

Appendix E3 TAC-1 Meeting

MEETING:	Technical Advisory Committee (TAC) Meeting No. 1
PROJECT:	Feasibility Study for Arlington Avenue Bridges Replacement
SUBJECT:	Permitting and Regulatory Requirements
LOCATION:	Remote WebEx Teleconference
DATE/TIME:	Wednesday, July 15, 2020, 9:00-10:30 AM
MODERATOR:	USACE Sr. Project Manager Jennifer C. Thomason

INVITATION:	<p>WebEx invitation from USACE Sr. Project Manager Jennifer C. Thomason</p> <p>Meeting link: https://usace.webex.com/usace/j.php?MTID=m8d0baa4d680fd77df5c368a9840fd350</p> <p>Meeting number: 146 700 8460</p> <p>Join by phone: Call-in toll-free number 1-888-808-6929 Access Code 6113046 Security Code 1234</p>
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ATTENDANCE:	<p>TAC members defined and vetted by the RTC and the City of Reno.</p> <p>Agencies: USACE (4), City of Reno (4), CTWCD (1), FHWA (1), NDEP (3), NDOT, NDSL (1), Pyramid Lake Paiute Tribe (1), SHPO, RTC/Jacobs (4), USFWS (1).</p>
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NOTES AUTHORS:	Compiled by the project team and supported by court reporter Nicole Hansen/Sunshine Litigation Services transcript.
WELCOME, JENNIFER THOMASON, USACE:	Welcomed TAC members, noted that this was a pre-application meeting for RTC, confirmed that there was no application already in progress and initiated introductions of TAC members attending. She also provided Project Number #2020-00533 assigned to the action,
PRESENTATION JUDY TORTELLI, RTC:	Welcomed everyone and outlined the agenda - a brief presentation followed by group discussion - and the purpose of the meeting: to provide an overview of permitting and regulatory requirements identified by the RTC to get TAC input on anything missing, if timelines are correct and which of the alternatives may be more challenging.

	<p>Judy T/RTC noted that 1) since SWG-1, it has been determined that FHWA will be the lead agency for the NEPA process, 2) 2021 federal funding for that phase has been identified and 3) upcoming SWG/TAC meetings have been delayed due to COVID-19 but likely schedule is TAC-2 Aug/Sep, SWG-2 Oct/Nov, SWG-3 Dec. TAC-2 will focus on bridge concepts, bridge and roadway elements. Public meeting to present findings/solicit feedback early 2021.</p> <p>She added that the majority of the information being presented was previously provided either during the December 12, 2019 public meeting, or during the February 6, 2020 SWG-1 meeting.</p> <p>Highlights of her presentation:</p> <ul style="list-style-type: none"> - Project Scope. To complete a feasibility study to define bridge options, identify constraints and determine costs. To identify a bridge and aesthetic package to carry forward into environmental clearance and design. - Project Process. Alternatives evaluation criteria: ability to meet project purpose and need, ability to avoid and minimize impacts to the natural and built environment, construction feasibility and cost, and input from the SWG, City of Reno Council and the public. Decisions to be documented using the PEL process. - Project Purpose and Need. Address structurally deficient bridges (built in the 1930s), providing safe and ADA compliant multimodal improvements, meeting hydraulic capacity needs and responding to regional and community plans. - Project Schedule. Previously outlined meetings schedule. Complete feasibility study early 2021 before beginning NEPA process (separate phase and contract). Start building 2026.
<p>PRESENTATION KEN GREENE:</p>	<p>Introduced himself as Jacobs Engineering PM, supporting Judy on the project, and summarized his presentation as an overview of the permitting and regulatory requirements developed by the RTC/Jacobs team, intended for group discussion of timeline, what might be missing or not needed (special use permit - SUP?)</p> <p>Highlights of Ken Greene's Presentation:</p> <p>Permitting Requirements.</p> <ul style="list-style-type: none"> - SUP(?) - 408. Required if altering a Corps of Engineers Civil Works project. Must precede 404. USACE to coordinate with CTWCD, NDS: and USACE civil

	<p>Permitting Requirements continued</p> <p>works. Requires some flood risk modeling for flood elevation 4,502 feet above sea level plus two feet of freeboard. Timeline about 18 months.</p> <ul style="list-style-type: none"> - 404. Required. Regulates dredge and fill waters in the U.S., jurisdictional delineation of wetlands and waters of the U.S. Includes consultation with the tribes and Fish and Wildlife for Section 7 and Section 106. Timeline about 18 months. - 401. Required as part of 404. Water quality regulation/certification during construction through NDEP. - Construction Stormwater Permit. Required during construction. Need to make sure contractor understands the requirements. - State Land Encroachment. Required to use state-owned lands below the ordinary high watermark. <p>Regulatory Requirements.</p> <ul style="list-style-type: none"> - Determine ordinary high watermark (OHWM). - Analyze current flood model conditions (supported by TRMA). - Consultation with Fish and Wildlife. Section 7 requires a biological assessment (BA) to document natural resources impacts, mitigation (submitted as part of 404 application). - Consultation with SHPO. Required per section 106 to document impacts (direct and indirect), mitigation requirements for historic and/or prehistoric properties. Also traditional cultural properties along the Truckee River. - Possibly U.S. DOT Section 4(f). Prohibits using publicly owned parks, recreation areas unless no feasible or prudent alternative exists. - LWCF Act, Section 6(f). Confirming it doesn't apply. - Stormwater Pollution Prevention Plan. Required from the construction contractor through the USACE and NDEP. <p>Alternative-specific concepts.</p> <p>Briefly discussed, focusing more on the wider north bridge.</p> <ul style="list-style-type: none"> - Alternative 1: single pier versus current two piers in the channel - Alternative 2: clear span, north channel - Alternative 3: underdeck arch clear span - Alternative 4: tied arch clear span - Alternative 5: elevated bridge, up and above channel encumbering a large portion of Wingfield Park open space <p>Summary of alternative-specific permitting/regulatory requirements.</p> <ul style="list-style-type: none"> - Chart of RTC/Jacobs team's perception. Nearly identical except for these exceptions:
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	<p>Summary of alternative-specific requirements continued</p> <ul style="list-style-type: none"> - Alternative 1 possible additional 404 and NDSL encroachment requirements related to work below the OHWM during construction. - Alternative 4 and 5 possible additional 404 requirements related to viewshed and indirect APE impacts.
GROUP QUESTIONS, COMMENTS, DISCUSSION:	<p>Judy T/RTC called for questions on material presented or comments on what may be missing.</p>
	<p>Comment, Andrew Dixon/NDEP - noted missed permitting requirement: Working Waters permit from the state or Water Pollution Control for six months to cover equipment within the water, diverting flow, etc. Suggested including with the stormwater permit.</p>
	<p>Question, Del Abdulla/FHWA - Is there Federal Highways money in this project? Should the FHWA be involved? Response, Judy T/RTC - The Feasibility Study is funded with RTC fuel tax. RTC has identified \$2.5 million of federal STBG money for the NEPA process. So, absolutely.</p>
	<p>Question, Del Abdulla/FHWA - Is this a historic bridge? Response, Ken G/Jacobs - NDEP concluded the bridge is not historic. Response, Judy T/RTC - There are historic properties around the bridge. Comment, Del A/FHWA - No 4(f) with the bridge, which is good.</p>
	<p>Question, Del A/FHWA - Nationwide or individual 404 permit? Response, Jennifer T/USACE – 1) USACE cannot make that decision without 408 input and 2) When FHWA is lead, Sections 7 and 106 consultations will have been done for 408 permitting and could be used to support the 404 permit application, shortening the permitting/review timeframe. USACE would try to work together with FHWA on one tribal consultation.</p>
	<p>Comments, Lori Williams/CTWCD – 408 permit application must go through the CTWCD as local sponsor. Other issues for the District: flood risk modeling at 14,000 CFS flood level flow level (using District’s updated flow model, provided to Jacobs, with as-built kayak park), and access to the river for debris and sediment removal.</p> <p>Future funding heads-up; USACE Flood Branch has run out of 408 permit review money in the past. Consider timing and whether to self-fund.</p>

