

## CARSON RIVER ADVISORY COMMITTEE

### Minutes of the November 7, 2001 Meeting

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A regular meeting of the Carson River Advisory Committee was scheduled for 6:00 p.m. on Wednesday, November 7, 2001 in the City Hall Executive Conference Room, 201 North Carson Street, Carson City, Nevada.

**PRESENT:** Vice Chairperson Claire Clift

Dan Greytak  
Thomas Hall  
David Johnson  
Kevin Walsh  
Barbara Wright

**STAFF:** Steve Kastens, Parks and Recreation Director  
Mark Forsberg, Chief Deputy District Attorney  
Tom Hoffert, Utilities Operations Manager  
Scott Fahrenbruch, Parks Superintendent  
Vern Krahn, Parks Planner  
Kathleen King, Recording Secretary  
(CRAC 11/07/01)

**NOTE:** Unless indicated otherwise, each item was introduced by Vice Chairperson Clift. 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)**- Vice Chairperson Clift called the meeting to order at 6:00 p.m. Roll was called; a quorum was present. Chairperson Zimmerman was absent.

**B. APPROVAL OF MINUTES - SEPTEMBER 5, 2001 (1-0007)** - Vice Chairperson Clift passed the gavel to Member Walsh and **moved to approve the minutes with an amendment to item F-5, page 6, to include the following language: "On October 8<sup>th</sup>, Vice Chairperson Clift sent a letter to the Attorney General's Office for a determination of a violation of the Open Meeting Law concerning the vote of this Committee on this issue and they have yet to issue an opinion."** Member Wright **seconded the motion.** Acting Chairperson Walsh called for discussion on the motion. Discussion took place regarding the letter sent to the Attorney General's Office, the purpose for Vice Chairperson Clift's motion, and the purpose for the original "NOTE" in the minutes. Following a recommendation by Mr. Kastens, **Vice Chairperson Clift amended her motion to approve the minutes conditioned upon the additional language being removed. Member Johnson seconded the motion. Motion carried 6-0.** Member Walsh returned the gavel to Vice Chairperson Clift.

**C. PUBLIC COMMENT ON NON-AGENDIZED ITEMS (1-0089; 1-0251)** - Larry Licari inquired as to the Committee's purposes and activities on the Carson River. He discussed his experiences at the Carson River, displayed a piece of metal with large shots in it and a 50 caliber machine gun shell, and discussed various illegal activities which take place along the River. Mr. Kastens suggested agendizing discussion of this matter for a future meeting.

**D. MODIFICATION OF THE AGENDA (1-0095)** - None.

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**E. DISCLOSURES (1-0096) - None.**

**F. PUBLIC MEETING**

**F-1. INTRODUCTION OF LAURA LUEDERS, THE NEW CARSON RIVER INTERN (1-0099)** - Mr. Krahn introduced Ms. Lueders and provided information on her responsibilities and funding for her position. He referred to Ms. Lueders' resumé which was included in the agenda materials, advised that she started on September 15, 2001, and discussed her activities since that time. At Mr. Krahn's request, Ms. Lueders provided information on her background and experience. Mr. Pugsley discussed Ms. Lueders' experience studying macroinvertebrates and fish species in the Jarbidge Wilderness Area last summer. Discussion took place regarding Ms. Lueders' responsibilities.

**F-2. REVIEW AND DISCUSSION ONLY REGARDING THE CARSON RIVER ADVISORY COMMITTEE'S MISSION, ROLE AND SCOPE AS AN ADVISORY BOARD TO THE CARSON CITY BOARD OF SUPERVISORS (1-0399)** - Mr. Krahn reviewed the staff report. Supervisor Robin Williamson provided an overview of her comments made at the September 5, 2001 meeting and the concerns expressed in her September 24, 2001 letter.

