. Chair Hartung adjourned the meeting but, when informed Agenda Item 5 still needed to be heard, he reopened the meeting with Commissioner Lucey absent.

19-0337 AGENDA ITEM 5 Public Comment.

Ms. Tammy Holt-Still thanked both boards for holding the meeting and hoped for action in the future. She alleged the bird sanctuary only needed 490 acre feet of water to keep it wet in the summertime, not continuous effluent discharge.

Mr. Tim Fadda contended the raising of Lemmon Valley Drive benefitted the Prado Ranch development and other neighborhoods did not want to see it raised. He expressed concern about digging into the road base to fix pump crossings, suggesting longer approach ramps would solve the problem.

Ms. Lori Beach told a story about her daughter losing baby chicks to a wolf and afterwards receiving two new chickens from members of the community. She

stated neighbors also transported horses when a fire broke out on Red Rock Road. She wanted a safe community and said development should be done responsibly.

Mr. Ray Lake thanked the Boards for listening to residents' views and hoped an evening meeting would happen. He thanked Councilmember Brekhuis for introducing the idea of a moratorium.

Ms. Donna Robinson expressed concern about vehicles nearly hitting Hesco barriers, passing illegally, and speeding. She provided numerous examples and requested enforcement of traffic rules in the area. She noted NV Energy was doing work on Oregon Boulevard and there were additional detours. She mentioned requests had been made for speed bumps and again asked for enforcement to keep the streets safe.

Ms. Leona Galau disagreed that the water in Swan Lake was the same quality as in Lake Tahoe. She claimed a new culvert installed along Lemmon Drive was allowing more water to go into the lake without being visible. She urged the boards to listen to consultants if they recommended installing \$81 million worth of flood mitigation before building. She expressed concern about increasing the effluent into the lake and having the Hesco barriers around for years.

* * * * *

1:06 p.m. There being no further business to discuss, the meeting was adjourned without objection.

VAUGHN HARTUNG, Chair
Washoe County Commission

ATTEST:

NANCY PARENT, County Clerk and
Clerk of the Board of County Commissioners

*Minutes Prepared by:
Derek Sonderfan, Deputy County Clerk*