

SouthEast Connector Phase 2 Design: CWG Meeting No. 8, October 10, 2013

ATTENDEES:**CWG**

Franco Crivelli
Lissa Butterfield
Marge Frandsen
Randy Walter
Roger Frantz
Scott Hall
Tray Abney
Val Martino
Valerie Anderson
Bret Tyler

RTC

Garth Oksol

CH2M HILL

Cindy Potter
David Dodson
Leslie Bonneau
Matt Setty

COPY TO:

Lee Gibson; Jeff Hale; Michael Moreno; Amy Cummings; Alan Gubanich; Anne Woodring; Charles Johns; David Farley; Geoffrey Schafler; Janet Phillips; Jim Nadeau; Leo Heuston; Lynda Nelson; Lisa Mann; Lori Wray; Margo Medeiros; Mike Kazmierski; Mitch Nowicki; Pat Gallagher; Phil Condon; Rae McElroy; Roger Jewett; Scott Carey; Sue Golish; Terri Thomas; Andy Bass; Nancy Vucinich; Tom Judy; Tory Friedman; Rae McElroy; Shannon Windle; Troy Miller

PREPARED BY:

Mark Gallegos

DATE:

September 12, 2013

PROJECT NUMBER:

RTC Project No. 532013 / CH2M HILL Project No. 458732

NOTE: The next CWG meeting is scheduled for January 9, 2014. There will be no CWG meetings in November and December 2013. The team will provide email updates in November and December in lieu of these meetings. The January meeting will be held at the regular meeting location at the offices of the Associated General Contractors of Nevada (AGC), 5400 Mill Street, Reno, Nevada.

On October 10, 2013, the Regional Transportation Commission of Washoe County (RTC) hosted the eighth Community Working Group (CWG) meeting for the SouthEast Connector Phase 2 Design (SEC) project. The meeting was held at the RTC Board Room located at 2040 Villanova Drive, Reno, Nevada. The purpose of the meeting was to present an overview of the proposed conservation easement, review the status of the flood modeling effort, and provide an update on design progress.

5-Minute Opportunity

Attendees were provided a "5-Minute Opportunity" to discuss any items of concern not included within the evening's agenda and suggest topics for future CWG meetings. Items brought forward are as follows:

Has there been any discussion regarding potentially restricting truck traffic on the new roadway to help with reducing noise impacts to area homes? Can the CWG make a recommendation to the RTC regarding prohibiting trucks? Washoe County and the Cities of Reno and Sparks make these decisions for the roadway sections within their respective jurisdictions. If desired, the CWG can work on drafting a recommendation for instituting a truck

prohibition along the new roadway which the RTC can forward on to the County and Cities for further consideration as all operational decisions would be made by Washoe County and the Cities of Reno and Sparks within their respective jurisdictions.

Conservation Easement

Matt Setty/CH2M HILL provided an overview of the structure and purpose of the proposed conservation easement and reviewed the areas within the corridor that would be covered under the easement. Note was made that the City of Reno has been approached regarding possible participation in the easement in order to include City owned lands within the corridor that are not currently included. The presentation slides used for this discussion are included within Attachment A to this summary.

The conservation easement (CE) would provide the organizational structure for the future stewardship and maintenance of the open space within the project limits. CEs are widely used throughout the U.S. and are frequently established by private land owners wishing to reduce their property tax burden by placing portions of their land holdings into a CE which would then restrict the development rights of the portions of the property placed into the CE. In the case of the CE proposed by the RTC, there would be no property tax implications as these would be publicly owned lands. The proposed CE would establish protections for the open space reserved for flood volume mitigation, flood conveyance and wetlands within the SEC corridor and provide a funding mechanism to allow a non-profit environmental organization to provide for ongoing maintenance of the open space as well as restrict land uses and future development of the lands covered under the CE. The RTC (or other local government) would maintain ownership of the lands covered under the CE while the non-profit would provide for the long-term stewardship of the lands. Under the proposed CE, an endowment fund would also be set up by the RTC to provide for future maintenance costs.