Mr. Forsberg provided information on his tenure with the District Attorney's Office and the procedure for addressing questions such as the subject of this agenda item. He referred to Resolution No. 1996-R-59, which was included in the agenda materials, and advised that a master plan amendment was in progress at the time the resolution was passed. He explained that this Committee was formed at the suggestion of former Supervisor Kay Bennett to establish an understanding between City staff and River property owners/residents. The Committee was asked to focus its attention on lands along the Carson River rather than on issues regarding the Carson River watershed. Mr. Forsberg indicated that the membership of the original Committee supports that position. He read paragraph 3 of Resolution 1996-R-59 into the record, and advised that the language indicates the purpose of the Committee was to advise the Board of Supervisors regarding matters along the Carson River itself. He pointed out that the "vital resources" language included in paragraph 3 refers to "promotion of education and public awareness" and not to the authority of the Committee. Mr. Forsberg explained that, when reviewing a document such as Resolution 1996-R-59, a principle of law is to read it restrictively and not expand it beyond the original intent. His opinion was that giving advice on issues which may peripherally affect the River is beyond the scope of the Committee's authority. He advised that there has to be some limit to the Committee's authority, and that the Resolution does not extend to all issues affecting the Carson River. He reiterated that the language of the Resolution and the membership indicate the intent for forming the Committee was for the City to receive input regarding land use and planning issues along the Carson River itself; not to extend upstream, to other watersheds that may affect the River, to traffic issues, to drainage problems, etc.

In response to a question, Mr. Forsberg advised that the phrase "lands along the Carson River" does not extend upstream or downstream from the county line. He acknowledged that the Resolution does not clearly define "lands along the Carson River," but reiterated that some limit must be applied to the Committee's authority. The overall intent of the Resolution which focuses on master planning uses of the River must be considered. Member Johnson discussed the Board of Supervisors' support of consideration of the Carson River as an ecosystem, the Committee's review of material on the California portion of the River, the Committee's involvement in issues and discussions regarding the entire watershed, and the City's membership on Committees beyond the City boundaries. He suggested that this indicates the intent of the

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Resolution was not to confine the view of the River to a narrow corridor that ends at the Douglas County and Lyon County boundaries. He referred to his comments at the September 5<sup>th</sup> meeting and advised that his position has not changed since that time. He expressed the opinion that to take any other position would be to abrogate the Committee's responsibility to the City and to the River. Mr. Forsberg acknowledged the merit of Member Johnson's position, but reiterated that the Resolution does not address the issues he referenced. He pointed out that it would have been a simple matter for the Board of Supervisors to pass a resolution forming a Committee to advise them on all issues regarding the Carson River, its environment, watersheds, etc. Instead, the language refers to the master plan update which indicates a temporal responsibility. He suggested that if the Committee wants to expand its scope, a request to update the resolution can be submitted to the Board of Supervisors.

Vice Chairperson Clift distributed a four-page research document to the Committee members and staff and read the same into the record. She displayed a map prepared by the United States Geological Survey depicting some of the drainages to the Carson River and reviewed the same. She commented that the Committee's history is to work "beyond the water in that channel." Member Johnson thanked Vice Chairperson Clift for her presentation. Mr. Krahn acknowledged that Vice Chairperson Clift's document would be incorporated into the record. Member Walsh expressed appreciation for Mr. Forsberg's comments, but stated a "clear precedent" has been established that the Committee's input extends beyond the banks of the River. He commented that the nature of the River as an integrated watershed makes a narrow interpretation of the Resolution absurd.