	<p>Discussion, Kerrie Koski/C of R and Lori W/CTWCD - Designing with a two-foot freeboard vs. a one-foot freeboard depends on anticipated project funding sources. Project team should keep that in mind.</p> <p>Future funding heads-up; USACE Flood Branch has run out of 408 permit review money in the past. Consider timing and whether to self-fund.</p>
	<p>Comments, Brian Luke/USACE – recommended that FHWA be designated as lead agency officially through a formal letter to them, covering the project under their consultations. Elaborated on 408 permit review funding status: out of money until October. Suggested the project team review the Sacramento District Section 408 website to look into an 1156 agreement for funding. Noted 408 permitting also includes hydraulic and levy safety review.</p>
	<p>Question, Del A/FHWA – Who would be the 408 permit applicant? Response, Jennifer t/USACE and Lori W/CTWCD - the RTC.</p>
	<p>Question, Del A/FHWA – Do we have to wait for the NEPA documents to apply for permits? Response, Lori W/CTWCD, Brian Boyd/Jacobs and Brian L/USACE - not anticipating submitting anything prior to, but will do some of the supporting investigation. If USACE adopts the FHWA NEPA document, their NEPA would have to be complete prior to USACE issuing the 408 permit. If we can complete our NEPA separately, we would still use FWHA section 7 and 106 consultation documents.</p>
	<p>Comment, Jennifer T/USACE – NDEP 401 certification takes a separate application, submitted to NDEP concurrently with the 404 permit. NDEP supervisor (Birgit Widegren) assigns these.</p>
	<p>Question, Judy T/RTC - Can we take the City of Reno Special Use Permit (SUP) off the requirements list? Response, Kerrie K/C of R – we determined that SUP is not needed for bridge replacement in this area.</p>
	<p>Question, Judy T/RTC - For Alternative 2, clear span, do we need permit 404? Jennifer T/USACE mentioned earlier that we might not. Response and agreement, Brian B/Jacobs, Jennifer T/USACE, Kerrie K/C of R, Lori W/ CTWCD, Ken G/Jacobs – for work (removing piers, headwalls, bridge structure) below the ordinary high watermark or in wetlands under CTWCD authority, one of four types of the 404 permit would be needed.</p>

	Discussion, Peter Lassaline/NDEP, Lori W/CTWCD, Kerrie K/C of R, Andrew D/NDEP – if groundwater is encountered, additional permit requirements for discharges/dewatering would be needed. Recommended the project team start exploring dewatering options, water quality issues and permit requirements. Permits can take six months-plus.
	Discussion, Lucy Wong/NDSL, Judy T/RTC, Kerrie K/C of R, – about State Lands permits. A 2-step process: 1) temporary authorization to remove the bridge and/or do studies (if federally funded or through FHWA, may need a temporary construction easement instead). Will take about 3 months with 30-day public comment period. 2) shorter timeframe to convert to long-term, perpetual easement in City of Reno’s name. Permitting more toward the end of the timeline because NDSL wants plans with application.
CONCLUSIONS:	Judy T/RTC, Ken G/Jacobs, Lori W/CTWCD, Kerrie K/C of R – Permitting and regulatory requirements seem even except for two. Tied-arch and elevated concepts are more challenging in terms of permitting and maintenance. Group concurred. From CTWCD and City of Reno maintenance perspective, tied-arch would not be the design choice.
ADJOURNMENT:	Judy T/RTC – thanked participants for attending and Jennifer T/USACE for hosting. She added that draft notes would be circulated to the TAC members for review and input before finalizing. Kerrie K/C of R - thanked everyone for the “really good information.” Jennifer T/USACE - thanked everyone and concluded the meeting.
PROJECT WEB PAGE:	https://www.rtcwashoe.com/engineering-project/arlington-avenue-bridges-project/



Arlington Avenue Bridges Replacement
Technical Advisory Meeting #1
MEETING AGENDA



Wednesday, July 15, 2020 at 9:00 am

USACE Regional Field Office WebEx Teleconference

300 Booth Street, Room 3050

Reno, NV 89509-1361

- ITEM 1 Introductions

- ITEM 2 Presentation

- ITEM 3 Group Discussion - Permitting Requirements

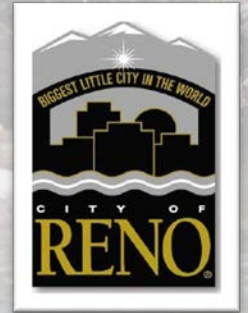
- ITEM 4 Group Discussion - Regulatory Requirements

- ITEM 5 Alternative-Specific Requirements

- ITEM 6 Discussion Summary, Concurrence & Agreements

- ITEM 7 Adjournment

Feasibility Study for



ARLINGTON
AVENUE
BRIDGES
PROJECT

ARLINGTON AVENUE BRIDGES REPLACEMENT

Technical Advisory Committee Meeting #1 | Permitting and Regulatory
Requirements | July 15, 2020

Meeting Purpose

- ▶ Discuss permitting and regulatory requirements for the project
- ▶ Based on Stakeholder Working Group (SWG) Meeting 1 notes
 - ▶ Held February 6, 2020
 - ▶ Environmental and engineering design constraints and criteria
- ▶ Review alternative-specific permitting/regulatory requirements
- ▶ Upcoming meetings
 - ▶ TAC Meeting 2 (bridge/roadway elements) - date **TBD**
 - ▶ SWG Meeting 2 (focus on bridge concepts) - date **TBD**
 - ▶ SWG Meeting 3 (focus on aesthetic concepts) - date **TBD**

Meeting Agenda

- ▶ Technical Advisory Committee Members
- ▶ Project Scope and Process
- ▶ Project Purpose & Need, Schedule & Background
- ▶ Permitting and Regulatory Requirements
- ▶ Summary of Alternative-Specific Requirements
- ▶ Action Items

Permitting/Regulatory TAC Members

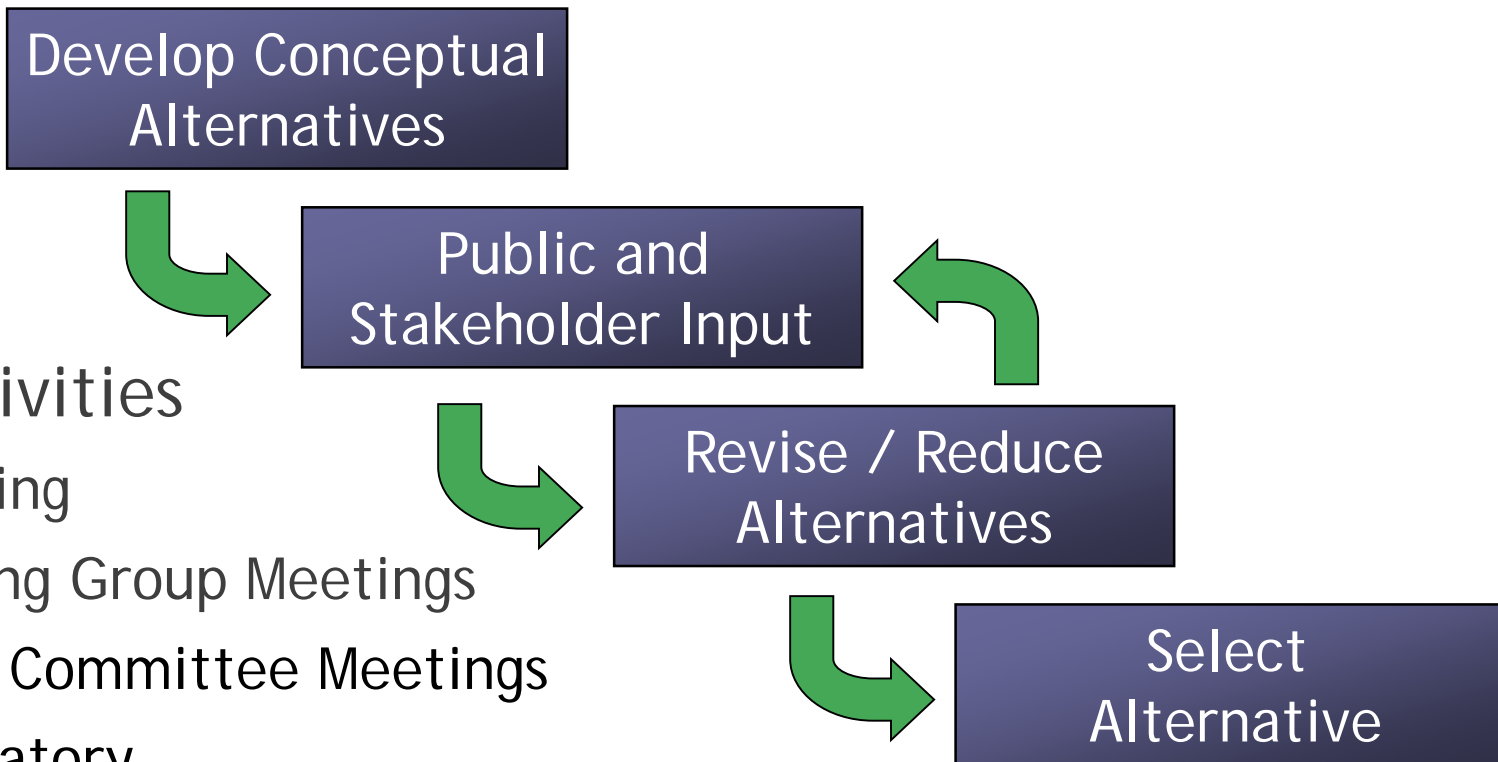
- ▶ City of Reno (CoR)
 - ▶ Public Works Capital Projects Dept.
 - ▶ Historic Resources Commission
 - ▶ Parks, Recreation & Community Services Dept.
- ▶ Carson Truckee Water Conservancy District (CTWCD)
- ▶ Federal Highway Administration (FHWA) - Nevada Division
- ▶ Nevada Dept. of Transportation (NDOT)
- ▶ Reno-Sparks Indian Colony (RSIC)
- ▶ Pyramid Lake Paiute Tribe (PLPT)
- ▶ State Historic Preservation Office (SHPO)
- ▶ U.S. Army Corps. Of Engineers (USACE)
- ▶ Nevada Division of Environmental Protection (NDEP)
- ▶ Nevada Division of State Lands (NDSL)