In addition to providing a financial mechanism to satisfy the USACE's financial assurance requirements for the permit period, the CE would also provide long-term maintenance funding in-perpetuity.

Under the stewardship of a non-profit environmental organization, there would also be future opportunities for educational and recreational uses for the lands covered under the CE. The non-profit would also be under "contract" to oversee and conduct maintenance activities such as weed management, ongoing monitoring and maintenance of native species planted during construction, policing of any illegal dumping activities and litter removal to help protect the ecological function of the wetlands and open space covered under the CE.

Obligations of the RTC under the CE

The RTC (or other local government) would maintain ownership of the lands covered under the CE and would therefore retain ultimate responsibility and associated liabilities for the land. The agreement is being structured such that if the RTC were to transfer land ownership to another public entity in the future, the CE restrictions, obligations, and endowment funding would remain intact.

The RTC would establish an endowment fund governed by a non-profit board on which the RTC would have representation. The endowment would be managed according to national standards that have been developed to govern how this type of endowment fund is invested and how proceeds are withdrawn on an annualized basis and provided to the non-profit organization to administer the CE.

The CE establishes responsibilities and obligations for "Acts of God" (i.e., a major flood event or other natural disaster that causes significant damage). The CE identifies what types of events would be considered "Acts of God" and outlines who would be responsible for restoration costs and appropriate funding mechanisms to be utilized rather than potentially exhausting the endowment. Often restoration efforts after these types of events can be funded through grant funding; if grant funding is not an option, the RTC would be responsible for funding restoration efforts through means other than the endowment.

The CE would provide a more cost effective structure for permit compliance monitoring for the duration of the permit terms. RTC would be responsible for ensuring that the annual reporting to the USACE is completed by the non-profit organization providing environmental stewardship under the CE and that USACE reporting requirements are satisfied.

Nevada Land Trust

The RTC is currently in negotiations with the Nevada Land Trust (NLT) to provide environmental stewardship under the CE. NLT is a non-profit 501c organization established in Nevada and is a part of the Land Trust Alliance, a national conservation organization. NLT currently has thousands of acres under their administration within the State of Nevada through various CEs. NLT staff includes local botanical, land management, wetlands, and weed management expertise.

One of the advantages that NLT is able to provide as the environmental steward under the CE is their staff of highly qualified professionals whom would be able to self-perform much of the necessary environmental and weed management work that might otherwise need to be contracted out, allowing them to provide stewardship services in a more cost-effective manner.

Under the CE, NLT would be the primary manager of the endowment fund within the constraints set forth by the fund advisors and would be responsible for conducting monitoring and maintenance obligations.

Benefits and Opportunities

- Allows for the identification and empowering of a single responsible (non-political) entity to manage the conservation easement
- Funding for in-perpetuity stewardship is not reliant on the political climate or subject to agency budgets (once the endowment is established, it is out of the purview of the local agencies and political bodies)
- Provides for annual condition survey and prioritized weed and vegetation management (one of the requirements on a national level is an annual assessment of the easement lands and the prioritization of maintenance to address those conditions)
- Future opportunities for environmental education and recreational activities within a largely native/natural setting

Conservation Easement Q & A

*Where is the CE endowment funding coming from? **The initial endowment will be setup using a portion of the construction funding for the project. The team is currently performing an economic analysis to determine the level of endowment funding needed to provide for future maintenance needs in-perpetuity. It is important to note that this is not an "additional" project cost. The RTC will be required to fund environmental monitoring and maintenance under the USACE permit requirements. The establishment of a CE would allow the RTC to fulfill the USACE's requirements in a more cost-effective manner while also providing for in-perpetuity environmental stewardship within the corridor.***

*Would the CE endowment funding therefore be RTC-5 funds? **Yes.***

*How do you ensure that the endowment investment yields sufficient funding for maintenance activities given potential future market fluctuations? **Endowment funds would be managed and invested by firms that have experience in working with CEs and understand the risks involved. Additionally, it is common for a cap to be set in order to limit the amount being withdrawn from the fund within any given year. This allows for the banking of interest revenues earned during high-yield years to help offset years of lower yields.***