Supervisor Williamson commended Vice Chairperson Clift "for all her hard work." She indicated she had not heard the comment at the September 5<sup>th</sup> meeting that "when an issue as politically hot as Fuji Park raises its head, the City no longer wants its citizen advisory committees to take part." She stated that the comment is untrue, and that one of the defining aspects of the Fuji Park/Fairgrounds issue has been the recommendations of the Parks and Recreation Commission under whose purview it falls. The Parks and Recreation Commissioners have worked with the Fairgrounds user groups and City staff to develop the scope, plan, and direction of the recommendations for the Fairgrounds. Supervisor Williamson acknowledged that the City is a member of the Carson Water Subconservancy District and the Carson Valley Conservation District, and that the Carson River Advisory Committee ("CRAC") receives information and participates in those meetings. She questioned the difference between receiving information and providing direction. She advised of her willingness to continue to provide information to the CRAC, and invited the Committee members to the Clear Creek Watershed Coalition meeting on November 8<sup>th</sup> at 6:00 p.m. In response to a question, Vice Chairperson Clift stated that it is the role of the Committee to advise the City on minimization of urban growth, design of storm water BMPs, etc. Member Walsh suggested that the Committee should act in an advisory capacity to other City Committees.

Vice Chairperson Clift commented that the Open Space Advisory Committee ("OSAC") seemed to have more information regarding Clear Creek than the CRAC at the November 5<sup>th</sup> joint meeting. She pointed out that Clear Creek obviously impacts the Carson River and that whatever happens as a result of storm water, development, etc. will affect the Carson River. The Carson River Master Plan which was adopted by the Board of Supervisors "as their master plan for the river" indicates that the CRAC has a purview over Clear Creek. Supervisor Williamson acknowledged that the Committee acts in an advisory capacity to the Board of Supervisors, but stated that the scope of the Committee is limited. She explained that the OSAC acknowledged the open space elements of the Clear Creek portion of Fuji Park/Fairgrounds, but that they have no purview to make recommendations because the property is part of the Parks system.

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Member Johnson referred to his request for information regarding Clear Creek at the September 5, 2001 CRAC meeting, and commented it is an area in which the Committee has "a long established interest." He clarified that the purpose of his request was for the Committee to have some information in order to act in an advisory capacity. Mr. Kastens explained that the information provided to the OSAC was as a result of a citizen's request to include Fuji Park as an open space property. The OSAC opted not to pursue the request because the property is already owned by the City under the purview of Parks and Recreation. The OSAC did advise the Board of Supervisors of their willingness to become involved if ever a determination is made that a portion of Fuji Park should be included in the open space program. The OSAC has not been provided any additional information about Fuji Park and Clear Creek other than with regard to the citizen's request. Mr. Kastens expressed the wish that Member Johnson had telephoned him to discuss his concerns. He commented that the Fuji Park/Fairgrounds/Clear Creek issue is very complex because of the potential involvement of three different advisory committees. City staff acknowledged, at the time the OSAC and CRAC were formed, that there would eventually be a common parcel between the OSAC, the CRAC, and the Parks and Recreation Commission. Because of this, City staff agreed to "not step on each other's toes." Mr. Kastens noted that this is one issue over which the OSAC has been very cautious, and advised that this is the reason City staff was very careful about Carson River Park. He commented that these issues are difficult to deal with at the staff level because the purview of each Committee has to be considered. He referred to Supervisor Williamson's comments, and advised that the Parks and Recreation Commission has had numerous public hearings on the Fuji Park/Fairgrounds issue. Member Johnson clarified that he had requested information on the Clear Creek watershed which starts somewhere in the Sierras and passes through Fuji Park, and that his intent was to gather information on the watershed.

Member Walsh expressed understanding for City staff's concerns regarding potential conflicts between advisory committees. He suggested that the Committee could have served in an advisory capacity to the OSAC unless the opinions of the two Committees conflicted. In that case, the Board of Supervisors may have benefitted from submission of the Committees' opinions. Member Walsh discussed the importance of various advisory committees working together to exchange information. Vice Chairperson Clift noted that the Committee has advised the Parks and Recreation Commission on River issues in the past. She reiterated that Clear Creek is a major tributary of the Carson River, and pointed out that the Parks and Recreation Commission has a different purview which does not include watershed issues. She suggested that the Parks and Recreation Commission would welcome the Committee's input into an issue such as the portion of Clear Creek which flows through Fuji Park. She stated that it is definitely "the purview of this Committee to weigh in on watershed issues on the Carson River within the boundaries of Carson City." Member Walsh added that the purview includes advising other committees on various issues.

