

Good Evening Commissioners

Tammy Holt-Still, Lemmon Valley Swan Lake Recovery Committee...The water is still there and I'm still here...for the record.

I'd like to start with a quote that was in the RGJ:

Which leads me to November 16, 2017 storm at Patrician Dr. look at this photo with the storm run off. Then you add Truckee Meadows Regional Drainage Manual section 302.1, 302.4 and 303.1 for guidelines, which are not followed. It's time for Reno and Washoe County to work together for the "ACCUMULATIVE" for Lemmon Valley. Swan Lake is showing the results of non-cooperativeness.

Hopefully by the time all the facts that were not supplied by staff you will find that there are not enough findings to support approving of the Lemmon Valley subdivision.

The word is Accumulative: for storm water run off, effluent, traffic and schools.

My focus will be on Washoe County Reclamation Facility.

1. NAC 445A.285 - Within the limits of a 100-year floodplain

2. Washoe County Development Code flood hazards section 110.416.67 A

This section also fits with the part of the subdivision that they want to build in the floodplain.

3. \$633,252.79 was spent by Washoe County to save the facility from breaching again, *to account for on their tally of Lemmon Valley*
This is OVER a half a million dollars. (see photos)

4. The permitted capacity as of August 17, 2017 NDCNR states permitted flow rates are .33 mgd maximum daily flow and .30, 30 day average flow.

5. During January to May per this letter was exceeded from .403 mgd to .611 daily flow but return to limits in May 2017.

6. Based on NDEP letter I received from Dana Searcy the plant permit is due to expire this December 2018.

7. The hard part the math.

206
618
~~206~~ homes with average 3 bedrooms = ~~618~~ rooms
618
~~618~~ rooms X 120 gallons per day = ~~74160~~ gallons per day
for this subdivision *74160*

Now for the Accumulative

Just approved by City of Reno 10,000 sq foot building for bank and full service restaurant

15,000 gallons a day

500 gallons a day for retail

~~74160~~ subdivision *74160*

74160 gallons a day additional to the current permitted amount per the letter.

8. This does not include the current building next to the Shell Station on Lemmon Dr. or the apartments on Lemmon and Military or new warehouse starting now too.

First for the record we want the \$633,252.79 paid back to the residents of Lemmon Valley. This was not our emergency it was your error.

2nd the \$81 million dollar fix so a special assessment district is not the correct answer....

Most of the residents in Lemmon Valley are on Septic tanks and do not generate the effluent waters that are going into Swan Lake. You assess those residents and developers not us and I will broadcast that to the moon for everyone resident to fight this!!!!

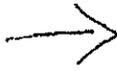
Cost for additional cost for
Masquillo Abatement for all
the retention/detention Areas
Beside the size of the Lake

Reno knew Lemmon Valley would flood, allowed development anyway

Massachusetts-based lawyer and president of Natural Hazard Mitigation Association.

"It is the developers' responsibility to build in such a way that they aren't changing natural conditions and moving water onto somebody else's property," Thomas said. "If you develop in such a way that by moving water that naturally would go into an aquifer, or run off naturally, (onto someone else's property) you are indulging in a form of trespass.

"And when government gives you permission to do that without requiring you to build safely and properly, it's possible the government is putting themselves at some degree of legal liability



Section 110.416.57 Standards for All Development In Critical Flood Storage Zones. The standards for development in critical flood storage zones are set forth in this section.

- (a) Any activity that decreases the volume of flood storage in Zone 1 shall be prohibited.
- (b) All development located in critical flood storage Zone 1 shall provide compensatory storage at a one to one (1:1) ratio on the project site, or in hydrologically connected basin, as determined by the Department of Public Works.
- (c) Compensatory storage may be, but is not required to be, hydrologically connected to on-site drainage designs required under Article 420 of the Development Code.
- (d) No critical facilities will be allowed in critical flood storage Zone 1.
- (e) Compensatory storage on a one to one (1:1) ratio may be allowed in an existing hydrologically connected regional storage mitigation facility determined adequate by the Department of Public Works.

