



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: September 24, 2019

DATE: August 20, 2019

TO: Board of County Commissioners

FROM: Vahid Behmaram, Water Management Planner Coordinator,
Community Services Dept., 954-4647, vbehmaram@washoecounty.us

THROUGH: Eric Crump, Acting Director, ecrump@washoecounty.us

SUBJECT: Recommendation to approve an Agreement on Management of Water Quality Settlement Agreement and 1.E.4 Water Rights between Reno, Sparks, and Washoe County, which creates an oversight committee made up of staff from each government and which is authorized to manage the 5,184 acre-feet of Truckee River water rights accumulated or acquired pursuant to the section 1.E.4 of the Truckee River Operating Agreement (TROA) and the Water Quality Settlement Agreement (WQSA). (All Commission Districts.)

SUMMARY

This Management Agreement is intended to create an oversight committee, consisting of one technical staff from each of the three local governments who will be authorized to manage the 5,184 acre-feet of Truckee River water rights accumulated or acquired pursuant to the section 1.E.4 of the Truckee River Operating Agreement (TROA) and the Water Quality Settlement Agreement (WQSA).

Washoe County Strategic Objective supported by this item: Stewardship of our community.

PREVIOUS ACTION

The Board of County Commissioners (Board) has taken many actions in regard to the Water Quality Settlement Agreement (WQSA) and Agreements to meet obligations arising from section 1.E.4 of the TROA (1.E.4). The water rights associated with the WQSA and 1.E.4 are a component of TROA to improve the water quality within the Truckee River System, which water rights are to be administered by the Federal Water Master as part of the implementation of TROA. The most recent Board actions in regards to WQSA and 1.E.4 are as follows:

On July 9, 2019, the Board approved a Joint Funding Agreement between Washoe County, the State of Nevada, Truckee Meadows Water Authority, the City of Reno, the City of Sparks and the City of Fernley for the administration of the Truckee River Operating Agreement (TROA) through October 1, 2022 [in the estimated annual amount of \$60,000].

AGENDA ITEM # _____

On March 27, 2018, the Board approved the Fourth Amended Interlocal Agreement Regarding the Purchase of Water Rights Pursuant to the Truckee River Water Quality Settlement Agreement between Washoe County, the City of Reno, and the City of Sparks for the purpose of using interest earnings in the Water Quality Settlement Agreement account [in the approximate sum of \$725,226.11], to make the one-time payment to Truckee-Carson Irrigation District pursuant to the terms of the Water Rights Operations & Maintenance Assessment Agreement, [in the sum of \$682,231.48]; and to pay any remaining Water Quality Settlement program costs; and to disburse the remaining funds, if any, to the parties of the Interlocal Agreement.

On September 27, 2016, the Board approved the Contract for Storage of Non-Project Water among the United States and Washoe County Water Conservation District, the City of Reno, the City of Sparks and the County of Washoe.

BACKGROUND

The parties to this Agreement, Reno, Sparks and Washoe County have accumulated 3,952.08 acre-feet of Truckee River water rights pursuant to the section 1.E.4 of TROA and have acquired 3,177.99 acre-feet of Truckee River water rights pursuant to the WQSA. Storage and instream flow permits granted by the Nevada State Engineer are, by regulation, issued for the consumptive use component of the decreed Truckee River irrigation rights, which yield a total of 5,184 acre-feet for both the 1.E.4 and WQSA water rights under the final permits. This block of water rights are to be managed in accordance with the terms of WQSA for the benefit of Truckee River water quality, which includes storage, and scheduled releases in priority to meet water quality standards in the river from the Vista gauge to the Pyramid lake; to improve water quality in the river from the Vista gauge to Pyramid Lake when sufficient water is not available to meet water quality standards; to maintain aquatic and riparian habitat in the river downstream of Derby Dam; and to promote aesthetic and recreational purposes through the Reno/Sparks area and continuing to Pyramid Lake. The management tasks associated with this agreement requires review of the local snow pack and the resulting Truckee River flow forecasts provided by the Federal Water Master's office and scheduling of storage of water in and releases of water out of the storage reservoirs in the Truckee River system.

This agreement, when approved, will create a committee of three staff, one from each party to the Agreement, appointed by the City and County Managers. The agreement provides a process for the selection of a chairman and requires the committee to meet a minimum of two times each calendar year, and more if necessary. This committee will replace the Local Government Oversight Committee (LGOC) created by an interlocal agreement dated July 28, 1998. The LGOC was responsible for acquisition of \$12 million dollars' worth of Truckee River water rights for the benefit of the Truckee River water quality as required under the WQSA. The LGOC has accomplished all of its responsibilities, and discharged all obligations under the WQSA, and disbursed all remaining funds to the parties and per the terms of its Interlocal agreement and amendments thereto, LGOC has been dissolved.

Currently, all permitting and certification fees are paid and the Bureau of Reclamation storage contract requires no fee. The Board has already approved and funded the TROA administration costs during their July 9, 2019 regularly scheduled meeting. This

agreement authorizes the committee to pay for fees, if any, associated with the management of these water rights. If any such fees are required in the future, each committee member will seek approval and funding from their respective City Council or County Commission.

FISCAL IMPACT

No Fiscal Impact.

RECOMMENDATION

It is recommended the Board of County Commissioners approve an Agreement on Management of Water Quality Settlement Agreement and 1.E.4 Water Rights between Reno, Sparks, and Washoe County, which creates an oversight committee made up of staff from each government and which is authorized to manage the 5,184 acre-feet of Truckee River water rights accumulated or acquired pursuant to the section 1.E.4 of the Truckee River Operating Agreement (TROA) and the Water Quality Settlement Agreement (WQSA).

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be: "Move to approve approve an Agreement on Management of Water Quality Settlement Agreement and 1.E.4 Water Rights between Reno, Sparks, and Washoe County, which creates an oversight committee made up of staff from each government and which is authorized to manage the 5,184 acre-feet of Truckee River water rights accumulated or acquired pursuant to the section 1.E.4 of the Truckee River Operating Agreement (TROA) and the Water Quality Settlement Agreement (WQSA)."