Supervisor Williamson advised that the Nevada Department of Transportation will be conducting a silt study from Highway 50 into Clear Creek, and other drainage issues in the area. She reiterated the invitation to the Clear Creek Watershed Coalition meeting on November 8<sup>th</sup>, and advised that it will be taped and aired on community access television. In addition, she offered to provide minutes of the meeting to the Committee members.

(1-1414) Michael Conroy concurred with Vice Chairperson Clift's and Member Walsh's comments. He commented that water is one of the most precious resources in this area, and that Clear Creek should be carefully considered.

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Mr. Forsberg commented on his purpose in attending this meeting. He reiterated that the Committee's authority is not defined by its custom, the Committee members' opinions, what has been done over the years, or what the Committee wants to do, but by the Resolution which created the Committee. He indicated that his advice to the City will be to look to the Resolution creating the Committee not to other documents, master plans, other committees, or correspondence. He advised that the Committee is bound to operate within the parameters of the Resolution despite what may have been done in the past. He reiterated his suggestion that if the Committee wants a broader scope of input, a request should be submitted to the Board of Supervisors to amend the Resolution accordingly. He reiterated that the Board of Supervisors could easily have included that language when they passed the Resolution creating the Committee, but they did not. The Committee was created to provide input on a master plan update, land uses, and enhancements along the Carson River corridor. In response to a question, Mr. Forsberg explained that the Resolution cites a master plan update which was pending at the time. Member Walsh inquired as to staff's position regarding the Committee's agendas in light of counsel's advice. Vice Chairperson Clift suggested that Mr. Pugsley will no longer be able to provide input and information to the Committee. Mr. Kastens advised that staff has not had an opportunity to consider counsel's advice, and acknowledged that staff will take the Committee's opinions into consideration as well.

Member Walsh inquired as to the "precipitating event" for inviting counsel to this meeting to provide an opinion. Mr. Kastens advised that counsel was present as a result of the Committee's request to discuss its role, that the District Attorney's office is always consulted when questions such as these arise, and that a representative of the District Attorney's office would provide input to any committee or commission which inquired about its role and purpose. Member Walsh inquired as to whether staff communicated to Mr. Forsberg the potential complications or ramifications associated with different committees advising outside their jurisdiction. Mr. Kastens advised that Mr. Forsberg was simply asked to attend the meeting and assist with discussion of this item. Mr. Krahn advised that the purpose for this agenda item was to "sit down and talk." In response to a further question, Mr. Krahn advised that staff had not asked Mr. Forsberg to render a legal conclusion. Mr. Forsberg provided information on the contact made by Parks Division staff, and the materials he requested and reviewed in order to reach the conclusion provided. He advised that Parks staff did not ask him to attend the meeting to advocate one position or another. He further advised that when City staff approaches District Attorney's staff, they don't do so with an outcome in mind expecting the District Attorney's staff to find a way to justify it. He explained the role of the District Attorney's office to advise City staff, and commented on the numerous times City staff from various departments have presented ideas that sound good but are beyond their authority to implement. He expressed the hope that the Committee members were not construing this as the City's effort to diminish their role or ignore their advice. He reiterated that his attendance at the meeting was to provide an opinion from the City's counsel regarding a question by the Committee.

In response to a question, Mr. Krahn provided background information on the reason this item was agendaized and advised that the purpose for doing so was to be helpful. Discussion took place regarding the impact of Mr. Forsberg's opinion to future Committee meetings, and Member Walsh suggested that the Committee should "see how this plays out" procedurally. In response to a question, Mr. Forsberg advised that the Board of Supervisors would resolve conflicts between committees. Supervisor Williamson reiterated the suggestion that the Committee can submit a request to the Board of Supervisors to amend the resolution or draft a new one. She advised that Mr. Forsberg is the City's staff attorney and that the Board of Supervisors will abide by his recommendation.