[Added by Ord 1259, provisions eff 2 4 05]

Section 110.416.60 Construction Standards. In all flood hazard areas, the required minimum standards for construction materials and methods are set forth in this section. The terms (as defined by FEMA) are set forth in Article 920

- (a) **All Construction.** All new construction and substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy; and be elevated on stemwalls, piling, columns or armored fill so that the top of the lowest floor is elevated in conformance with provisions of Section 110.416.65, Flood Zone Requirements.
- (b) **Manufactured Homes.** All manufactured homes shall meet the anchoring standards of Section 110.416.65, Flood Zone Requirements.
- (c) **Materials.** All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- (d) **Methods.** All new construction and substantial improvements shall use methods and practices that minimize flood damage; and provide adequate drainage paths around structures on slopes to guide flood waters around and away from proposed structures.
- (e) **Mechanical and Electrical.** All elements that function as part of the structure (such as furnace, water heater, air conditioner and other electrical equipment) shall be elevated to one (1) foot or more above the base flood elevation or depth number specified on the Flood Insurance Rate Maps or shall be designed and located so as to prevent water from entering or accumulating within components during conditions of flooding.

445A.285 NAC Location of treatment works. (NRS 445A.425, 445A.445)

In locating the site for a treatment works, the designer shall attempt to select a site that is not:

1. Within 984.3 feet (300 meters) of an occupied dwelling or other building. (a) Within the limits of a 100-year floodplain unless protected from the flood to the satisfaction of the Department.

(b) No site may be approved by the Department without having first been approved by local government.

2. [Environmental Comm'n, Water Pollution Control Reg. §§ 3.3.1-3.3.2, eff. 5-2-78]
— (Substituted in revision for NAC 445.181)

TRUCKEE MEADOWS REGIONAL DRAINAGE MANUAL

Jurisdiction	Reference	Entitled	Description
City of Reno	12.16* Article IV of the Reno Administrative Code	Storm Water Management and Discharge Control	Regulates storm water discharge procedures
City of Reno	18.12.701** Article VII of the Land Development Code	Streets	Adoption of "City of Reno Public Works Design Manual" which contains current storm drainage policies and technical design criteria in Chapter 2
City of Reno	18.12.1701** Article XVII of the Land Development Code	Flood Hazard Areas	FEMA Flood Requirements
City of Reno	18.12.1801** Article XVIII of the Land Development Code	Wetlands and Stream Environment Protection Standards	Establishes regulations pertaining to wetlands and stream environments
City of Reno	18.12.1901** Article XIX of the Land Development Code	Drainage Way Protection Standards	Establishes setbacks from select waterways and regulates the uses in the setbacks
City of Sparks	Sparks Municipal Code, Title 15, Chapter 15.11	Flood Plain Management	FEMA Flood Requirements
City of Sparks	Sparks Municipal Code, Title 17, Chapter 17.16, Section 17.16.140	Drainage	Subdivision drainage requirements

* All 12.XX.XXX items of the Reno Administrative Code fall under "Title 12 Public Works and Utilities"
 **All 18.XX.XXX items of the Reno Administrative Code fall under "Title 18 Annexation and Land Development" and are referred to as "Land Development Code".

302 BASIC PRINCIPLES

When planning drainage facilities, certain underlying principles provide direction for the effort. The principles are made operational through a set of policy statements. The application of the policy is then facilitated by technical criteria and data. When considered in a comprehensive manner, on regional and local level with public and private involvement, drainage facilities can be provided in developing areas in a manner that will provide the flood protection required by the governing policy.

302.1 DRAINAGE PLANNING AND REQUIRED SPACE

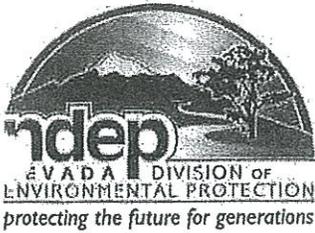
The storm water drainage system is an integral part of the total urbanization process. The planning for drainage facilities must be included in the urbanization process. The first step is to include drainage planning with all regional and local development master plans.

Drainage systems require space to accommodate their conveyance and storage functions. When space requirements are considered, the provision for adequate drainage becomes a competing use of space along with other land uses. If adequate provision is not made in a land use plan for the drainage requirements, storm water runoff will conflict with other land uses and will result in water damage and will impair or even disrupt the functioning of other urban systems.



