

CARSON RIVER ADVISORY COMMITTEE

Minutes of the February 5, 2003 Meeting

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A regular meeting of the Carson River Advisory Committee was scheduled for 6:00 p.m. on Wednesday, February 5, 2003 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Chairperson Charles Zimmerman
Dan Greytak
Thomas Hall
Everett Hill
David Johnson
Paul Pugsley

STAFF: Steve Kastens, Parks and Recreation Director
Vern Krahn, Parks Planner
Larry Werner, City Engineer
Kathleen King, Recording Secretary

NOTE: A tape recording of these proceedings is on file in the Clerk-Recorder's Office and is available for review and inspection during regular business hours.

A. CALL TO ORDER, ROLL CALL, AND DETERMINATION OF A QUORUM (1-0001) - Chairperson Zimmerman called the meeting to order at 6:00 p.m. Roll was called; a quorum was present.

B. APPROVAL OF MINUTES (1-0008) - None.

C. PUBLIC COMMENT ON NON-AGENDIZED ITEMS (1-0011) - Jude Greytak read into the record prepared remarks which she later provided to the recording secretary. She urged the Committee to review the planned wetlands at Silver Saddle Ranch. Chairperson Zimmerman agreed with Mrs. Greytak's remarks and advised that the Committee would address agendizing her concerns under item H. He thanked Mrs. Greytak for her comments.

D. MODIFICATION OF THE AGENDA (1-0068) - None.

E. DISCLOSURES (1-0072) - Member Hall advised of having attended a recent Advisory Board to Manage Wildlife meeting, wherein concerns were discussed regarding the Pine Nut Mountains Plan Amendment and effects to the sage grouse conservation plan. The ABMW will be requesting a presentation by a Bureau of Land Management representative on the Pine Nut Mountains Plan Amendment.

F. PUBLIC MEETING:

F-1. STATUS REPORT ONLY ON CARSON CITY'S STORMWATER MANAGEMENT PLAN; AND F-2. REVIEW AND ACTION ON A DRAFT OF THE NOTICE OF INTENT TO FILE FOR A NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM ("NPDES") PHASE II STORMWATER PERMIT (1-0097) - Mr. Werner narrated a slide presentation of the Stormwater Status Report, copies of which were distributed to the Committee members, staff, and the citizens present. In response to a question, he advised that undeveloped lots will not be charged. He provided background information on the decision to develop the user charge based on an impervious surface calculation. In response to a further question, Mr. Werner advised that NPDES is an acronym for

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the National Pollutant Discharge Elimination System, a program developed in 1973 in conjunction with the adoption of the Clean Water Act and the formation of the Environmental Protection Agency. He provided historic information on the NPDES, and advised that Carson City is a phase II category and meets the requirement for a MS-4 stormwater discharge permit. The first step in complying with the requirement is to file a notice of intent to seek a permit, and Mr. Werner referred to the draft Notice of Intent which was distributed to the Committee members, staff, and the citizens present. The filing deadline for the MS-4 stormwater discharge permit is September 2003, and Mr. Werner anticipates the document to be several hundred pages in length. Once the permit is issued, Carson City will have five years to implement its conditions. Mr. Werner continued narrating the slide presentation.

In response to a question, Mr. Werner explained that customers who develop a stormwater or pollution treatment facility which meets minimum City Code requirements, or a stormwater education program, are eligible for credits toward the stormwater program. Chairperson Zimmerman noted that the area for which Carson City will acquire the permit includes portions of Douglas and Lyon Counties. He inquired as to the possibility of working with upstream and downstream reaches, through the permitting process, to achieve common benefits with respect to the areas which are loading pollutants to the Carson River. Mr. Werner advised that the possibility would only relate to development of best management practices for different activities because there is no numeric standard to meet. He acknowledged that the goal is water quality improvement and there may be opportunities to make the program work in conjunction with other jurisdictions. He advised of the broad parameters of the program, which requires measurable and identifiable pollution control with regard to surface waters. A re-application for the next five year permit is required to be made during year 4 of the first permit and, at that point, goals and programs will be evaluated in order to determine needed changes in methods and activities. Mr. Werner advised that adjustments cannot be made to stated goals and time frames and that the City will be in violation of federal law if they are not met. Violating the MS-4 permit carries the same consequences as any violation of an EPA discharge permit. Mr. Werner discussed the moratorium imposed on Carson City by the EPA in the early 1980s.

