

Assembly

4-1232

GOVERNMENT AFFAIRS COMMITTEE

MINUTES OF THE MEETING

April 24, 1975

MEMBERS PRESENT: Chairman Dini
Vice-Chairman Murphy
Assemblyman Craddock
Assemblyman Harmon
Assemblyman May
Assemblyman Moody
Assemblyman Schofield
Assemblyman Ford
Assemblyman Young

ALSO PRESENT: Jack Dieringer
George Zappettini,
Richard Moser
Assemblyman Weise
Michael Meizel
Henry Etchemendy

(The following bills were discussed: A.B. 637, A.B. 394, A.B. 613,
S.B. 435, S.B. 427, S.B. 254, A.B. 618, S.B. 365.)

Chairman Dini called the meeting to order at 7:00 P.M.

The committee discussed A.B. 637.

Mr. Jacobsen testified. He informed the committee that Marlette Lake is 7200 feet high and that the tunnel is 3/4 of a mile long. 83% of the land is publicly owned. He stated that it is probably worth about \$30,000,000.

Mr. Jacobsen then showed slides of the Marlette Lake area.

Mr. Dini questioned the water rights. Mr. Jacobsen stated that that was one of the first tasks that the Advisory committee undertook. Many of them had never been patented. Mr. Westergard took care of this. Everything is now in the name of the State of Nevada. It is all a matter of record.

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Mr. Dini asked if the size of Marlette Lake or Hobart was increased, where the water would be taken from.

Mr. Jacobsen stated that when Mr. Westergard had filed the papers no one protested. He indicated that he had spoken to Mr. Westergard and to Mr. DiRicco. If we stay with Hobart we are on free ground. If we go to Marklette there are a number of areas where the snow has taken everything down. He stated that if we went with Marlette, we were asking for problems, maintenance wise. The approach is easier from Sand Harbor to maintain it.

Mr. Dini asked if on the spillway if there was any right that has to be taken care of. He asked if that was just floodwater.

Mr. Jacobsen stated that the water master goes up many times and tries to keep the flow at the spillway level. He stated that he did not think there was any problems as far as water right was concerned. He indicated that the state has spent \$50,000 trying to open the tunnel. It increases each year.

Mr. Jacobsen then referred to a map of the area and explained it to the committee. He stated that the end of the line is at the prison.

Mr. Craddock asked who did the feasibility work.

Mr. Jacobsen stated that it was Water Resources along with Montgomery Engineers. He stated that it develops Marlette to its full capabilities. There are two proposals. The development of Marlette and the development of Hobart. Carson City feels that Marlette should be developed and the committee believes Hobart should be developed. The Public Works Board would be involved in determining what the contract should be.

Mr. May questioned the use of the word acquire. Mr. Jacobsen stated that it would be taken out and that he would prepare the amendment.

Senator Sheerin testified. He stated that this bill was drafted by Russ MacDonald. He stated that he was not able to get concurrence with the bonding attorney in Denver. He has, however sent him a letter. They are suggesting one change - that the bonds not exceed 55 years. He stated that this problem will be taken care of at the request of the bonding counsel. Senator Sheerin stated that this is a very technical and difficult bill. They do not know of all of the things that will be down the line.

Senator Sheerin stated that Carson will have a vested right in the water system. This will be by contract. They will maintain the whole system including getting water to Virginia City and getting water to Lakeview Estates. As far as other water in the area, Marlette can produce 2,000 acre feet a year.

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Mr. Barrett testified next. The city would take it from the tanks to the reservoirs. Most of the things are in the contract. They feel that the improvements should last at least 50 years.

Mr. Alan Glover testified. He stated that he agrees with the advisory committee.

Mr. Dini stated that the most economical point would be the 10,000 acre foot dam. That would be the cheapest cost per foot.

Mr. Young asked if there was a lot of water wasted at Hobart.

Mr. Barrett stated yes.

Mr. Weise indicated that there is a difference between legal water right and actual water right. Regardless of which system is developed some water should be allowed to spill over to Hobart Creek.

