



# WASHOE COUNTY

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## STAFF REPORT

BOARD MEETING DATE: April 13, 2021

**DATE:** March 22, 2021

**TO:** Board of County Commissioners

**FROM:** Brian Bass, Interim Remediation District Program Manager,  
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**THROUGH:** Dwayne Smith, P.E., Division Director, Engineering and Capital Projects  
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**SUBJECT:** Recommendation to approve Resolution R20-087 calling a public hearing (to be set for May 11, 2021) on the amendment of the boundaries of District No. 24 (Groundwater Remediation/Central Truckee Meadows Remediation District) in Washoe County, Nevada; providing for a notice of hearing and for other matters properly related thereto. (All Commission Districts.)

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### SUMMARY

The Board of County Commissioners (Board) administers the Central Truckee Meadows Remediation District (CTMRD) program through the Community Services Department (CSD) in accordance with NRS 540A.250-285 and Washoe County Ordinance 1000.

The CTMRD was created in 1997 to address the widespread tetrachloroethene (PCE) contamination of groundwater used to meet municipal water demands in the greater Reno/Sparks area. This condition was certified to exist by the District Health Officer and the Nevada Division of Environmental Protection (NDEP) Administrator.

The CTMRD boundaries include the wholesale and retail service area of the water company or companies with water supply wells located within the contaminated area.

Changes to the CTMRD boundaries can be required as a result of changes in the extent of the contaminated area or as a result of changes in the service areas of water companies with water supply wells in the contaminated area.

Each of the following will be filed with the Washoe County Clerk prior to the publication of a notice of hearing as hereinafter described:

- (i) a list of the properties proposed to be excluded from the 2021 Fee Year Boundaries of the District with respect to the fees collected in 2020 as described in the 10th preamble hereto entitled "Second List of Properties to be excluded from 2021 Fee Year Boundaries of District No. 24" (the "Second 2020 Exclusion List");
- (ii) a description of the areas proposed to be added to the 2021 Fee Year Boundaries of the District as described in the 11th preamble hereto, entitled "2021 Description of Areas to be Added to District No. 24" (the "2021 Addition List"); and

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(iii) a list of the properties proposed to be excluded with respect to the fee to be imposed in 2021 as described in the 12th preamble hereto, entitled “First List of Properties to be Excluded from the 2021 Fee Year Boundaries of District No. 24” (the “First 2021 Exclusion List”).

NRS540A.262 requires that the Board initiate any action to amend the CTMRD boundaries to accommodate any needed changes. In accordance with NRS540A.262(1), this action is initiated by a Resolution of the Board to hold a public hearing.

Washoe County Strategic Objective supported by this item: Safe Secure and Healthy Communities.

### **PREVIOUS ACTION**

Resolutions by the Board to hold public hearings to consider changes to the CTMRD boundaries have occurred annually since those boundaries were first created in 1997.

### **BACKGROUND**

In 1997, in accordance with NRS 540A.250(1), the Board created, through the adoption of Ordinance 1000, District No. 24 (Groundwater Remediation); a.k.a. the CTMRD. The CTMRD was created to address the widespread PCE contamination of groundwater in the central Truckee Meadows that was certified to exist by the District Health Officer and the NDEP Administrator.

NRS 540A.250(3)(b) specifies that the CTMRD boundary shall include the wholesale and retail service area (i.e. within what is referred to as the CTMRD service area boundary) of the water company or companies with wells located within the area where the condition requiring remediation is present or expected to migrate unless remediation is carried out (i.e. within what is referred to as the CTMRD contaminant boundary).

The Truckee Meadows Water Authority (TMWA) has municipal water supply wells located within the CTMRD contaminant boundary. TMWA also provides wholesale water to Sun Valley General Improvement District and Parr-Reno Water Company. Accordingly, the CTMRD service area boundary is defined to include that portion of the TMWA wholesale and retail service area that is interconnected with the municipal water supply wells located within the CTMRD contaminant boundary.

Each year since 1997 the Board has, in accordance with NRS540A.262, amended the CTMRD boundaries to reflect any parcels added to or removed from within the boundaries. These changes could include:

- 1) Parcels added into or removed from the wholesale and retail service area of effected water purveyors and to exclude properties that are federally owned, properties that are undeveloped, and properties that receive water service wholly independent from those purveyors (i.e. the CTMRD Service Area Boundary); and,
- 2) Parcels added into or removed from the area where the condition requiring remediation has been determined by the Board to be present, including any area to which the condition is expected to migrate unless remediation is carried out (i.e. the CTMRD Contaminant Boundary).

NRS 540A.265 requires that the water service providers within the TMWA wholesale and retail service area provide Washoe County with the dollar amount billed for water service during the previous calendar year, by parcel, to each of the parcels within their respective water service areas, within 90 days of being requested to do so. The amount billed for water use provides the basis for determining the remediation fee. While NRS 540A.265 (1)(d) allows for assessing remediation fees against undeveloped parcels or parcels that receive water service wholly independent from water purveyors with wells within CTMRD contaminant boundary, staff has recommended since the initial creation of the CTMRD boundaries that the Board exclude those properties from remediation fee assessment. Staff continues to make that recommendation at this time.

The “Boundary Amendment Ordinance” that will be introduced at the May 11, 2021 public hearing will identify those parcels added into or removed from the service areas of affected water purveyors during calendar year 2020 and identifies those parcels that are to be excluded based upon continuation of the Board’s previous direction.

### **FISCAL IMPACT**

There is no cost to amend the CTMRD boundaries; however, the amendment of the Remediation District service area boundary will ensure that the County maintains an accurate list of the water using parcels within the CTMRD service area boundary. Remediation fees levied against those parcels based on annual water use will provide for the operation and maintenance of wellhead treatment on five municipal wells, and ongoing implementation of the Remediation Management Plan.

### **RECOMMENDATION**

It is recommended that the Board of County Commissioners approve Resolution R20-087 calling a public hearing (to be set for May 11, 2021) on the amendment of the boundaries of District No. 24 (Groundwater Remediation/Central Truckee Meadows Remediation District) in Washoe County, Nevada; providing for a notice of hearing and for other matters properly related thereto”.

### **POSSIBLE MOTION**

Should the Board agree with the staff recommendation, a possible motion would be: “Move to approve Resolution R20-087 calling a public hearing (to be set for May 11, 2021) on the amendment of the boundaries of District No. 24 (Groundwater Remediation/Central Truckee Meadows Remediation District) in Washoe County, Nevada; providing for a notice of hearing and for other matters properly related thereto”.

Attachment 1 Public Hearing Resolution

Attachment 2 Map showing the proposed amended CTMRD 2020 fee area boundary including areas annexed into or removed from the CTMRD service area during calendar year 2020