*What is the initial endowment amount? **The initial endowment amount has not yet been determined. The team is currently performing an economic analysis to determine the level of initial investment needed to meet the obligations of the CE.***

*How was Nevada Land Trust chosen to provide environmental stewardship under the CE? **There was no formal selection process. When the idea for potentially setting up a CE was suggested, NLT was approached directly as they are the only local non-profit with the necessary in-house expertise and experience.***

Design Update

Josh Thomson/Atkins provided an update on the SouthEast Connector Phase 2 design status and provided an overview of the types of agency comments received on the 50 percent design submittal.

The structural design of soundwalls in the area of the Mira Loma intersection discussed at a previous CWG meeting is progressing. The wall along the SEC will be approximately 900 feet long by 8 feet tall with the soundwall along Mira Loma being approximately 300 feet long by 12 feet high to mitigate for the affected receptors identified during the noise study. Cast-in-place walls have been determined to be preferred from a structural and constructability standpoint, so the post and panel type has been eliminated as an option (if the post and panel wall is preferred aesthetically, it is possible to replicate the look using the cast-in-place construction technique). The team is currently in the process of trying to set up a special meeting with the Herons Landing HOA to discuss aesthetic treatments for the soundwalls but has been thus far unsuccessful. The team will continue to reach out to the Herons Landing HOA to try and set up a meeting prior to making a final decision on wall details and aesthetics.

Due to ongoing coordination with the local agencies, review comments were minimal with no significant design changes requested. Highlights of the types of comments received are as follows:

City of Reno

Parks and Recreation

- Primarily focused on items they are requesting to be eliminated due to maintenance cost concerns.
- Requested use of standard City of Reno park benches at proposed pedestrian rest areas for ease of maintenance.
- Requested dog waste bag dispensers be eliminated due to cost of maintenance and refilling of bags; recommended use of PVC receptacles used in other City parks where residents can place used grocery bags for reuse by dog owners for waste removal. These have proven successful at other area parks.
- Provided a list of preferred tree species and requested that trees be placed in areas away from the roadway where to minimize maintenance needs.
- Provided a list of preferred shrubbery species and requested that size at maturity be considered when developing planting plan to minimize maintenance needs.
- Requested minimization of plantings requiring installation and maintenance of permanent irrigation.

Sanitary Sewer

- Requested clarification of maintenance access.

Environmental

- Requested clarification of maintenance access.
- Requested clarification regarding interaction of multi-use path and flood equalization culverts. On the 50 percent design, the path was shown passing in front of the culverts which impeded flows during low-flow events; this design has since been refined with the path traveling up and over the culverts at locations where low flows through the culverts might be impeded by the path.

Community Development

- Requested clarification regarding interaction of multi-use path and flood equalization culverts. On the 50 percent design, the path was shown passing in front of the culverts which impeded flows during low-flow events; this design has since been refined with the path traveling up and over the culverts at locations where low flows through the culverts might be impeded by the path.
- Requested consideration for future Mill Street extension.

City of Sparks

- Minor comments related to design details and presentation, all sheets and disciplines.
- Phase 1 and Phase 2 traffic signal interconnect between intersections and roadway striping coordination when Phase 1 opens before Phase 2 is complete.

RTC

- Minor comments related to design details and presentation, all sheets and disciplines.
- Coordination with affected utility agencies.

Washoe County

- General comments related to Alexander Lake Road signage and multi-use path interaction.

Design Update Q & A

Are the “general comments related to design details” referring to the aesthetic design elements that have been discussed and recommended by the CWG? **No. These comments are related to design details such as culvert sizes and other roadway design details.**

Flood Analysis

Matt Setty provided an overview of the flood modeling and analysis including a discussion of the applicable flood ordinances, analysis findings, next steps, and approval process. The presentation slides used during this discussion are included within Attachment A to this summary.