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Member Wright discussed her involvement in the Committee's formation, and advised that former Supervisor Bennett worked very hard to make the Committee viable. She suggested that without the original Committee members being present, no one has a "right to say what our jobs are." Mr. Forsberg reiterated that he was not present in an adversarial capacity, but simply to provide an opinion regarding the language of the Resolution. He advised that the Committee has no authority to decide the intent of the Resolution. If the Committee wants clarification or to expand its role or to make clear that its role is more than is stated in the Resolution, a request needs to be submitted to the Board of Supervisors.

Member Hall requested that staff agendize discussion regarding the direction of the Committee for either a regular or a workshop meeting. Member Walsh expressed an interest in the opinion of the Board of Supervisors with regard to this matter. Mr. Forsberg suggested that the Committee would be better served by adding language to the Resolution making it clear that all issues involving the Carson River watershed, the air above it, the ground beneath it, and the bridges over it, are things in and about which the Committee wants to be involved and to receive information. Mr. Kastens explained that the usual procedure is to prepare proposed language for review by the Board of Supervisors. He concurred with Member Hall's suggestion to schedule a workshop to develop said language. Mr. Forsberg offered to participate in the workshop.

Member Wright recalled that former Supervisor Bennett requested attendance by a District Attorney's representative at all the workshops which were scheduled for formation of the Committee. Mr. Kastens recalled discussion which took place during said workshops regarding a "line" which defined "along the Carson River." In response to a comment, he advised that the original intent was to keep the purview of the Committee within a certain boundary. Vice Chairperson Clift indicated that intent is considered when legal documents, such as resolutions, are presented in court, together with the minutes of meetings and the practices, customs, and precedents of the Committee. She acknowledged that the resolution is very narrow, but disagreed with Mr. Forsberg's interpretation of the Committee's purview.

(1-2030) David Morgan concurred with the suggestion of scheduling a workshop and revising the Resolution. He commended the Committee members on their hard work over the years and encouraged them to update the resolution.

Member Greytak commented that it is "healthy" and "timely" for the Committee to consider this matter. Member Walsh commented that the Committee will "have to defer to what the Carson City Board of Supervisors feels is legal or appropriate." He indicated that he hopes to advocate his position in the meantime, and commented that this discussion has been "useful."

Vice Chairperson Clift thanked Mr. Forsberg for his participation.

**F-3. PRESENTATION AND DISCUSSION ONLY REGARDING RIVERVIEW PARK'S WETLAND HISTORY, CURRENT WATER ISSUES, MAINTENANCE AND FUTURE PLANS**

(1-2150) - Mr. Krahn reviewed the staff report and referred to Mr. Fahrenbruch's August 29, 2001 letter to Mr. Conroy which was included in the agenda materials. Mr. Kastens provided historic information on Riverview Park and development of the wetlands. In response to a question, he described the route of the water to the River and acknowledged that the channel generally has water in it. He advised that Mr. Hoffert is the President of the Mexican Ditch Company and can provide more specific information. He acknowledged that the wetlands were mitigation for a Section 404 permit required of the Stanton Park

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Development by the Army Corps of Engineers. He further acknowledged that Stanton Park has effluent ponds from golf course irrigation.

Mr. Fahrenbruch provided information regarding maintenance of the wetlands, including trails, weed control, and hazard tree trimming and removal. He described the culverts, chambers, and headgates throughout the wetlands used to meter the water, and discussed attempts to hold water in the wetlands during drought years. He discussed the responsibility for controlling the Mexican Ditch valve which comes from the channel referred to by Mr. Kastens out of the Mexican Ditch and into the wetlands. He advised of his attendance and participation in Mexican Ditch Users Association meetings. He explained that the City is considered a Mexican Ditch user which is required to abide by the schedule, issued by the Association, indicating when the valve can be turned on and when it has to be turned off. He advised of attending the Mexican Ditch Users Association meeting last spring wherein discussion took place regarding improvements to the dam. Mr. Pugsley acknowledged that the work discussed at that meeting has been completed.