Project Scope

- ▶ Complete a feasibility study to define scope of future phases
- ▶ Future Phases
 - ▶ National Environmental Policy Act (NEPA) and Design (2021-2025)
 - ▶ Construction (2026)
- ▶ Goal - Reduce the range of possible bridge type and aesthetic themes through engineering analysis and by conducting public outreach
- ▶ Outcome - have a bridge type and aesthetic package identified to carry forward into NEPA clearance and design
 - ▶ Document decisions using Planning and Environmental Linkages (PEL) process & NDOT PEL Checklist

Project Process

- ▶ Modeled after Virginia Street Bridge process



- ▶ Public Outreach Activities
 - ▶ Public Kick-off Meeting
 - ▶ 3 Stakeholder Working Group Meetings
 - ▶ 2 Technical Advisory Committee Meetings
 - ▶ Permitting/Regulatory
 - ▶ Bridge/Roadway Elements
 - ▶ 1 Additional Public Meeting

Project Purpose and Need

- ▶ Address Structurally Deficient Arlington Avenue Bridges
- ▶ Provide Safe and ADA compliant Multimodal improvements
- ▶ Address hydraulic capacity needs
- ▶ Respond to regional and community plans



Project Schedule



	2019	2020	2021-2025	2026
Public Kickoff	* (star icon)			
Identify and Analyze Bridge and Aesthetic Concepts		Bar (spanning 2019-2020)		
Public Meeting			* (star icon)	
Complete Feasibility Study			Bar (spanning 2021-2022)	
Environmental (NEPA)			Bar (spanning 2022-2025)	
Design Permitting			Bar (spanning 2024-2025)	
Construction Start				* (star icon)

Permitting Requirements

- ▶ CoR - Special Use Permit (SUP)
 - ▶ CoR determined suitability/need?
- ▶ USACE - 408 Permit
 - ▶ USACE 408 permit must precede USACE 404 permit
 - ▶ USACE will coordinate with CTWCD, NDSL and USACE civil works
 - ▶ 18 month review/permitting schedule
 - ▶ Flood risk modeling required (flood elevation (4,502 feet AMSL) + 2 feet of freeboard)

Permitting Requirements

- ▶ USACE - 404 Permit
 - ▶ Regulates dredge/fill in waters of the U.S. (WOUS)
 - ▶ Requires jurisdictional delineation (JD) of wetlands and WOUS
 - ▶ Includes Sect. 7 and 106 consultations
 - ▶ 18+ month review/permitting schedule
- ▶ NDEP - 401 Water Quality Certification
 - ▶ Regulates water quality during construction

Permitting Requirements

- ▶ NDEP - Construction Stormwater Permit
 - ▶ General permit (#NVR100000) required
 - ▶ 1 acre (or more) will be disturbed
 - ▶ potential to impact WOUS within ¼ mile of the project
- ▶ NDSL - Encroachment Permit
 - ▶ Required to use state-owned lands below the ordinary high water mark (OHWM)

Regulatory Requirements

- ▶ Determine OHWM
- ▶ Analyze current flood model (with TRFMA)
 - ▶ 100-year WSEL - 4,502 feet AMSL
 - ▶ TRFMA modeling to guide alternatives design
- ▶ Consult with U.S. Fish & Wildlife Service (USFWS)
 - ▶ Section 7 requires biological assessment (BA) to document natural resources impacts and mitigation
 - ▶ BA is prepared/submitted with 404 permit application

Regulatory Requirements

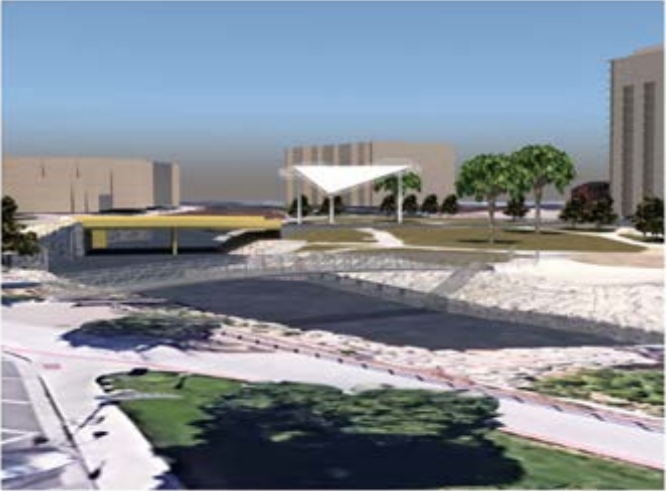
- ▶ Consult with State SHPO
 - ▶ Section 106 requires documentation of impacts and mitigation, including direct and indirect effects to historic properties
 - ▶ USACE consultation with SHPO and traditional cultural property (TCP) considerations for Truckee River
- ▶ U.S. Dept. of Transportation (DOT) Section 4(f)
 - ▶ Prohibits the taking/using of publicly owned parks, recreation areas unless no feasible/prudent alternative exists

Regulatory Requirements

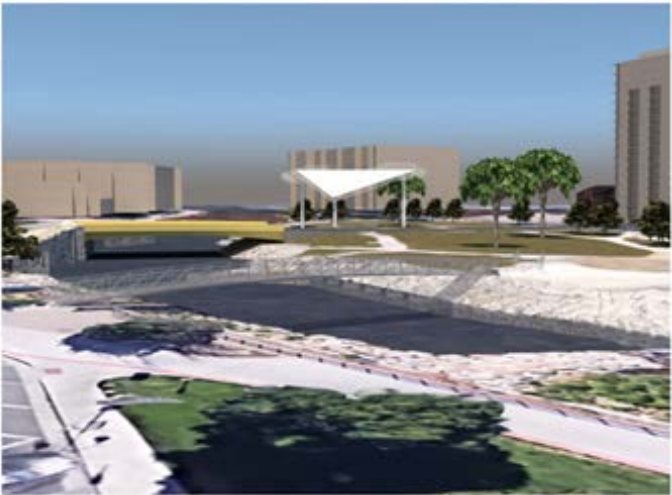
- ▶ Land and Water Conservation Fund (LWCF) Act Section 6(f)
 - ▶ Not Applicable - publicly owned parks, recreation areas and other outdoor recreation resources do not qualify as LWCF properties
- ▶ Stormwater Pollution Prevention Plan (SWPPP)
 - ▶ Compliance and water quality monitoring (with USACE/NDEP input)

Alternative-Specific Concepts

SINGLE PIER CONCEPT

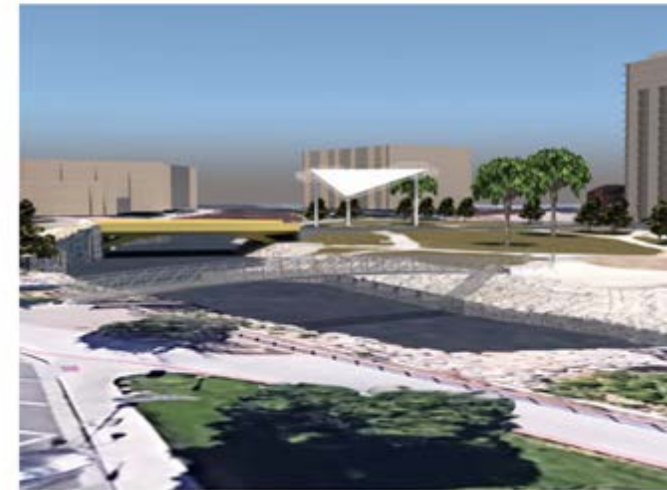


CLEAR SPAN CONCEPT



Alternative-Specific Concepts

UNDERDECK ARCH CONCEPT



TIED ARCH CONCEPT



Alternative-Specific Concepts

ELEVATED BRIDGE CONCEPT



Alternative-Specific Requirements

Permitting & Regulatory Requirements	Alternative Bridge Description				
	Alternative 1 (Single Pier)	Alternative 2 (Clear Span)	Alternative 3 (Underdeck Arch)	Alternative 4 (Tied Arch)	Alternative 5 (Elevated)
CoR SUP	✓	✓	✓	✓	✓
USACE 408 Permit	✓	✓	✓	✓	✓
USACE 404 Permit	✓ *	✓	✓	✓ *	✓ *
NDEP Stormwater Permit	✓	✓	✓	✓	✓
NDSL Encroachment Permit	✓ *	✓	✓	✓	✓
NDEP 401 Certification	✓	✓	✓	✓	✓

* additional requirements possible during permitting and/or construction

Discussion Summary, Concurrence & Agreements



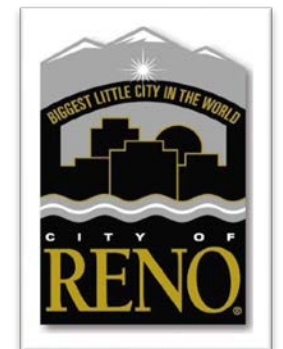
Thank you for Attending!