Mr. Etchemendy testified next. He stated that he and Mr. Lomis are representing Carson. The local Chamber of Commerce gave them a letter which is attached hereto and made a part hereof. He stated that he hopes that none of the committee members feel that the numbers and the cost estimates are cost estimates of Carson City officials. They did not make up the estimates. They are using them in their proposal and their plan. He indicated that being they represent water users they feel that they have put together a program which represents the water they require. Although the cost is considerable, it is a more reasonable one. They have estimated that it would cost on the average of 39¢ per 1,000 gallons of water to develop Marlette Lake and open the tunnels. It would cost \$4,325,000. He stated that the cost for Hobart Lake would run about \$5,586,000 which is 38% more. If the water was developed for 39¢ per 1,000 gallons Carson would have no objections on the Hobart site. He stated that the management plan should not be paid for by Carson City people.

Mr. Lomis testified next and stated that Marlette has a much larger line. The develop the east slope the pipeline would be necessary.

Mr. Dini asked how long this would take. Mr. Loomis stated that it would take one or two years for construction. If they could get an authorization now they would meet the deadline for 1977/1978.

Mr. Murphy asked which of the two projects would take the least amount of time.

Action taken by the committee:

A.B. 394. Mr. May moved for indefinite postponement which was seconded by Mr. Murphy. The motion carried unanimously.

A.B. 613. Mr. May moved a do pass which was seconded by Mr. Harmon. The motion carried unanimously.

S.B. 435. Mr. Murphy moved for a do pass which was seconded by Mrs. Ford. The motion carried unanimously.

S.B. 427. Mrs. Ford moved for a do pass which was seconded ⁴⁻¹²³⁵ by Mr. Murphy. The motion carried unanimously.

S.B. 254. Mrs. Ford moved for a do pass which was seconded by Mr. Harmon. Mr. May suggested that it be rereferred to Ways and means. The motion was withdrawn and the committee agreed that it would hold this bill.

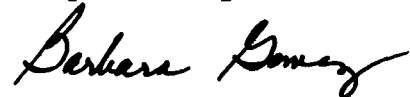
A.B. 618. Mrs. Ford stated that she had the amendments which the committee then discussed. Mrs. Ford moved for an amend and do pass which was seconded by Mr. Murphy. The motion carried unanimously.

S.B. 365. Mr. Jack Kenney testified. He referred to page 2, line 38 with regard to connection charges. He stated that these words were inequitable.

Mr. May moved that line 38 be stricken with regard to connection charges or frontage charges. The motion was seconded by Mr. Harmon. The committee then discussed the motion. The committee agreed that it would be frontage charges. The committee was in favor and the motion carried unanimously. Mrs. Ford was not present at the time of the vote.

There being no further business to come before the meeting, the meeting adjourned.

Respectfully submitted,



Barbara Gomez
Committee Secretary

Monday, March 10, 1975—NEVADA APPEAL-3

Engineers issue water statement

William Shewan, P.E., chairman of the Eagle Valley Water Committee and Robert May, P.E., president of the Carson Chapter, Nevada Society of Professional Engineers, today released this statement:

"As concerned members of the community, the Eagle Valley Water Committee has examined Carson City's water supply situation in detail. We believe that serious summer water shortages are imminent and that the best interests of both the City and State will be served by immediate development of State-owned water sources of the Marlette system. But, with seven weeks of the Legislative session gone, we are growing seriously concerned over the apparent lack of progress toward this end.

"For many years, going back to 1968, the Carson Chapter of NSPE has advocated development of the Hobart reservoir as a source of gravity-supplied water for the city. We believe that the city's present heavy dependence on pumping from wells is a questionable situation in these energy-short times, and that the system needs additional storage. We see no alternative but to develop the Marlette system to supply the immediate needs of Carson City supply in the interim period while other sources are being explored or developed. Some work has been done toward securing water from city-drilled wells in Carson Valley. This will be an expensive and time-consuming process at best; we have been informed by the City Engineer that the delivery of water from this source to Carson City is many years away.

"We have presented our analysis to the engineers of the community and have discussed the situation with the City Engineer and City Manager, the Director of the State Department of Administration and with Carson City's legislative representatives. We believe that agreement toward priority

development can be reached. Design of the Hobart reservoir was funded by the 1973 Legislature. Construction can be funded at this session and long delays in financing and design avoided. Costs can be repaid by the water users over a long period of time.