Mr. Fahrenbruch advised that Parks staff deals with wild horse issues at Riverview Park, and that he has requested the Wild Horse Coalition to purchase an additional 680 linear feet of fence to keep horses out of the Hidden Meadows subdivision. He referred to his letter to Mr. Conroy and commented that the future of Riverview Park and the wetlands is reclaimed water. He acknowledged that the reclaimed water will have to be further treated in order to be suitable to supplement the wetlands. He advised that Utilities Department and Wastewater Treatment Plant staff are continuing to find ways to improve reclaimed water. He expressed the hope that an adequate water source for year-round flow to the wetlands will be identified. In response to a question, Mr. Fahrenbruch advised that a passive management practice has been implemented for the wetlands. Maintenance involves cleaning out the culverts and ensuring their function, weed control, trail maintenance, controlled use of pesticides, and metering the water. Mr. Kastens discussed the problem of people tampering with the City's valves in previous years.

Mr. Hoffert provided information on the wet/dry cycle of wetlands, the Mexican Dam/Ditch Association, the Mexican Dam structure, and typical flows to the Mexican Ditch. In response to a question, he advised there are approximately 15 ditch users. He discussed the purpose for the Stanton Park Development mitigation and alternatives for making the wetlands more viable in the future. He advised that the planning phase of the Reuse and Wastewater Treatment Master Plan has just been completed, and that the Board of Supervisors adopted it in concept as a guiding document for planning purposes. He advised there is no reclaimed water available at this point to commit an amount to the Riverview Park area without doing storage enhancements to the reuse system. These items will be addressed and incorporated into a five-year capital projects plan which will be submitted to the Board of Supervisors as part of the Utilities Department budget. Included in this process are increases in storage, amounts of water, and new users. Mr. Hoffert advised that the planning phase of the master plan has accounted for some reuse water rights. The Wastewater Treatment Plant will go through an expansion phase; with every phase, improved treatment of the final product is accomplished. Mr. Hoffert explained that the City's current permit does not allow discharge to an open water channel. A management plan would allow Riverview Park to be modified under the current permit requirements to use reclaimed water provided the reclaimed water was not discharged to the River.

In response to a question, Mr. Hoffert advised that Utilities Department staff is considering construction of a wetlands for the purpose of reclaiming effluent. Fifteen to 17 wetland acres would be created as part

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of a mitigation for the freeway on a portion of the Silver Saddle Ranch, and would be used as a water quality demonstration project to determine the measures necessary for the downstream side of the wetlands. In response to a question, Mr. Hoffert advised that piping has been installed to Carson Creek. Piping, infrastructure, and pressure regulation stations are needed to extend to the Silver Saddle Ranch and will be included in the Utilities Department capital improvement plan. Mr. Hoffert discussed the easement, the amount of reuse which can be supplied on a yearly basis, and the function of Brunswick Reservoir. In response to a question, Mr. Hoffert discussed the Reuse Nevada group and their activities. Mr. Conroy discussed the research and activities of professors from Humboldt University in creating wetlands. Mr. Hoffert advised that a lot depends upon what the Nevada Department of Environmental Protection will permit Carson City to do and the level of treatment that the Wastewater Treatment Plant is able to achieve to put water in those areas.

In response to a question, Mr. Hoffert explained that Brunswick Reservoir has natural fractures which result in natural seepage. It is the belief of some people that the leakage has found fractures and created new green spots down Brunswick Canyon; however, there has not been enough geologic study to support the theory. Member Walsh circulated photographs of the base of Brunswick Canyon. Member Johnson advised of a riparian zone up Brunswick Canyon Road which did not exist until the reservoir was constructed. Mr. Hoffert advised of two or three springs created by damming the base of the reservoir. He further advised that the water is tested regularly and that its quality is better than that of the Carson River.