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JACOBS



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FEASIBILITY STUDY FOR
ARLINGTON AVENUE BRIDGES REPLACEMENT
TECHNICAL ADVISORY COMMITTEE MEETING #1
PERMITTING & REGULATORY REQUIREMENTS
REMOTE WEBEX/TELEPHONIC OPEN MEETING

WEDNESDAY, JULY 15, 2020

9:00 A.M.

RENO, NEVADA

HOSTED BY:

JENNIFER THOMASON,
Senior Project Manager,
Corps of Engineers
Regulatory Division

REPORTED BY:

SUNSHINE LITIGATION SERVICES
BY: Nicole Hansen,
Nevada CCR #446, RPR, CRR, RMR
151 Country Estates Circle
Reno, Nevada 89511

1 MS. THOMASON: First thing I want to do is
2 make sure everyone can see my screen for those that are
3 able to join the Webex. The first item is going to be
4 introductions.

5 This meeting is regarding the Arlington
6 Street -- Arlington Avenue Bridges Replacement Project.
7 In a moment, we're going to go around, and I'll try to do
8 it by agency just to kind of keep the line somewhat clear
9 so that we're not all trying to talk over each other. It
10 sometimes happens.

11 One thing I want to make sure that -- we
12 don't currently have an application on this. This is a
13 pre-application meeting. This is RTC trying to get the
14 information they need to be able to move forward in their
15 consideration.

16 This meeting is being transcribed by a court
17 reporter, so at any point before you make any comments or
18 ask questions as we go, you are going to be asked to
19 identify your name so that the court reporter can
20 accurately transcribe the meeting.

21 So my name is Jennifer Thomason. I'm the
22 senior project manager here in the Reno office for the
23 Corps of Engineers Regulatory Division. So anyone else
24 with regulatory that's on the line, please introduce
25 yourself.

1 MS. CARR: Hi there. Melissa, student
2 intern, under Jennifer.

3 THE COURT REPORTER: Melissa, I didn't get
4 your last name.

5 MS. CARR: Melissa Carr.

6 MS. THOMASON: Okay. We should also have
7 U.S. Army Corps of Engineers 408 Section on the line.

8 MR. LUKE: I'm Brian Luke, Section 408
9 Environmental Compliance Lead.

10 MS. WILLIAMS: I'm Lori Williams, the
11 engineer for the Carson-Truckee Water Conservancy
12 District, who is the local 408 sponsor on this section of
13 the river.

14 MR. RUFFCORN: This is Oren Ruffcorn, 408
15 Section biologist.

16 THE COURT REPORTER: Oren, I didn't get your
17 last name. Could you spell it, please?

18 MR. RUFFCORN: Yeah. Ruffcorn: R-U-F-F,
19 like Frank, C-O-R-N, like the vegetable.

20 MS. THOMASON: Okay. I also think U.S. Fish
21 and Wildlife Service accepted.

22 MR. STAROSTKA: This is Andy Starostka, US
23 Fish and Wildlife Service. Last name:
24 S-T-A-R-O-S-T-K-A.

25 MS. THOMASON: I think we also have Federal

1 Highways on the line.

2 MR. ABDALLA: Good morning. This is Bill
3 Abdalla, with the Federal Highway Administration. How
4 are you doing?

5 MS. THOMASON: Great. Good to hear from you,
6 Bill.

7 MR. ABDALLA: Nice to hear from you.

8 THE COURT REPORTER: Can I get your last
9 name, please?

10 MR. ABDALLA: Abdalla: A-B-D-A-L-L-A.

11 MS. THOMASON: Bill, was there anyone else
12 from Federal Highways on the line or that you're
13 expecting?

14 MR. ABDALLA: If nobody responds, there is
15 nobody.

16 MS. THOMASON: Okay. Thank you. US EPA, are
17 you on the line? Okay. Maybe she'll join us later. I
18 think that was all of the federal entities that I
19 remember being on the invite.

20 So now I'll move to NVP. Who do you have on
21 the line?

22 MR. DICKSON: This is Andrew Dickson, with
23 water/fish control, storm water.

24 MR. LASSALINE: This is Peter Lassaline, with
25 NDEP Water Pollution Control Storm Water. That's:

1 L-A-S-S-A-L-I-N-E.

2 MS. THOMASON: Anyone else with NDEP? Okay.

3 NDEP, are you on the line?

4 MR. YOUNG: Good morning. Yeah. Chris

5 Young: Y-O-U-N-G, NDEP Environmental.

6 MS. THOMASON: Thanks, Chris. Is there

7 anyone else on the NDEP team expected? Okay. I'll take

8 silence as a no. So then I have City of Reno.

9 MS. WONG: There's another state agency, NDS,

10 State Lands.

11 MS. THOMASON: Oh, State Lands is on. Great.

12 MS. WONG: So this is Lucy Wong from the

13 Nevada Division of State Land.

14 MS. THOMASON: Thanks, Lucy.

15 MS. WONG: Sure.

16 MS. THOMASON: City of Reno?

17 MS. KOSKI: Yes. This is Kerrie:

18 K-E-R-R-I-E. The last name is: K-O-S-K-I. And I'm the

19 Assistant Director of Public Works City Engineer.

20 MS. SCHROEDER: This is Jaime Schroeder.

21 Go ahead, Claudia.

22 MS. HANSON: This is Claudia Hanson. Hanson

23 is: H-A-N-S-O-N. I'm with the Historical Resource

24 Commission and the City Manager's Office.

25 MS. SCHROEDER: Jaime Schroeder, Director of

1 Parks and Recreation. J-A-I-M-E S-C-H-R-O-E-D-E-R.

2 MS. THOMASON: Anyone else? City of Reno?

3 Okay. Anyone from Washoe County on? Okay.

4 Do I have any tribal members? Pyramid Lake
5 Paiute Tribe?

6 Reno-Sparks Indian Colony? Anyone on view?

7 What about Washoe Tribe? Anyone on for you?

8 Okay. All right.

9 RTC? Who is on for you?

10 MS. TORTELLI: So this is Judy Tortelli, RTC
11 project manager. And I have here with me Ken Green,
12 project manager from Jacobs, and Brian Boyd, natural
13 resource specialist for Jacobs.

14 MS. THOMASON: I heard a few beeps while we
15 were doing introductions, so anyone who has not been
16 identified yet, please identify yourself.

17 MS. HOUSTON: Yes. Kelly Houston, with
18 Jacobs.

19 MS. JONES: This is Theresa Jones, for the
20 City of Reno, program manager.

21 MS. THOMASON: Theresa, can you tell us your
22 title again?

23 All right. Did we just have someone else
24 join? Theresa, can you repeat your program title?

25 MS. JONES: Sure. I apologize for that.

1 Flood and drainage program manager and bridge maintenance
2 program manager.

3 MS. THOMASON: Thank you. I think Pyramid
4 Lake Paiute Tribe, do you have someone on the line now?
5 I see a name on the list, but maybe she doesn't have
6 audio yet. Okay.

7 So I'll start by letting RTC know that we've
8 assigned Project Number 2020-00533 to this action, so any
9 future correspondence should include that number on it.
10 And so now we'll do another introduction towards the end
11 to make sure we captured everyone.

12 I'm going to turn it over to Judy to tell us
13 why we're all here.

14 MS. TORTELLI: Thank you, Jennifer. Can you
15 hear me okay?

16 MS. THOMASON: I can. Yeah.

17 MS. TORTELLI: We can have the agenda up
18 there, but we can go ahead and start the presentation,
19 and I'll start from there.

20 So welcome, everybody. As I said, I'm Judy
21 Tortelli, project manager for the RTC, and I'm here today
22 to talk about the permitting and regulatory requirements
23 for the Arlington Avenue Bridges Project.

24 We will today here, we will run through a
25 brief presentation, and then I want to kind of open it up

1 to a group discussion. I would like to ask that everyone
2 kind of hold your questions as we go through the
3 presentation and maybe just make note of them, and then
4 we can talk about those during the discussion portion
5 just so that it's a little bit easier to get through the
6 presentation itself.

7 So the purpose of today's meeting is to give
8 you an overview of what we've done, tell you about the
9 permitting and regulatory requirements the team has
10 defined and get your input.

11 We're looking specifically for feedback on
12 what we've defined, so is there something we've missed?
13 Are our anticipated timeframes correct? We also need
14 help in determining which of the various alternatives may
15 be more challenging from a permitting regulatory
16 perspective.

17 So, as stakeholder working group one, which
18 was held back in February, we discussed engineering,
19 design and environmental constraints associated with the
20 project. Since then, we have determined that FHWA will
21 be the lead agency for the NEPA process, and RTC has
22 identified federal funding for that phase in Fiscal Year
23 2021, I believe.

