

Fernley OKs water talks



Jessica Garcia, jigarcia@rgj.com 7:05 p.m. PDT May 13, 2016



(Photo: Getty Images)

The Fernley City Council at its May 4 meeting approved a motion that allows staff to proceed with a counterproposal to the Bureau of Reclamation after two days of negotiations on water storage costs were unfruitful with this year's passage of the Truckee River Operating Agreement.

Paul Taggart, special city attorney for Fernley, reported at the May 4 council meeting that the city made a proposal for \$2.13 per acre foot of storage of Truckee River water in upstream reservoirs, an initial total cost of about \$21,000 per year, but the bureau would not lower its cost below \$12 per acre foot, or about \$187,500 per year.

He did report progress, however, in other areas, including determining whether the contract would operate according to water year or fiscal year, and the city was able to choose when it could make its annual payment. It decided upon Nov. 1 to Oct. 31 as the timeline for setting its contract.

Taggart also said the discussion covered administrative costs incurred by the Bureau for the length of the contract, estimated at about five to 10 years.



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This week, more talks slated to take place May 9 and 16 were to address the government's liability in the event of spillage.

"TROA provides a mechanism for water to spill on certain lands, and we understand that and that is part of the deal with TROA, and if the government spills water accidentally or intentionally, we've inserted some language," Taggart told the council.

Another issue is payment for contract renewal. TROA storage for Fernley would be available for 40 years with a second term at the 41st year. Taggart said Fernley would not be required to renegotiate except on price, which is important when figuring in potential price adjustments or increases with the Consumer Price Index. The same basis of negotiations that had been used for the Truckee Meadows Water Authority also was used for Fernley.

"We would like to hammer out the price and we want there to be clear statement so we wouldn't have to renegotiate that in 40 years," he said.

Councilwoman Shari Whalen suggested finding additional local support.

"Why not ... ask for friends and allies to help us to convince the community that we're right?" Whalen said. "We have two options: a counterproposal or ask that the methodology be altered."

Mayor Roy Edgington said he sat in the audience during the negotiations in April and said it was a challenge to follow along with the talks. The water is vital for the city's development, but the council

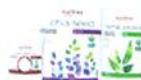
"Tahoe is already paid for, Donner was a big loss for us," he said. "One of the problems I have is the replacement cost doesn't make sense for us. It'd be different if they put the money in the bank, and when it fails, it's there, but that's not what they're going to do. Why are we paying for fisheries? I think we should stand up and say no."

Councilman Cal Eilrich also supported the motion.

"I've placed a lot of faith in promises, but I'm sending to Reid's office that he would look out for Fernley on this," Eilrich said. "It's big leap of faith for me. I'm counting on Sen. (Harry) Reid's office and make sure it gets done in our favor."

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