"For those who have some knowledge of the Marlette System and who may be interested in the background, the 1973 Legislature funded a study of the entire Marlette system as well as design of the Hobart reservoir. This study was essentially directed toward development of the maximum amount of water which could be taken from the entire system, including Marlette Lake, the East Slope and the Hobart watershed. The costs of such development were found to be high — the recommended alternative placed it at eight and a half million dollars. In order to use the total water developed, the report recommended using this water as Carson City's base supply, with its wells used only to provide for peak usage during summer months. This would mean that Carson City's already developed wells would stand idle for almost nine months of the year and would result in heavily increased costs to water users.

"After analysis we concluded that our proposal, to develop less water but to use it for peak loads, would serve more people (providing for an approximate doubling of 1974 water use) and would cost a great deal less money. This results from the fact that initial expenditures would be lower and that the full capacity of the City's already-developed wells would be used year around.

"City officials agreed with the concept of using the Marlette system water for peaking and that development of the Hobart reservoir would provide a satisfactory solution. But, because more water would be available from Marlette Lake than from the developed Hobart reservoir and because the report's figures indicated that

this would be somewhat less expensive than the Hobart development, decided that their priority request to the Legislature would be for the necessary development to bring Marlette Lake water to Carson City, leaving development of the Hobart reservoir as a possible alternative. We have strong reservations concerning this proposed use of Marlette Lake and watershed for the following reasons:

"(1) **Environmental Considerations.** As a municipal water source, the Marlette Lake watershed would have to be protected, thus preventing its reasonable use as a park. Marlette Lake is a beautiful mountain lake; we believe it should be made more available to the public than this use would permit. Use of the lake itself as a basic water supply reservoir, with heavy demand during summer months, would cause significant fluctuations in the water surface elevation to the point where interference with the present important use of the lake as a fishery would result. Installation of 25,000 feet of heavy pipeline at a high elevation along the west side of the Sierras would scar the mountain side and be visible from Lake Tahoe. These considerations would not apply to development of the Hobart reservoir since, while much more accessible to Carson City, the area is remote and little exists there now.

"(2) **Costs.** The Marlette Lake delivery system is quite complex and replete with potential problems in contrast to the straight-forward and simple nature of Hobart development. The use of Marlette Lake water might be considerably more expensive than figures taken from the report indicate. Pipe sizes designed for peaking use would be much increased from those used in the report for base source year around use. Operation and maintenance costs, particularly for the 25,000 feet of pipe along the west side of the Sierras delivering water to the tunnel, could be very

significant. Reopening of the tunnel, which is necessary to bring the Marlette Lake water to Carson City, could be much more expensive than anticipated. The probability of a requirement for expensive treatment of the water would be notably increased, as discussed in more detail below.

"(3) **Water Treatment.** The Hobart watershed is remotely located and could be fenced with minimal interference to recreational activities. We believe that most of the color which has shown up in past use of Marlette system water has come from bogs in the existing small reservoir on Hobart Creek; the reservoir site could be cleaned during the period of dam construction. Marlette Lake also contains bogs which could not be cleaned up without causing serious environmental and economic problems. Hobart reservoir water, in smaller quantities and cleaner to begin with, would be much diluted with well water when used for peaking; the probability of a requirement for expensive treatment would be reduced. We believe that this is an important plus for the Hobart reservoir alternative, not only from the standpoint of cost but also from that of energy conservation.

"In conclusion, we believe (1) it is vital to Carson City's immediate future that a new water source be developed, (2) that the Marlette water system, particularly because of the availability of State funding, is the only source which can be developed in the time available and (3) that to accomplish the necessary development in time to avoid serious water shortages, agreement must be reached between city and State during the present Legislative session.

"We further believe that development of the Hobart reservoir provides the most simple and clearcut alternative and presents the best likelihood for city and State agreement and accomplishment."

4-1238

Telephone 882-1565

Post Office Box 1136
Carson City, Nevada 89701The logo consists of several concentric, curved lines forming a partial arc on the left side of the page.