24 The team here has tailored the permitting
25 regulatory requirements discussed as stakeholder working

1 group one to indicate FHWA as the lead agency. So this
2 is our first technical advisory committee meeting. We
3 will be holding two TAC meetings for this. We will be
4 holding TAC meeting two in a couple of months, and that
5 TAC meeting will focus on bridge concepts, bridge and
6 roadway elements. From there, we will have a second and
7 third stakeholder working group meeting to discuss bridge
8 and aesthetic concepts.

9 You can go ahead and fast -- thank you,
10 Jennifer. So here's our agenda. It was kind of up on
11 the screen before. I want to kind of touch on project
12 scope, process, purpose and need schedule and background.
13 This is not new material. These are all items that we
14 have presented to the public at our first public
15 informational meeting, and again, at our first
16 stakeholder working group meeting. I just don't want to
17 lose sight of the project scope and purpose and need.

18 From there, we're going to dive into the
19 permitting, the details of the permitting and regulatory
20 requirements that we've come up with as a team. We'll
21 look at a summary of requirements and then have some
22 discussion.

23 So our next slide just lists the TAC members
24 that are here today. For the most part, we kind of went
25 through introductions. It looks like from this list, you

1 know, we don't have Reno-Sparks Indian Colony
2 participation or Pyramid Lake Paiute Tribe, and I don't
3 believe we have anybody on the line from the state
4 historic preservation office.

5 So this group of TAC members was defined by
6 the team and vetted through both RTC and City of Reno.
7 So this is our group of TAC members associated with
8 permitting and regulatory requirements.

9 MS. THOMASON: Judy, before we move on, this
10 is Jennifer with the Corps. I just want to do one more
11 call for the tribal members. Is there anyone on the line
12 from Pyramid Lake Paiute Tribe?

13 Is there anyone on the line from Reno-Sparks?
14 Okay.

15 MS. TORTELLI: All right. Thank you,
16 Jennifer.

17 So project scope. The scope of this project
18 is to complete a feasibility study to define bridge
19 options, identify constraints and determine costs. At
20 the end, we will have a bridge and aesthetic package
21 identified to carry forward into environmental clearance
22 and design.

23 Decisions will be documented using a process
24 called planning and environmental linkages, also known as
25 P-E-L: PEL. Following this process will help inform

1 decision making, engage the public and stakeholders and
2 will streamline future needs and processes.

3 So our project process is modeled after the
4 Virginia Street Bridge process and includes receiving
5 public stakeholder and technical input. Alternatives
6 will be evaluated based on ability to meet project
7 purpose and need, ability to avoid and minimize impacts
8 to the natural and built environment, construction
9 feasibility and cost, and input from the stakeholder
10 working group, City of Reno Council and the public.

11 At our public kickoff meeting, which was held
12 in December of 2019, we got great feedback. Our first
13 stakeholder working group meeting was successful in
14 defining constraints and criteria associated with the
15 project.

16 We will be holding one additional TAC meeting
17 and two additional stakeholder working group meetings.
18 And then from there, we will be presenting information
19 gathered to get input one more time at a public meeting,
20 which we're anticipating in early 2021.

21 So the Arlington Avenue Bridges were built in
22 the 1930s. They are categorized as structurally
23 deficient by NDEP, and it's time for us to start
24 replacing them.

25 So as you can see up there on the screen, the

1 project purpose and need is to address structurally
2 deficient bridges. We want to provide safe and ADA
3 compliant multimodal improvements. We need to address
4 hydraulic capacity needs and respond to regional and
5 community plans.

6 So schedule. This is kind of our overall
7 schedule. Things have moved out several months just with
8 the impacts of COVID-19 stuff, which I think we're all
9 feeling, but you can see that first star there, we did
10 have our public kickoff meeting towards the end of 2019.

11 Right now, we're working to identify and
12 analyze bridge and aesthetic concepts. We're planning
13 another public meeting at the beginning of next year, and
14 we plan to complete this feasibility study sometime early
15 next year, and then we'll kick off the NEPA process.

16 Up on the bar graph there, the NEPA process
17 looks like it's going to be starting in 2021, but we
18 won't actually start the NEPA process until the
19 feasibility study is complete. They are kind of separate
20 phases of the project, and they will be separate
21 contracts. So we've kind of got our design permitting
22 there, and we are anticipating building these bridges in
23 2026.

24 So from there, I'm going to go ahead and hand
25 it off to Ken. He's going to dive into the permitting

1 and regulatory requirements, some of the details that
2 we've come up with as a team.

3 MR. GREEN: Thank you, Judy. Good morning,
4 everybody. My name is Ken Green. I'm a PM with Jacobs
5 Engineering, supporting Judy on the project.

6 This next handful of slides kind of
7 summarizes the permitting and regulatory requirements
8 that we've developed for the project based on information
9 received during the December '19 public meeting as well
10 as the February 2020 stakeholder working group one
11 meeting, and the intent is to just kind of reiterate the
12 summary of information that we've come up with on the
13 permitting and regulatory side of the shop, what those
14 requirements look like, and then we'd really like to have
15 an engaged discussion at the end of the presentation with
16 regard to what we're presenting and whether or not -- as
17 Judy indicated before -- we've missed something or our
18 timelines are a little off, and/or maybe there's
19 something that we don't need. And that's specific to
20 this first item here on this page, the special use
21 permit.

22 And I think during stakeholder working group
23 one, there was some discussion about whether or not the
24 SUP application was going to be required for this project
25 or not, so we'd like to be able to question that to the

1 extent we can during the meeting.

2 So this slide presents kind of the first
3 group of permits that we think are going to be required,
4 and it starts off with the SUP, the 408 permit, which is
5 a permit required to if we're going to alter Corps of
6 Engineers Civil Works' project. Well, our takeaway was
7 from SG1 is that this permit must precede the 404 Permit,
8 and the Corp is going to coordinate with the Conservatee
9 District, State Land, as well as Corps of Engineers Civil
10 Works.

11 The overall timeline is about 18 months,
12 which is pretty consistent with, I think, the 404
13 permitting, application, review and approval process.
14 And then the 408 is going to require some flood risk
15 modeling.

16 I wanted to make sure that we continue to
17 capture, in these presentations for everybody's
18 information and moving forward is in the event that it
19 changes, for whatever reason, the hundred-year flood
20 elevation, which is -- as we indicate here at the bottom
21 of this slide 45 -- two feet above sea level plus two
22 feet of freeboard.

23 Next slide? So 404 Permit also required
24 regulates dredge and fill waters in the U.S.,
25 jurisdictional delineation of wetlands and waters to the

1 U.S., includes consultation with the tribes as well as
2 fish and wildlife for Section 7 and Section 106. And as
3 I indicated, based on the information we've got in our
4 experience, it's about an 18-month review permitting
5 timeline for that permit application.

6 We've also got the 401 Water Quality
7 Certification through NDEP, but based on my
8 understanding, that's going to be part of the 404 Permit
9 as well, regulates water quality during construction.

10 Next slide? Thank you. Construction storm
11 water permit. This is a permit that's required during
12 construction. That will be required.

13 Not so much -- it's something that we need
14 to consider as part of the pre-application process,
15 making sure that the contractor understands what their
16 permitting requirements are going to be once they hit the
17 ground. And then we've also got the state land
18 encroachment permit, which is required to use state-owned
19 lands below the ordinary high watermark. That was kind
20 of a summary of the permitting requirements.

21 The regulatory requirements, this is the next
22 kind of summary of information that we think we're going
23 to need to obtain. So we've got to determine the
24 ordinary high watermark, analyze current flood model
25 conditions. And based on stakeholder working group one

1 and previous conversations with TRFMA, they're going to
2 support the RTC in that endeavor.

3 As I indicated before, the hundred-year water
4 surface elevation is currently defined at 4,502 feet
5 AMSL. And then the TRFMA modeling is going to guide or
6 assist with the alternatives design. Consultations with
7 fish and wildlife will be required. Section 7 requires a
8 BA to document natural resources impacts and mitigation.

9 And again, the intent here is to make sure
10 that we've got things pretty accurately summarized here,
11 and if not, what changes do we need to make so that we're
12 all on the same page going forward as we conclude the
13 feasibility study process.

14 We've got a clear direction and path on
15 permitting requirements and the regulatory requirements
16 for the project going forward once we get into design,
17 NEPA compliance and design. The BA is prepared to submit
18 it as part of the 404 Permit application.

19 And then consultations with the State SHPO,
20 required per Section 106 to document impacts as well as
21 the mitigation requirements for both direct and indirect
22 effects to historic and/or prehistoric properties.

23 Corps of Engineers' consultation with SHPO
24 and traditional cultural property considerations for the
25 Truckee River. This was a topic of conversation during

1 stakeholder working group meeting one. We want to make
2 sure that we consider that going forward, keep that in
3 mind, and after that, into the schedule going forward.

4 U.S. DOT Section 4(f), we're hanging on to
5 this as well because we're still evaluating the
6 alternatives, and what this does is it prohibits the
7 taking or using of publicly-owned parks, recreation
8 areas, unless no feasible or prudent alternative exists.

9 Next slide? We did talk about Section 6(f)
10 during the stakeholder working group one, and it was
11 determined to be not applicable. We hung on to it here
12 for TAC one just to make sure everybody sees that.