In response to a question regarding the time frame for the wetlands demonstration project, Mr. Hoffert advised that additional lowland storage will have to be located in order to increase the amount of water which can be made available. Loss reduction studies will also be necessary at Brunswick Reservoir. The Utilities Department will be requesting funding for this project. The business plan and available funding will determine whether or not the project can be done. Mr. Conroy suggested checking into available funding through the Conservation and Restoration Act.

In response to a question, Mr. Hoffert advised that testing was conducted last summer for the purpose of moving the Wastewater Treatment Plant to the next rating level for reclaimed water according to NDEP regulations. A higher concentration of chlorine would be added to kill more bacteria and thus make the water safer. He advised that pilot testing indicated an additional \$1,500 to \$2,000 in chemical costs per year could meet the requirements for the next rating level. He discussed the pilot station at Silver Oak Golf Course which will be used to test point of use chlorination, and obstacles to the testing such as odor. He indicated that the goal is to build a Wastewater Treatment Plant which will meet water quality requirements for the majority of users, and then add point of use treatments for particular sites. He acknowledged that this treatment method could be used at Riverview Park. In response to a question, Mr. Hoffert expressed a preference for the water utility to become part of the funding picture in exchange for the Mexican Ditch rights being transferred for potable water needs. The City's water utility, the Riverview Park ecosystem, and the Parks system would all benefit. Mr. Hoffert referred to the example of the water utility funding the capital infrastructure for the conversion to reclaimed water at Edmonds Park and Governor's Field. In exchange, the burden to supply potable water is lessened. Mr. Kastens concurred with Member Greytak's suggestion of retaining some of the Mexican Ditch water rights to help dilute reclaimed water. In response to a question, Mr. Hoffert advised that Carson City does not have a combined sewer/storm water system. Storm water is collected in the storm drain system, channeled to an open ditch and then to the Carson River.

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Mr. Pugsley provided background information on State permitting for effluent use, including that there can be no discharge of effluent water to the Carson River. Field applications for agriculture have been submitted, and Carson City has expanded that to golf courses, Parks and Recreation facilities, etc. Mr. Pugsley advised the NDEP has specified that effluent water can be applied to land only to the extent that plant material uptakes the water or the water evaporates. Effluent water cannot penetrate to ground water. In response to a question regarding the Empire Ranch Golf Course ponds, Mr. Pugsley and Mr. Hoffert explained that the water is used as a source of irrigation and storage. Mr. Pugsley reiterated that the rate of application to the ground is only to the extent that the grass can uptake it. Mr. Hoffert advised that the ponds are lined with clay and barriers to keep the effluent from seeping. In response to a question, Mr. Hoffert explained that wetlands have historically been used as natural treatment for septic systems. Mr. Pugsley advised that 900 acres of wetland effluent treatment are located on the other side of the River from the prison which is the Incline Village General Improvement District's process that relies primarily on plant uptake and evaporation. He explained that the State has regulations on the potential for human contact with effluent water. Golf courses can only irrigate at certain times. The wetlands at Riverview Park present a new problem because of people on trails near the effluent water. Mr. Hoffert advised that no matter the level of treatment, signs will have to be posted advising that effluent water is being used.

In response to a question, Mr. Hoffert advised that the Utilities Department has contracts with all reclaimed water users to guarantee a minimum amount annually. The Parks and Recreation Department is one contractor. A rate structure ordinance has been adopted by the Board of Supervisors requiring the Parks and Recreation Department to begin paying for reclaimed water in 2004. By 2006, all reclaimed water users will pay a fee. Mr. Hoffert anticipates that no new sites will be added without a contract and a committed obligation from the Utilities Department. In response to a further question, Mr. Hoffert referred to the master plan and advised that, with the additional reuse sites identified by staff, the City will have enough water until 2012-2015. Additional reuse sites will be needed beyond 2015 based on population projections.