102358186	04/21/2017	1,436.10	100909	SIERRA CHEMICAL COMPANY	6500001715	49906 Chemical Supplies		RE
102387475	06/16/2017	563.90	100909	SIERRA CHEMICAL COMPANY	6500001715	49906 Chemical Supplies		RE
102387475	06/16/2017	769.59	100909	SIERRA CHEMICAL COMPANY	6500001715	49906 Chemical Supplies		RE
102409432	07/28/2017	1,005.84	100909	SIERRA CHEMICAL COMPANY	6500001715	49906 Chemical Supplies		RE
102463280	11/13/2017	980.15	100909	SIERRA CHEMICAL COMPANY	6500001715	Chemical Supplies 49906		RE
102463280	11/13/2017	224.57	100909	SIERRA CHEMICAL COMPANY	6500001715	49906 Chemical Supplies		RE
		4,980.15						
102510860	02/21/2018	533.63-	900375	AMERICA RENTS				KS
102510858	02/21/2018	767.05	900375	AMERICA RENTS			SKIDSTEER-TRAILER-RACHET BINDERS	KS
102440322	09/28/2017	1,513.10	100907	CASHMAN EQUIPMENT COMPANY INC	5500022100	Rental:Flood Cleanup LVWTF		RE
102440694	09/29/2017	522.50	100907	CASHMAN EQUIPMENT COMPANY INC	5500022100	Rental:Flood Cleanup LVWTF		RE
102454917	10/30/2017	2,832.00	100907	CASHMAN EQUIPMENT COMPANY INC	5500022617	49906 Equipment Rental		RE
102458435	11/07/2017	135.00	100907	CASHMAN EQUIPMENT COMPANY INC	5500022100	Rental:Flood Cleanup LVWTF		RE
102493784	01/19/2018	4,540.13	100907	CASHMAN EQUIPMENT COMPANY INC	5500022733	Pump Rental for LVWTF-2017/18 Season		RE
102505390	02/08/2018	565.60	100907	CASHMAN EQUIPMENT COMPANY INC	5500022617	49906 Equipment Rental		RE
		10,341.75						
102423236	08/25/2017	13.38						PY
		13.38						
102344792	03/31/2017	431.41	103395	SILVER STATE BARRICADE & SIGN INC	7500002929	MISC. RENTALS AND SAFETY SUPPLIES 39303		RE
		431.41						
		633,252.79						

10081413



STATE OF NEVADA
Department of Conservation & Natural Resources
DIVISION OF ENVIRONMENTAL PROTECTION

Brian Sandoval, Governor
Leo M. Drozdoff, P.E., Director
Colleen Cripps, Ph.D., Administrator

December 31, 2013

Mr. Jason Phinney
Washoe County Department of Water Resources
4930 Energy Way
Reno, NV 89502

Re: **Issuance of Groundwater Discharge Permit NS2008507, Lemmon Valley WRF in Reno, Washoe County, Nevada**

Dear Mr. Phinney:

In accordance with provisions of the Nevada Water Pollution Control Law Chapter 445A, of the Nevada Revised Statutes, the Department of Conservation and Natural Resources, Division of Environmental Protection has reviewed the following application for permit to discharge to groundwater:

Discharger

Permit Number

Washoe County DWR

NS2008507

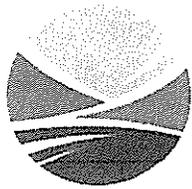
This office published a public notice of our proposed action in the **November 27, 2013** edition of the **Reno Gazette Journal**. Copies of the draft permits, fact sheets, and public notices were sent to your office. The public notice was also sent to interested persons and governmental agencies on our mailing list.

During the 30-day public comment period, no comments were received for this public notice. After consideration, the Division of Environmental Protection is issuing the enclosed discharge permit for the Lemmon Valley WRF for a period of five (5) years. This permit's actions do not constitute a significant change from the tentative determinations set forth in the public notice.

The new permit will expire at midnight on **December 31, 2018**, providing all permit conditions are followed, and annual fees paid accordingly. In accordance with the permit conditions, an annual review and services fee to maintain the discharge permit is due on **July 1, 2014**, and every year thereafter until the permit is terminated.

The first Discharge Monitoring Report (DMR) under the new permit is due on **April 28, 2014**. You may download blank copies of the required DMRs forms, in pdf or Microsoft Word format, from the Division website at <http://ndep.nv.gov/bwpc/forms.htm>.