The RTC is required to demonstrate compliance with City of Reno Ordinance 6164 and Washoe County Development Code 110.416.57 (as amended by Ordinance 1257) and demonstrate proposed flood mitigation measures are adequate to ensure that the project does not increase flood risk in the area. A flood memorandum has been submitted for review by the City and County detailing the flood modeling approach used, proposed mitigation measures, and results of the analysis; this document is also available for public review on the project website at <http://www.southeastconnector.com/usace-permit-application/>.

The team has coordinated its modeling efforts with the U.S. Army Corps of Engineers (USACE) and Truckee River Flood Management Authority (TRFMA) to ensure that the proposed SEC flood plain modifications do not conflict with the larger flood project efforts. A cumulative analysis has been prepared by the USACE that looks at the SEC in combination with their Draft Environmental Impact Statement (EIS) as well as with the TRFMA flood project. The USACE analysis indicates that the proposed SEC improvements improve the performance of the larger flood project.

HEC-RAS Model (one-dimensional model)

HEC-RAS (Hydrologic Engineering Center River Assessment System) is a USACE computer model that is widely used to simulate flood events throughout the world. A three-dimensional computer model of the project area was developed using current topographic survey data to be incorporated with the hydrologic data used by the TRFMA and USACE. Using this data, an existing conditions model is developed and then compared to a post project conditions model to evaluate how the proposed mitigation measures are performing.

MIKE-21 Model (two-dimensional model)

The MIKE-21 model provides greater resolution required for detailed engineering design. This model was used in parallel with the HEC-RAS modeling in order to provide additional, more detailed data to guide engineering decisions and refine the hydraulic design and optimize its performance. This parallel modeling allowed engineers to back-check assumptions made within the HEC-RAS modeling and provided greater confidence in the overall hydraulic modeling results.

The model required to be submitted for agency review is the HEC-RAS model, which is the standard for the regulatory review process. The MIKE-21 model is the higher resolution model used by much of the engineering community to develop and fine-tune the overall design which is then reflected back into the HEC-RAS model.

The flood model is currently under review by the flood plain managers to determine if the project is in compliance with the applicable ordinances. A final flood model run will be performed with the 90 percent design geometry to ensure that the final engineering reflects what is in the model. The RTC is requesting certification of no adverse impact (concurrency with the flood analysis) which we are confident will be granted as the design provides a benefit greater than just meeting the no-rise requirement.

Federal Emergency Management Agency (FEMA)

The RTC anticipates that they will be submitting a Conditional Letter of Map Revision (CLOMR) for the new roadway. However, until recently FEMA and the City of Reno have not been in a position to move forward on the assessment of the FEMA mapping due to their own outdated mapping issues. The RTC is working closely with FEMA and the City of Reno to define what is needed for the project to move forward. We anticipate that the outstanding FEMA issues will likely be conditions of approval for the Special Use Permit. It should be noted that FEMA uses the 100-year event in making its mapping determinations whereas the project is based upon the 117-year event, so it is a more conservative approach as compared to the FEMA analysis.

Flood Analysis Q & A

*When was the flood modeling analysis provided to the TRFMA? **The TRFMA has received multiple iterations of the model during its development. A meeting was held last week to provide the most current model and answer questions. The model is currently under review by the TRFMA and their consultant HDR to evaluate the project's potential effects on the future flood project. It is important to note that the TRFMA is not the flood plain manager, the Washoe County and the City's of Reno and Sparks are the flood plain managers; the TRFMA is primarily an advisory body to the Cities and County.***

*Where did the existing condition model come from? Was this provided by the TRFMA? **A new existing conditions model was developed by the project team in close consultation with the Cities, County, USACE, and TRFMA. The team started with the USACE model and incorporated elements provided by the TRFMA. The team also included new survey data to address survey data inconsistencies within the existing models. Hydrology and flood boundary conditions used within the new model were also obtained from the USACE model. Once this new existing model was developed, the team inserted the geometry for the new roadway into the model to provide an "apples to apples" comparison between existing conditions and post-project conditions. For additional details on the flood modeling approach, see the Flood Analysis Memorandum located on the project website at <http://www.southeastconnector.com/usace-permit-application/>.***