Mr. Pugsley advised that effluent water diluted with potable water is considered effluent water by NDEP. NDEP's position is that there will be no discharge to the Carson River even if the water is treated by wetlands. In response to a question, Mr. Hoffert advised that chlorine evaporates. He further advised that Mr. Pugsley's comments relate to the current position and enforcement actions by NDEP. It does not mean that the regulations may not change in the future with sufficient data and public support. This is one of the efforts of Reuse Nevada in which NDEP participates. NDEP representatives are open to new ideas and future regulation changes or enhancements provided the scientific data is available to support the changes.

(1-3868) Jude Greytak commended Mr. Fahrenbruch on the "beautifully maintained" Riverview Park. She suggested engaging the expertise of a wildlife biologist who understands wetlands to provide an ultimate goal for the wetlands. She advised of visiting a wetlands in northern New York and described the same. Mr. Morgan suggested a UNR research project for graduate students. Mr. Fahrenbruch explained that current management practices are based on the amount of water. He discussed other things which need to be done such as updating signage, and acknowledged that botany and wildlife enhancements could be made. Once a sufficiently reliable water source is available, studies can be conducted on ways to enhance the wetlands.

(2-0029) In response to a question, Mr. Hoffert advised that the Riverview Park wetlands receive more water than the City actually "has a right to." Mr. Conroy suggested changing the watering schedule to

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every other day during the peak season, and discussion took place with regard to the same. Vice Chairperson Clift thanked Mr. Kastens, Mr. Fahrenbruch, Mr. Hoffert, Mr. Krahn, and Mr. Pugsley for their presentation.

**F-4. DISCUSSION ONLY REGARDING AN ACTIVITY REPORT ON THE UPPER CARSON RIVER MANAGEMENT PLAN (2-0093)** - Mr. Pugsley distributed invitations to the Clear Creek Watershed Coalition meeting. He described the process as similar to that which the Carson River Advisory Committee began in 1994. He discussed potential participation in the Coalition, and advised that many individuals and agency representatives have been invited. Mr. Pugsley advised that NDOT has established a budget and identified an in-house contractor to conduct an erosion assessment from Highway 50 and its impact on Clear Creek. NDOT has recently agreed to broaden the scope of their assessment beyond the State right-of-way. He advised of the composition of the NDOT steering committee. Supervisor Williamson advised that the Carson Water Subconservancy District is the administrative agent on the assessment contract and will be directing the consultant's work. Mr. Krahn acknowledged that the Clear Creek Watershed Coalition meeting has been agendized for a possible quorum of the CRAC. Vice Chairperson Clift thanked Mr. Pugsley for his report.

**G. FUTURE AGENDA ITEMS AND COMMITTEE MEMBER STATUS REPORTS (2-0202)** - Vice Chairperson Clift requested that the next regular meeting be agendized as a workshop to further discuss item F-1. She suggested agendizing an item to discuss Mr. Licari's concerns. Member Walsh advised that he is in the process of drafting a letter to private property owners in the northern section of the Carson River, and requested staff to agendize discussion and action on the same. He offered to invite Mr. Licari to the workshop meeting. Discussion took place with regard to the format of the next meeting. Member Hall suggested agendizing the response to Vice Chairperson Clift's open meeting law violation complaint if it is received from the Attorney General's office. Vice Chairperson Clift advised the Committee members to contact Mr. Krahn with any other agenda items.

**H. STATUS REPORTS FROM STAFF (2-0300)** - Mr. Krahn advised that the Regional Planning Commission unanimously approved the revision to Chapter 3 of the Carson River Master Plan element. The revision will be submitted to the Board of Supervisors at their next meeting. Mr. Krahn acknowledged that Carson River Park has been completed.

**I. ADJOURNMENT (2-0313)** - Member Johnson moved to adjourn the meeting at 9:05 p.m. Member Hall seconded the motion. Motion carried 6-0.

The Minutes of the November 7, 2001 meeting of the Carson River Advisory Committee are so approved this \_\_\_\_\_ day of March, 2002.

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CHARLES ZIMMERMAN, Chairperson