13 It's probably going to fall off the table
14 going forward since it's not applicable, but what was
15 concluded was that publicly-owned parks, recreation areas
16 and other outdoor recreation resources do not qualify for
17 land and water conservation fund funding. Did not.

18 And then lastly, we've got the Storm Water
19 Pollution Prevention Plan. And this will be something
20 that's required from the construction contractor to
21 demonstrate compliance with water quality monitoring
22 during construction, and it's through the Corps of
23 Engineers and NDEP.

24 So for those on the call who attended
25 stakeholder working group one and/or were present during

1 the December 19, 2019 public meeting, these next two
2 slides, three sides -- I'm sorry -- summarize the
3 alternative-specific concepts, with that one to the lower
4 left showing a clear span. These really focus on the
5 north bridge. The south bridge, much narrower; similar
6 or nearly identical construction process bridge type for
7 that southernmost bridge. So we're really focusing in on
8 the wider north bridge here in regards to these concepts.

9 So that lower left is a clear span concept.
10 Clear span is that north channel. Single pier concept
11 puts single pier versus current two piers that are in the
12 channel back into the channel as part of the new bridge
13 structure.

14 Tied-arch concept clear spans the channel but
15 constructs the tied-arch, and then the underdeck arch
16 concept also clears spans to channel with the underdeck
17 arch.

18 And then this last one is the elevated bridge
19 concept, so that gets the entire structure up and above
20 the channel and encumbers a large portion of Wingfield
21 Park, effectively taking it out of the open space
22 available arena.

23 So this is a summary of the alternatives
24 relative to the permitting and regulatory requirements
25 that we just went through. This is new information that

1 captures in a single location what our perception is of
2 permitting and regulatory requirements and alternatives.
3 And what we've concluded is that they're nearly identical
4 for each of the alternatives save just a couple of
5 exceptions, and the asterisk denotes those exceptions.

6 For the single-pier concept -- that's the new
7 structure north bridge -- the old structure has two piers
8 in the channel. Those piers would have to come out.
9 Compliance requirements would be specified in the 404
10 Permit.

11 The new bridge, the single-pier structure, we
12 would have to reconstruct or construct a pier back into
13 that channel, and so that constitutes at least some level
14 of additional requirements that would be levied on the
15 project during construction, in other words, to
16 permitting under the 404.

17 The other two alternatives that we've got
18 that show an asterisk -- both related to the 404
19 Permit -- are the tied-arch, that's alternative four, and
20 the elevated concept. That's alternative five.

21 And those relate to -- again, based on the
22 work that we've done, relate to view shed effects, right,
23 indirect APE effects just because of the elevation of
24 those structures and their potential impact to nearby
25 historic properties. But beyond that, we didn't identify

1 or document any distinct or specific requirements that
2 would be levied on one concept alternative versus another
3 for each one of those five alternatives that we're
4 looking at.

5 MS. TORTELLI: So I guess with that, I mean,
6 let's go ahead and leave up that slide there, Jennifer,
7 you know, because I think I'd like to base our discussion
8 around this slide.

9 But I'd like to start with just seeing if
10 anybody has any questions on the material that we've
11 presented or comments on stuff that we may have missed or
12 don't have included.

13 MR. DIXON: Yeah. This is Andrew Dixon, with
14 NDEP. I think a permitting requirement that you may have
15 missed is a working waters permit from the State. So
16 water pollution control does do those permits as well.
17 They're generally a temporary permit for six months.
18 Some of that program could be changing with kind of
19 updating for us, but a permit would still be needed.

20 So I think maybe just including that with the
21 storm water permit if you plan on doing -- having any
22 equipment within the water or diverting flow or anything
23 like that.

24 MR. GREEN: Sounds good. Thanks, Andrew.

25 MR. ABDALLA: This is Bill. Can you hear me?

1 MS. TORTELLI: Yes, Bill, we can hear you.

2 MR. ABDULLA: Okay. My first question is:
3 Is there federal aid money in this project, meaning
4 coming from federal highway?

5 MS. TORTELLI: Yes. I mean, right now, we're
6 doing -- so let me be specific. Right now, we're doing
7 this feasibility study. This particular project is
8 funded with RTC fuel tax.

9 At the close of this feasibility study, we
10 intend to kickoff the NEPA process. And we at RTC have
11 identified right now, I think, like two and a half
12 million dollars of federal STBG money for that as to be
13 included as part of that process. So does that answer
14 your question?

15 MR. ABDULLA: Yes. Yes, I just want to know
16 if we should get involved or not.

17 MS. TORTELLI: Absolutely.

18 MR. ABDULLA: My other question is: Is this
19 a historic bridge?

20 MR. GREEN: No. NDEP -- there's a report out
21 there. NDEP concluded that the bridge was not historic.
22 We can capture that in the notes, I think, going forward.

23 MS. TORTELLI: Yeah. The bridge itself is
24 not historic, right? But there are historic properties
25 around the bridge.

1 A VOICE: Correct.

2 MS. TORTELLI: Right.

3 MR. ABDULLA: So that means we don't have
4 4(f) with the bridge, which is good.

5 My other thing is related to the 404 Permit.
6 Are we going -- when we talk about 404 Permit, are we
7 talking about a nationwide permit or are we talking about
8 an individual 404 Permit?

9 MS. THOMASON: This is Jennifer with the
10 Corps, the 404 program. That decision -- there's not
11 been a decision because we don't yet know what the impact
12 level for the project is going to be, so we wouldn't be
13 able to assess the appropriate type of permit for the
14 city evaluated other.

15 (Cell phone ringing.)

16 MR. ABDULLA: Whoa. Sorry.

17 MS. THOMASON: We don't have an idea of what
18 type of permit this project would be evaluated under
19 because we don't know what the impacts for or the
20 ordinary high water marks is at this time.

21 MR. ABDULLA: Great. Thank you.

22 MS. THOMASON: Yep.

23 MR. ABDULLA: That's all that I have for now.

24 MS. THOMASON: So this is Jennifer again.

25 And one of the things that I want to be clear about on

1 the way the 404 and the 408 Permits kind of work together
2 is that while I cannot make any 404 decision without the
3 408 permission, if one is needed, we do have concurrent
4 and try to run concurrent reviews as far as for Section 7
5 and Section 106. But in this case, the federal highway
6 is the lead on that, on those aspects. That could change
7 that permitting timeline to the 404 side.

8 MS. TORTELLI: And why is that? Because they
9 approach it differently, Jennifer, or and maybe they
10 don't run concurrently?

11 MS. THOMASON: So the impact is that if
12 federal highways is the lead agency, whenever you --
13 whenever the application to the 404 comes in, presumably,
14 your Section 7 is being handled through federal highways.
15 They've already done that through the NEPA. They've
16 already done those consultations with U.S. Fish and
17 Wildlife Service, or in the case of Section 106, with the
18 state historic preservation office.

19 And so when federal highways is the lead, so
20 long as they have that -- that consultation has included
21 the Corp's area of interest, we can adopt those
22 consultations and not have to re-do those. But we need
23 to make sure that when federal highways is doing those
24 consultations that the Corps' area of interest, both for
25 404 and 408, are included. And then we can adopt those

1 things so that we don't have multiple consultations going
2 out.

3 So if you give me a 404 Application where
4 Section 7 is completed and Section 106 with the State
5 Historic Preservation Office is completed, I can adopt
6 those consultations.

7 Now, for the Corps for the 404 part, we still
8 have to do our own tribal consultations, and 408 and I
9 would try to work together to do those so that we're
10 still only presenting one consultation for the tribes and
11 not confusing and not doing multiple consultations for
12 our areas.

13 MS. TORTELLI: Okay.

14 MS. THOMASON: However, if you decide to
15 clear span and you're able to take out the piers without
16 getting below the ordinary high water marks, you wouldn't
17 even need a permit for 404, and you'd just have to do a
18 408. Not that I'm looking for an easy out, but, you
19 know, that's for your consideration.

20 MS. WILLIAMS: So this is Lori Williams.

21 MS. THOMASON: Go ahead, Lori.

22 MS. WILLIAMS: So while you're on the topic
23 of 408 Permits, it says here that the Army Corps will
24 coordinate with the Carson-Truckee and State Lands and
25 USA, the civil.

1 And just to be clear, your application for
2 the 408 Permit has to go through the local sponsor, which
3 is the Carson-Truckee Water Conservancy District. And
4 then we work with the flood branch in Sacramento to get
5 the authorization to issue this permit. And as Jennifer
6 said, hopefully, she and Brian Luke team at the flood
7 branch will coordinate their tribal consultations, and
8 federal highways, NEPA, Section 7 and 106 can also
9 include those aspects, and then all of it can be done at
10 once.

11 I also want to clarify in this presentation,
12 it says that flood risk modeling is required, and that
13 certainly is one aspect. And if you're going to get
14 money from like the flood project, you need to have this
15 two-foot freeboard. That is much less of a concern for
16 the Carson-Truckee when we look at it than when the Army
17 Corps Flood Hydraulics Team looks at the hydraulic
18 modeling for your project.