Mr. Werner continued narrating the slide presentation. Chairperson Zimmerman requested Mr. Werner to discuss ways in which the Committee can assist with the public participation, notification, and education portion of the program. Mr. Werner requested the Committee members to review the materials distributed and provide comments to him as soon as possible. At the request of Mr. Krahn, Mr. Werner reviewed the revisions between the Status Report and Notice of Intent included in the agenda materials and that which was distributed at the meeting. Mr. Werner acknowledged that the Clear Creek Watershed Coalition hours will count toward the management plan requirements. He responded to additional questions regarding water quality issues associated with development, the areas included in the NPDES permit, inclusion of Tribal lands in Carson City's permit, and NDOT's permit and plan to contract back to each phase II permit jurisdiction for non-structural activities such as public education. Mr. Werner reviewed the list of phase I permittees, including Washoe and Clark Counties, and the phase II permittees which include Carson City, NDOT, and Elko County. Douglas County can choose to apply for its own permit; however, the permit language and control have to be identical to that developed by Carson City. The Indian Hills Improvement District has elected to contract with Carson City and "pay its share." City staff will know, after March 10th, which counties filed Notices of Intent to seek their own permits. Negotiations can then take place.

In response to a question, Mr. Werner explained the commercial portion of the equivalent residential unit. He discussed the contribution of the Carson City Airport and advised of the possibility for contribution of

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land to a regional stormwater detention basin, the value of which may offset the Airport's ERUs. Auto dealerships and the School District are also large contributors. The School District is considering incorporating the education portion of the program into its curriculum which will, in turn, be assigned a value thereby reducing its ERUs. In response to a further question, Mr. Werner explained the reason for developing the stormwater management program as a utility in order to include governmental entities. He advised that residents who are on septic systems and wells have been included via the Assessor's records. Agricultural lands will be considered the same as residences.

In response to a question, Mr. Werner advised that there is no association of water quality improvement to success of the program. He explained that if there is no improvement during the fourth year program evaluation period, more significant best management practices will have to be imposed. Chairperson Zimmerman commented that more phosphorous, suspended solids, and turbidity are contributed to the Carson River from upstream areas than from the Carson City portion of the River. He inquired as to how Carson City can show improvement through the large load that comes into the area which will be monitored for potential water quality improvements. Mr. Werner advised that Carson City is the urban area permittee which boundaries extend to the town limits of Minden. Whatever violations occur within those boundaries will be the City's responsibility. Although Douglas County may seek its own permit, the permit language has to match that of Carson City and Carson City will be ultimately responsible. The areas covered by the permit will succeed or fail together. Mr. Werner indicated that the rules are being made up as the process goes along; the EPA cannot provide guidance because "they're not sure how to implement it either." He described the NPDES permit process for the Cities of Seattle and Tacoma which were combined into one urban area.

In response to a question, Mr. Werner advised that Douglas County will have to develop a method to fund their share of the program. He advised that Moundhouse is currently within the permit boundaries and City staff is working with Nevada Department of Environmental Protection ("NDEP") staff to obtain a waiver excluding the Moundhouse area. Member Pugsley described the Total Maximum Daily Loads ("TMDL") process which overlays the NPDES process and will address the water quality issues discussed by Chairperson Zimmerman. The Carson River is the first watershed TMDL that the NDEP will conduct, and Member Pugsley provided background information on the process. Chairperson Zimmerman thanked Mr. Werner for his presentation.

