

CARSON CITY BOARD OF SUPERVISORS
Minutes of the Special January 14, 1988, Meeting
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A special session of the Carson City Board of Supervisors was held on Thursday, January 14, 1988, at the Community Center Sierra Room, 851 East Williams Street, Carson City, Nevada, beginning at 5:00 p.m.

PRESENT:	Dan Flammer	Mayor
	E. M. "Doc" Scrivner	Supervisor, Ward 4
	Tom Fettic	Supervisor, Ward 2
	Marilee Chirila	Supervisor, Ward 3
STAFF PRESENT:	L. H. Hamilton	City Manager
	Charles P. Cockerill	Chief Deputy District Attorney
	Lewis Nagy	Wastewater Treatment Superintendent
	Katherine McLaughlin	Recording Secretary
	(B.O.S. 1/14/88 Tape 1-0003)	

Mayor Flammer called the meeting to order at 5:20 p.m. Roll call was taken and a quorum was present although Supervisor Swirczek was absent.

**REVIEW AND ACTION ON CARSON CITY COMPREHENSIVE WATER PLAN, CONTRACTS 12/13,
LETTER OF REQUEST 23 - ARMY CORPS OF ENGINEERS 404 PERMIT APPLICATION -**

Mr. Hamilton requested that the record indicate that he had personally briefed each of the Board members prior to the meeting. He then explained that the U.S. Army Corps of Engineers had made its final inspection of the irrigation projects at the Darling Ranch and the Prison Farm. The inspection determined that a substantial portion of both locations was in a wetland area. Therefore, the City will not be able to utilize the land for irrigation projects and drain the reservoir during the summer. The Project Management Committee and the State had been meeting with staff separately in an attempt to resolve this situation. As a result of these meetings the Consortium had been requested to draft the attached task order to prepare a 404 Permit, which, if approved would eventually allow the use of the wetlands for the project. He then introduced Jim Vasey of the Consortium.

Mr. Vasey explained the State request that the Corps be asked to review the project due to the wetlands. The Corps then determined that there were wetlands in the project area and, due to the need to realign Clear Creek and Carson Creek, mandated completion of the 404 Form. The permit requires public noticing, public hearings, notification to "many" agencies, and the surrounding property owners. This process may take six months. The State and City are attempting to determine whether the permit is actually required. The overall impact of this finding is that a substantial portion of the land planned for irrigation could not be utilized. This would eliminate the ability to empty the reservoir and create a storage problem for next winter.

Discussion noted that the original area maps and the environmental assessment were made in 1983 and 1984 and had not determined that this was a wetland. This resulted in a "FONSI" report (a Finding Of No Significant Impact). The Corps and EPA had never indicated that the property could not be utilized as planned until after the final review. Discussion noted that it may be

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necessary for the Board to allocate and augment the budget due to this work unless the Corps can be persuaded to change its ruling.

Mr. Vasey then noted that the Corps recent review of the plans and specifications had not included the designation as a wetland. He felt this was a clear indication that the "Wetland Section" of the Corps failure to communicate with other Corps sections. This will be used as a point in the discussions.

Mr. Hamilton noted for the record that there are adequate funds to cover the additional costs, however, it will be necessary to augment the budget. If the wetland designation is removed, it may not be necessary to spend additional funding may not be required. If the 404 Permit is mandated, additional designs will be required which will increase the bids. The City can, however, proceed with the unaffected lands. **Supervisor Fettic moved that the Board approve Carson City Comprehensive Water Plan and Wastewater Facilities Task Order No. 14, Letter of Request No. 23 - Vasey Engineering Contract Army Corps of Engineers 404 Permit Application in an amount not to exceed \$7,401.** Supervisor Scrivner seconded the motion and questioned the need to begin work on the 404 Permit before the San Francisco EPA meeting on Friday. Supervisor Fettic explained that the Board could not act on the 404 Permit for two weeks unless it is approved now. Hopefully, the question will be resolved at tomorrow's meeting and the 404 Permit will not be required. As time is of the essence, discussion clearly indicated the need to act now or be fined for "dumping in the river". **Supervisor Fettic then amended his motion to authorize Task Order No. 14, Letter of Request No. 23 in the event it is necessary to obtain such a permit.** Supervisor Scrivner continued his second. Discussion noted that some work had been done on the 404 Permit already. Mr. Vasey stated that there were funds under other Task Orders which could be transferred to cover these expenses and the trip tomorrow. Therefore, for clarification of the motion and the need to address these expenses, **Supervisor Fettic withdrew his motion and Supervisor Scrivner withdrew his second.** Supervisor Fettic then moved to approve Carson City Comprehensive Water Plan and Wastewater Facilities Task Order No. 14, Letter of Request No. 23 to Vasey Engineering Contract Army Corps of Engineers 404 Permit Application in an amount not to exceed \$7,401 and, if it is unnecessary for the City to proceed with the 404 Permit Application, that Mr. Vasey be allowed to be reimbursed for actual expenses up to and including the scheduled meeting with EPA tomorrow in San Francisco from the \$7,401. Supervisor Scrivner seconded the motion. Motion was voted by roll call with the following result: Ayes - Chirila, Scrivner, Fettic, and Mayor Flammer. Nays - None. Motion carried 4-0.

Supervisor Fettic moved to adjourn. Supervisor Scrivner seconded the motion. Motion was voted and carried unanimously. Mayor Flammer adjourned the meeting at 5:40 p.m.

A tape recording of the proceedings is on file in the Clerk-Recorder's

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Office. This tape is available for review and inspection during normal business hours.

The Minutes of the Special Carson City Board of Supervisors January 14, 1988, meeting

ARE SO APPROVED ON October 6, 1988.

/s/ _____
Dan Flammer, Mayor

ATTEST:

/s/ _____
Alan Glover, Clerk-Recorder