19 We will specifically and they will be looking
20 at things like changes in water surface elevation. Their
21 standard is a tenth of a foot, so you want to like reduce
22 the water elevation, which this project probably will,
23 but we also need to look at like scour and velocities and
24 issues like that that may be created by the project and
25 by the removal of the pier.

1 But just got to put a plug in for this
2 because the Virginia Street Bridge -- while a beautiful
3 bridge -- does not allow access to the river from the
4 bridge. And so one of the issues for the district is
5 it's our responsibility to maintain the flood channel,
6 and we need access to the river and we need access to the
7 river for removal of debris that gets stuck in the river.

8 And particularly in this area where the kayak
9 part builds up sediment, the city might be interested
10 because we will hound them mercilessly to remove
11 sediments. This project may want to look at how to
12 incorporate some access for equipment for sediment
13 removal.

14 And then on a later slide, you talk about
15 using the TRISMA model. And we originally got our model
16 updated from the TRISMA model, but we recently identified
17 that the model in this area that TRISMA had given us had
18 the kayak park design but not the kayak park as built.
19 And so we have updated our flow model, and if TRISMA
20 wants to update their flow model. But when we look at
21 that flow model, we're going to be looking to make sure
22 that the model that you're using has the updated as-built
23 kayak park in it.

24 Our analysis has shown that it did make some
25 difference in the flood waters and elevations having the

1 real channel versus the design channel, I guess I'll say.
2 We do have that model available, and we've given it to
3 Jacob. So the modeling engineer at Jacob has a copy of
4 our model.

5 And again, we're going to be most interested
6 in looking at that model from a perspective of water
7 velocity, scour, water surface elevation increases, and
8 we are specifically looking at a flow rate at 14,000 CFS
9 where the bigger picture is really the hundred-year
10 flood.

11 So you'll need to look at both of those
12 specifically, and your application for the 408 Permit
13 should be targeted only really at the 14,000 CFS flood
14 level flow level, which is different than the
15 hundred-year flow level.

16 So those are some comments that I want to put
17 in upfront so that we don't get confused about what model
18 to use when and what our expectations will be.

19 And then one final thing. A couple of years
20 ago, the Corps of Engineers flood group ran out of 408
21 permitting permit review money. It looks like they're
22 going to run out of that money again this year.

23 And so as you approach an application for
24 this 408 Permit, you may want to consider whether or not
25 you are willing to fund your own 408 Permit review

1 through the Army Corps Flood Branch. They have a couple
2 of mechanisms to do that. And that may become necessary
3 if they run out of money in the middle of your project.
4 Otherwise, they'll put it on the shelf until they get
5 refunded. So just something to keep in mind. I know
6 it's down the road several years, but it seems to be a
7 recurring issue at the Corps of Engineers Flood Branch.

8 MS. KOSKI: Lori, thank you very much. This
9 is Kerrie at the City of Reno. I really appreciate that,
10 all of the information that you just went through because
11 those are the high points that I recall we went through
12 kind of late in the Virginia Street Bridge process. So
13 some of them, obviously, we did not go through.

14 I just thought that perhaps, Judy, if you
15 could maybe make a notation on all of those requirements
16 that we just went through. And my question is: On the
17 freeboard -- I just want to make sure that I understood
18 you correctly -- that the Carson-Truckee Conservancy is
19 not concerned as much with the two-foot freeboard as you
20 are all of the other things that you just described. Is
21 that kind of a summary, Lori?

22 MS. WILLIAMS: Well, that's correct, Kerrie.
23 And the reason for that is the two-foot freeboard is
24 really like for Army Corps Flood funding, and for like
25 the flood project funding, and that's based on the

1 hundred-foot or the hundred-year flood.

2 And our jurisdiction for the 408 Permit and
3 thus the flood branch's jurisdiction for the 408 Permit
4 is at 14,000 CFS. And I'm going to submit to you that
5 the hundred-year flood is probably more like 18-to-20,000
6 CFS.

7 MS. KOSKI: Correct.

8 MS. WILLIAMS: So designing your bridge to
9 that level only can help the 14,000, really.

10 MS. KOSKI: Correct.

11 MS. WILLIAMS: But that won't be a criteria
12 that we look at at all.

13 MS. KOSKI: I would agree that I don't
14 believe that we will be getting any funding from the
15 local flood agency. I don't see that unless Judy and
16 your team know something different. I don't see that
17 being on their radar at this point, so --

18 MS. WILLIAMS: The reason that matters is
19 because what the decision was on the Virginia Street
20 Bridge is to go for one foot of freeboard against the
21 Hundred-Year Flood Project or the hundred-year flood
22 rather than a two-foot freeboard because that project was
23 not going to get money.

24 MS. KOSKI: Correct.

25 MS. WILLIAMS: So the project team probably

1 should keep that in mind, that if you're not going to use
2 that funding, then it gives you, I'll say, some other
3 options, maybe.

4 MS. KOSKI: Yes. Yep. Noted. Yes. Very
5 good description. Thank you.

6 MS. WILLIAMS: That's all I have unless
7 somebody has questions.

8 MR. LUKE: This is Brian Luke from Corps 408.
9 So thank you, Lori, for that terrific information there.

10 And so just two points I'd like to make is
11 that the Corps, Jennifer, and I, will want to designate
12 federal highway as the lead federal agency with a formal
13 letter, so as soon as that would be appropriate, the
14 Corps would want to send a letter to federal highways
15 designating them lead, and then we would be covered under
16 their consultations.

17 The other point is that what Lori mentioned
18 on our 408 funding, it is true. We are currently pretty
19 much out of money on a national level until the first of
20 October when our new fiscal year starts and we get our
21 new appropriations.

22 Moving forward, I know you're a ways away,
23 but we do -- as you move through this thing -- you can
24 get an 1156 agreement. That's one. We also have 214
25 agreements with agencies, but we can -- and we've done it

1 with other applicants -- to get 1156 funding agreement in
2 place for the project but not funded. So that can help
3 in times like this in the summer.

4 We have a couple of projects. They have 1156
5 agreement in place, and now that we've run out of
6 funding, that agreement's already done and so now it's a
7 much shorter process to actually fund it when they need
8 it.

9 So something to just keep in mind moving
10 forward. Hopefully, hopefully, Congress will start
11 funding us what we need on a national level the 408
12 program, but currently, that is an issue.

13 And there is information on our Section 408
14 website on the Sacramento District that talks about
15 funding agreements, also talks about categorical
16 permissions that this bridge could potentially fall
17 under, which makes my environmental review a little
18 easier and quicker.

19 But we still have, you know, so Jennifer and
20 I will work concurrently on all of the environmental
21 reviews required for both our permitting actions. The
22 one additional review process that the 408 has that Lori
23 was mentioning was hydraulic and levy safety review, if
24 there are levies involved. So that's a little 408 tidbit
25 in a nutshell.

1 MS. WILLIAMS: I might also add one of your
2 RTC projects is trying -- is getting into an 1156
3 agreement right now for the half associated with the NDEP
4 Spaghetti Bowl Bridge. And the reason for that is
5 because otherwise, funding will shut down for that
6 project. So RTC will have some prior experience with the
7 funding agreement.

8 MS. TORTELLI: I appreciate you letting me
9 know that. I didn't even realize that that was --

10 MS. WILLIAMS: I think --

11 MS. TORTELLI: -- doing -- that's why it's
12 going to start moving along again, I would guess.

13 MS. WILLIAMS: I think Jeffery Albrecht has
14 been negotiating that.

15 MS. TORTELLI: Yeah. Thank you.

16 MS. THOMASON: This is Jennifer, with the
17 Corps. I'm going to remind everyone to identify yourself
18 when you begin speaking for the court reporter to be able
19 to record the comments. And that was Lori Williams that
20 was advising on the current RTC agreement work.

21 MR. ABDALLA: Jennifer, this is Bill with
22 Federal Highway Administration. Who would be applicant
23 for the 408 Permit?

24 MS. THOMASON: I believe that would be RTC,
25 but Lori or Brian can jump in there to help out. I don't

1 know how that works as far as even the federal highways
2 is designated the lead federal agency for both 404 and
3 408. I think the applicant would still remain RTC.

4 MS. WILLIAMS: Yeah. The applicant would be
5 RTC in my mind on this one. I mean, it could be the City
6 of Reno, but it makes more sense in this case to be an
7 RTC application. That was Lori Williams, by the way.

8 MR. ABDULLA: And this is Bill again. The
9 Corps will issue any permit with a 408 or 404 whether
10 before we start the NEPA documents or do we have to wait
11 for the NEPA documents? I'm just wondering.

12 MS. WILLIAMS: That would be part of the NEPA
13 document and the NEPA process. We're not anticipating
14 submitting anything prior to. Right?

15 MR. BOYD: Right. We would do some of the
16 investigation that supports the permit. That information
17 can also go into the NEPA document and ask (beeping) the
18 NEPA document prior to when our construction is
19 approximately maybe 30 percent, 30 to 60, and then that's
20 when we'd submit the permit.