F-3. ACTION REGARDING FUTURE PLANNING GOALS OF THE CARSON RIVER ADVISORY COMMITTEE (1-1006) - Mr. Krahn thanked Mr. Werner, Chairperson Zimmerman, and Members Greytak and Pugsley for their involvement in developing the draft goals. He referred to the draft planning goals distributed prior to the start of the meeting, and reviewed the same. At the request of Member Johnson, the Silver Saddle Ranch was added to the "Continue to Monitor Various Land Uses" category. Chairperson Zimmerman suggested including Clear Creek under the "Enhance Surface Water Quality" category. Discussion took place regarding the function and purpose of the Committee's Liaison Reports agenda item, and Mr. Kastens advised that more detailed reports could be agendized as separate items at the request of any Committee member.

Member Pugsley discussed the purpose of his involvement in the working group to include planning goals which would provide a reference to the Committee's interest in such groups as the Clear Creek Watershed Coalition, the Advisory Board to Manage Wildlife, etc. He advised that the objectives listed under each category were provided as "food for thought." Chairperson Zimmerman agreed with the presentation of

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the planning goals, and thanked the working group for development of the same. In response to a question, Mr. Krahn explained the process for adopting the list and forwarding it to the working group which will address projects. Discussion took place regarding the appropriate category in which to place Clear Creek, and **Member Johnson moved to adopt the planning goals for the Carson River within Carson City, as submitted, with the insertion of Clear Creek as a point under "Enhance Surface Water Quality" and the Silver Saddle Ranch under "Monitoring Various Land Uses."** **Member Pugsley seconded the motion. Motion carried 6-0.** Mr. Krahn advised that a revised draft would be sent to the Committee members by mail prior to the next meeting.

G. COMMITTEE LIAISON REPORTS (1-1295) - Member Hall referred to his earlier comments under item E, and discussed the purpose of his attendance at a recent Advisory Board to Manage Wildlife meeting. Member Pugsley referred to comments provided by Jude Greytak under item C, and advised that the Mexican Ditch will provide water for the proposed Silver Saddle Ranch wetlands; however, the source of the water will not be the City but the other Mexican Ditch users based on an agreement with the City. Member Pugsley agreed that it would be very worthwhile to agendize discussion of this matter. He responded to questions regarding the agreement between the Mexican Ditch users group and the City. Member Pugsley acknowledged that a meeting of the Clear Creek Watershed Coalition ("CCWC") Leadership group was held on February 3rd. He reviewed the agendas of upcoming CCWC meetings, and the topics discussed at the February 3rd meeting.

H. DISCUSSION REGARDING FUTURE AGENDA ITEMS AND COMMITTEE MEMBER STATUS REPORTS (1-1385) - Discussion took place with regard to revising the meeting schedule for March and April, and consensus of the Committee was to schedule the next meeting for March 12th and cancel the regular April meeting. Mr. Krahn reviewed the tentative agenda for the March 12th meeting, including discussion regarding the Silver Saddle Ranch wetlands and election of officers. Member Johnson requested staff to distribute a membership list which includes membership terms. Chairperson Zimmerman requested staff to agendize, for a future meeting, a presentation by a NDEP representative on the total maximum daily load designation for the Carson River watershed. In response to a question, Mr. Kastens advised that staff will provide periodic status reports on development of the Question 1 grant administration regulations. He requested the Committee members to advise staff of their intention to attend the Question 1 rule making workshop on February 13th, and Mr. Krahn indicated that the meeting would be noticed for a possible quorum of the Committee.

I. STATUS REPORTS FROM STAFF (1-1586) - Mr. Krahn advised that Human Resources has received three applications for the Committee's vacancy. The applicants will be interviewed by the Board of Supervisors on February 20th.

J. ACTION ON ADJOURNMENT (1-1605) - Member Pugsley moved to adjourn the meeting at 7:34 p.m. Member Hall seconded the motion. Motion carried 6-0.

The Minutes of the February 5, 2003 meeting of the Carson River Advisory Committee are so approved this 7th day of May, 2003.

CHARLES ZIMMERMAN, Chair