ARSON
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HAMBER of
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April 24, 1975

The Honorable Joe Dini, Chairman,
and Members, Assembly Governmental
Affairs Committee
Legislative Building
Carson City, Nevada 89701

Gentlemen:

Carson City is experiencing unprecedented growth; accordingly, if it is to meet the increasing demands being made upon its resources, it must have access to available area resources and be assured of the improvement of same.

Water is critical and the State owns a valuable area water reserve - the Marlette Lake System.

Since much of Carson City's growth is related to the fact that it is Nevada's principal seat of government, it stands to reason that the state-owned Marlette System should be developed to its potential to allow the city to meet its growth demands.

Accordingly, the Carson City Chamber of Commerce urges passage of AB 637 in order for the city to meet the needs of its citizenry and adequately respond and meet the needs of an expanding state government.

Very truly yours,

Ron E. Landis, President

BY: A handwritten signature in dark ink, appearing to read "James C. Lien", written over a horizontal line.

James C. Lien
Legislative Chairman

cc: Henry Etchmendy
City Manager

I am George C. Hastings, a Civil Engineer licensed in Nevada and South Dakota as a Professional Engineer. I am registered as a lobbyist for the Nevada Society of Professional Engineers, and for the Nevada Section of the American Society of Civil Engineers. I have been a member of the Eagle Valley Water Committee, Carson City Chapter, Nevada Society of Professional Engineers since its formation in 1968.

Since the publication of the Eagle Valley Water Committee Report of June 1968

I have been very much interested in the potential for development of a water supply for the Carson City area from the State owned Marlette Lake water system.

I am pleased that Assembly Bill number 637 is being proposed to authorize the execution of a contract between the State of Nevada and Carson City for development of this potential water supply. I urge the passage of this enabling legislation.

However, I am concerned that the Marlette Lake water system has not been adequately described in this bill to clarify the fact that this system includes not only the Marlette Lake watershed on the west slope of the Sierras but also the two watersheds on the east slope of the mountains, one of which is the Hobart Creek drainage area and the other simply designated as the East Slope Drainage. Too often when referring to the Marlette Lake water system, people think only of the Marlette Lake watershed portion of the system, and this bill could be interpreted in this same erroneous manner.

I have read the engineering report recently prepared at the direction of the Director of the Department of Administration. It is a fairly comprehensive document however several alternative plans or proposals can be drawn from it.

With this in mind, Section 9, subparagraph 2, (d), on page 4 of this bill, should be deleted since it infers that the recommended plan in this report should be followed. Suggested language for Section 9, subparagraph 2, (d), would be, "Description of the improvements to the Marlette Lake water system to be made by the State to provide water for Carson City."

Regarding alternatives, I believe this bill should allow the Marlette Lake water system advisory committee and the Department of General Services, or the State Public Works Board, to investigate the various alternatives of using any one or some combination of the three drainage areas in the Marlette Lake system, to determine which alternative would best serve the objectives of the State for environmental, fish and wildlife, and park and recreational purposes as well as for water supply purposes. This should be done before entering into negotiations with the City, and before the plans and specifications, provided in Section 8 of this bill, are finalized.

For many reasons both technical and financial as well as environmental, I am in favor of the recommendations of the Eagle Valley Water Committee to develop the Hobart segment of the Marlette Lake water system, rather than the Marlette Lake segment.

My main purpose for appearing here is to support the passage of legislation to allow the State and the City to negotiate an agreement. Hopefully, my other suggestions will be considered.

Thank you.

AB618- Method of notification- ^{CamvASS} Kansas would be made by certified mail with document enclosed for consent to the improvement district which would include a description of improvements and maximum costs to be assessed to property owners. We have no objections to an amendment to include one public hearing in the preliminary stages of the proposed project. We would like to have an amendment in regards to majority of tracts which would change to:

If 66 2/3% of the parcels within the district representing 66 2/3% of the cost of the proposed project consent in writing to the assessment.

Projects up to \$1,00,000 in cost of implementation

If you have any problems, call Colleen Karnes after 5 p.m. at 451-6781.