Nevada Department of
**CONSERVATION &
NATURAL RESOURCES**

STATI
Bria
Bra
James R. Lawre
Dominique Etchegoy

August 17, 2017

Tammy Holt-Still
Lemmon Valley Swan Lake Recovery Committee
11493 Tupelo Street
Reno, NV 89506

Dear Ms. Holt-Still,

The Governor's Office forwarded your letter dated August 8, 2017 to the Department of Conservation & Natural Resources to respond to your questions and concerns related to this Department and its Divisions. (Items #4 and #5)

With regard to the inquiries related to the amount of effluent waters during the first quarter of 2017,

The two main dischargers are:

1. City of Reno - Reno Stead Water Reclamation Facility (RSWRF) to Swan Lake via Swan Creek permit #NS2008500

Permitted flow rates: 4.13 Million Gallons per Day (MGD) maximum daily flow; and 2.35 MGD 30-day average flow

2. Washoe County Department of Water Resources - Lemmon Valley Water Reclamation Facility (LVWRF) to Lemmon Lake (aka Swan Lake) - permit #NS2008507

Permitted flow rates: 0.33 MGD maximum daily flow; and 0.30 MGD - 30-day average flow

For calendar year 2017, the RSWRF discharge flow exceeded the permitted 30-day average flow limitation in February only; all other 30-day average periods and maximum daily flow limits were in compliance. For February, the reported flow was 2.56 MGD for the 30-day average flow.

For calendar year 2017, the LVWRF discharge flow exceeded the permitted 30-day average flow limitation for the months of January - April and the maximum daily flow limit for those months. The highest permit exceedances occurred in February for both limits and reported discharges were 0.403 MGD for the 30-day average and 0.611 for the maximum daily flow. The LVWRF returned to compliance with discharge flow limits in May, 2017.

These exceedances were due to storm-induced "inflow and infiltration" that is not always under reasonable control of the wastewater utility. Generally, the Bureau of Water Pollution Control takes enforcement action based on flow exceedances in excess of 11% of the permitted flow rate.

inundated with floodwater. It is important to note that these strategies will protect the wastewater treatment plant from inflow and infiltration, but will have no impact on the amount of water re Lake.

The RSWRF discharge permit was issued March 15, 2013 and remains effective through March 2018. The LVWRF discharge permit was issued January 1, 2014 and remains effective through December 31, 2018.

The NDEP is not clear on the portion of item #5 related to a loss of licensure, as our Department permits, not licenses.

Please let me know if you have any questions or would like additional information.

Best regards,



JoAnn Kittrell
Public Information Manager
775-684-2712

Staff will put together a nice, comfortable, presentation. Let me show you a couple of pictures of the area from one year ago.....very uncomfortable pictures.

There is no way that any holding pond could have controlled these waters or even helped to mitigate flood waters.

I can stand up here and give you quotes from today's RGJ article, but I am fairly certain that you have all already read it. The question is: Are you going to stop listening to the many denials of responsibility and start DOING what is right?

You may think to yourself "Well this is only a 206 lot approval" but think of all of the "small" developments that are popping up, we have no studies that conclude what the impact is of all of these developments together. All building that will have ANY impact on Swan Lake, needs to be halted until further, complete, studies are done to understand what the collateral damage is going to be to Swan Lake and the effects on additional properties, not just the "buy-out" properties,

~~in the future~~. A building moratorium needs to be placed upon our area until we have data that shows what the COMBINED effect of these situations will be.

On channel 8, Face the Nation, City Manager, John Slaughter, implied that the 7 million dollars spent on last year's flooding and what he says continues to be spent was stretching the County's budget. When your own City Manager makes statements like that, you need to consider that you have clearly been given an understanding of the situation out in Lemmon Valley. It is up to all of you to do whatever you must to stop any more development. It is simply irresponsible to do anything else.

To finish this up I will give a quote from the RGJ article "And while local governments opted not to invest in upfront costs to avoid flooding, they've spent more than \$14 million in flood recovery efforts. That number could grow substantially depending on the outcome of a class action lawsuit filed by homeowners in Lemmon Valley." You can't look away from the facts, you can make good decisions that will result in a safer, better, future for all of us



100-18-001



1001 N 1001



12TH 12-051

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100-81458



585 Kass Way

100-51111

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1994

39°38'13.55" N 119°49'45.74" W elev 5070