Miscellaneous Q & A

*What types of plants are expected to grow within the bioswales adjacent to the roadway? **The planting palette will be based on the depth to groundwater at final grading. Native species will be included to the extent practicable.***

*Will trees be planted? **Yes, tree plantings are planned within various areas of the corridor (further away from the roadway to minimize safety and maintenance issues). The City of Reno has provided a list of preferred tree species to be planted within the project corridor. Locations of tree plantings will be determined during final design and will be based upon available water sources.***

*You state that wetlands are being created as part of the project; can you explain how this is done? **The proposed mitigation wetlands will be created in areas where the existing terrain is being cut down for flood volume storage to a sufficient degree to provide wetland species access to groundwater which was previously too deep to allow for the establishment of these species. Some of the wetlands are being created to meet USACE requirements while others are a secondary benefit afforded by the local flood ordinance requirements. Detailed discussions regarding proposed wetlands can be found within Appendices C, D, G, and J of the Clean Water Act Section 404 permit application located on the project website at <http://www.southeastconnector.com/usace->***

[permit-application/](http://www.southeastconnector.com/cwg/). Additional discussion of proposed wetlands is also available within the CWG meeting summaries dated March 18, 2013; June 13, 2013; and July 11, 2013 – also available on the project website at <http://www.southeastconnector.com/cwg/>.

How many acres of new wetlands are being created and how many acres of existing wetlands are being impacted by the project? **The wetlands acreage breakdown as proposed within the corridor is as follows:**

- Existing wetland acreage within the corridor = +/- 173 acres
- Acreage being permanently impacted by the project = +/- 11 acres
- Mitigation wetlands being created for USACE permitting requirements = +/- 22 acres
- Wetlands being created as a secondary benefit of local flood ordinance compliance = +/- 140 acres
- Total wetland acreage within the corridor after project construction = +/- 324 acres

The final wetland acreage totals may vary depending on the outcome of the USACE's review of the RTC's mitigation plan as part of the Section 404 permit application process. It is also important to note that areas generally viewed as wetlands by the public are not necessarily recognized by the USACE as jurisdictional wetlands.

How will mercury contaminated soils be treated within the proposed wetland area to minimize the opportunities for methylation and uptake into the ecosystem? **Included within the Clean Water Act Section 404 permit application are a Characterization of Mercury Contamination and Geochemical Processes (Appendix E), Ecological Exposure Assessment (Appendix F), and Soil Management Plan (Appendix K); these documents can be reviewed on the project website at <http://www.southeastconnector.com/usace-permit-application/>. Additional discussion of this topic is also available within the CWG meeting summary dated April 18, 2013; available on the project website at <http://www.southeastconnector.com/cwg/>.**

What work would be covered under the Special Use Permit application that has been submitted for review? The section of the new roadway that lies within the City of Reno's jurisdiction would be encompassed within the Special Use Permit application submitted to the City for review. The Special Use Permit process will dictate whether the City will give the RTC the necessary grading permits needed to build the project. Without the Special Use Permit, the project will not be able to be constructed.

Having served on the Planning Commission and having looked at the requirements for a Special Use Permit, I don't see how you could meet any of the requirements. We feel that City staff will be able to meet all of the findings as required under the Special Use Permit based on the information that has been provided within the application.

Was the Planning Commission public hearing date postponed because the RTC did not provide sufficient information for City staff to make a recommendation on the findings? No, the hearing date was postponed due to an administrative error made on the yellow postcard that was sent out. The hearing date was postponed to correct this error and meet notification requirements. All of the required information has been submitted to the City for review and was not a factor in the hearing date postponement. The hearing has been rescheduled for November 7, 2013. We have been asked to leave the current signage out until after the October 16th hearing date, after which we will repost the signage with the November 7th hearing date. Note was also made that the team may be making providing a project status update to the Reno City Council on November 7th as well.

Meeting adjourned at 7:10 pm.

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Attachment A
Presentation Slides