21 MS. THOMASON: On the talk of the NEPA part,
22 I guess what -- I don't know if Andy Starostka, U.S. Fish
23 and Wildlife, are you still on the line? Okay. It looks
24 like he dropped off. I was going to try to find out if
25 he had any, like based on your alternatives, if there was

1 anything he wanted to add.

2 Donna, are you on from the Pyramid Lakes
3 Paiute Tribe?

4 MS. NOEL: Yes, I'm on.

5 MS. THOMASON: There she is. I kept seeing
6 your name, but I couldn't hear you earlier. So Donna is
7 -- Donna, can you identify who you are with the tribe,
8 please? Can you hear me, Donna?

9 MS. NOEL: I'm being unmuted. Can you hear
10 me now?

11 MS. THOMASON: Yeah. There you are. There
12 you are.

13 MS. NOEL: I keep getting muted or unmuted.
14 I don't know. So my name is Donna Marie Noel. I'm the
15 natural resources director for the Pyramid Lake Paiute
16 Tribe.

17 MS. THOMASON: Thank you, Donna. And so do
18 you have any immediate concerns or comments on the
19 information that's been presented?

20 MS. NOEL: No. I think it looks pretty
21 thorough, and I'm looking forward to reviewing a bunch of
22 documents.

23 MS. THOMASON: Thank you. Trying to see if
24 there's any of the other resource agencies. Did anyone
25 from U.S. EPA join? No? Okay.

1 So, Judy, with Donna being the only one on
2 line as far as the other like consultation resources and
3 for your NEPA process, I don't think -- I think 408 has
4 clarified everything else that I wanted to make sure that
5 we got straight on those needs. And I don't think anyone
6 is on from NDEP 41.

7 The 41 certification is an NDEP -- it's a
8 separate application. Birgit Widegren is the current
9 supervisor for that section, and she's the one who is
10 assigning those. That application would be submitted to
11 her concurrently with your 404 Permit. So while it kind
12 of happens at the same time, it's not something that we,
13 through the 404, actually do. It is a separate
14 application that you'd need to submit to NDEP.

15 MR. LUKE: This is Brian Luke for NDEP.

16 MS. THOMASON: I heard Brian Luke. Go ahead.

17 MR. LUKE: It's Brian Luke, for Corps 408.

18 So on the NEPA question, if the Corps is
19 going to adopt federal highways' NEPA document, if it's
20 going to be an EA, for example, or an EIS and we were to
21 adopt it, then obviously the NEPA would have to be --
22 their NEPA would have to be complete for us to issue the
23 408 Permit.

24 If the project fits under one of our
25 categorical permissions or we can complete our NEPA with

1 a categorical exclusion, then we would do our NEPA
2 independently, but we would still use their consultation
3 documents under Section 7 and 106.

4 MS. TORTELLI: So based on the silence, I'm
5 going to ask a question really quick because we started
6 the presentation off with the City of Reno Special Use
7 Permit.

8 And as Ken alluded to, when we had our
9 initial stakeholder works group meeting -- and just as
10 the design team have looked at it -- we don't really feel
11 like that's something that's going to be required for
12 this project. I would like to take that off the list
13 unless someone is seeing something different. Okay.

14 MS. KOSKI: This is Kerrie, with the City of
15 Reno, and I believe -- Claudia, correct me if I'm
16 incorrectly speaking here -- but I believe that we
17 determined that special use permit is not needed for a
18 bridge replacement in this area. Does that ring a bell?

19 MS. SCHROEDER: Yes, it does. Sorry. I had
20 to get to unmute. Yes. I agree.

21 MS. KOSKI: So, Judy, you're absolutely
22 correct. We can take -- we would support taking that off
23 the list.

24 MS. TORTELLI: Okay. I'm going to go ahead
25 and take that off of the list. And then I know Jennifer

1 had talked about the -- so I'm looking at the alternative
2 specific requirements, right? We have alternative two,
3 and it's a clear span. She mentioned if it's a clear
4 span, we don't need the 404.

5 MR. BOYD: Well, we've got two piers, then
6 the river.

7 MS. TORTELLI: So that's where the 404 is
8 coming in because we have to take those out?

9 MR. BOYD: This is Brian Boyd. If you're
10 going to be doing work below the ordinary high to get
11 those piers out, we would need one of four types of the
12 404 Permit. I think that's what she was saying.

13 MS. TORTELLI: Okay.

14 MS. THOMASON: Right. So if you needed to
15 remove those piers, if you needed temporary access so you
16 had to build, you know, a pad to set equipment on to pull
17 that material out of the river or something like that,
18 that would still require a 404.

19 If you found a way to remove those piers
20 without putting any additional material below the
21 ordinary high watermark, you could end up not needing a
22 permit. So it depends on how you conduct the work.

23 The 404 program regulates the discharge of
24 fill material below the ordinary high watermark or in
25 wetlands that are jurisdictional under our authority. So

1 if you're able to conduct your work where you have no
2 discharges of any type of fill material, material that
3 changes the bed elevation, the banks, that sort of stuff,
4 if you're able to do that work without placing material
5 below the ordinary high water marks or an adjacent
6 wetland, you could, theoretically, not need a permit from
7 us.

8 MS. KOSKI: This is Kerrie at the City of
9 Reno. Judy, I'd like to just chime in here. Based on
10 what we saw with previous bridge work that we've done
11 within the river, I am not seeing that -- I'm not feeling
12 like we should commit to that.

13 MS. TORTELLI: Yeah. I agree.

14 MS. KOSKI: I'd just like to throw it out
15 there. And Lori Williams, I would -- I know you probably
16 might have some thoughts about this as well, but I feel
17 pretty strongly that I don't think that we should commit
18 that we could not remove it without meeting the
19 requirements that Jennifer just spoke of.

20 MS. TORTELLI: Okay. Yeah. I agree, Kerrie.
21 Well, you know, if I could check off a permit, but, you
22 know, you've got to do the permitting for the bridge.
23 Right?

24 THE COURT REPORTER: Brian, I can't hear you.

25 MR. GREEN: That was Ken. So I was

1 indicating it's not just the piers. It's also the
2 headwalls, the bridge structure itself.

3 MS. KOSKI: Correct.

4 MR. GREEN: That could potentially get down
5 below the ordinary high and require a permit.

6 MS. WILLIAMS: And this is Lori Williams.
7 Just to chime in, like if you used Virginia Street as an
8 example, you needed to divert the river to be able to put
9 in the headwalls to attach the bridge to, and you had to
10 remove that pier. And when you removed that pier,
11 something had to go back in the river, and that had to be
12 -- I'll call it fill material.

13 And so I personally don't see how you can or
14 why you'd even try to get around the 404 Permit. Just
15 get the permit, and you can do what you need to do.

16 MS. KOSKI: Thank you, Lori. I concur.

17 MR. LASSALINE: This is Peter Lassaline, with
18 NDEP. May I, real quick?

19 Something she mentioned was the possibility
20 of encountering groundwater or any water that's just not
21 the surface flow. And if that needs to be discharged,
22 de-watered in some way, that would also require
23 additional permits.

24 MS. KOSKI: This is Kerrie Koski, and I agree
25 with that one hundred percent that that was something

1 that we didn't deal with upfront on the Virginia Street
2 Bridge, and when the gentleman was just describing the
3 water level, it's anything below the surface. And there
4 is water below the surface.

5 MR. LASSALINE: Right. So depending on what
6 happens with that, there are various permitting options
7 that the water pollution control -- there are permits
8 that can be issued for how that is disposed of, but a
9 permit would likely be required.

10 MS. WILLIAMS: This is Lori Williams again.
11 Kerrie, you might recall that on the Virginia Street
12 Bridge, we ended up putting that de-watering water in the
13 sewer.

14 And one of the limitations, Peter, at that
15 time, was the de minimus permit was kind of, I'm going to
16 say the only option since no NPDES permit was achieved.

17 So I don't know if there's another option
18 that's currently available now, but I would recommend
19 that RTC start exploring that with NDEP, those
20 de-watering options and water quality issues related to
21 that because on the Virginia Street Bridge, that water
22 ended up having to be treated and then put into the sewer
23 system because of both potential contamination and also
24 due to volume, just sheer volume of the water.

25 MS. KOSKI: Correct. And I would just like

1 to highlight when we did that work, we were in our what,
2 third year of drought, so --

3 MS. WILLIAMS: As a blessing, yes.

4 MS. KOSKI: -- as a blessing. That helped
5 us. That helped us. Yes. So I concur that the
6 de-watering and water quality is something that needs to
7 be addressed right upfront. It drives everything.

8 MR. DIXON: This is Andrew Dixon, with NDEP.
9 I just want to have you guys keep this in mind. If it
10 ends up needing to be individual permit, whether that's
11 NPDES or an NS state permit to dispose of the water,
12 those can take upwards of six months, sometimes longer to
13 get out.

14 So that's something that the sooner you know
15 about in the process, probably the better to reach out
16 and talk to us about.

17 MS. WILLIAMS: Thank you for that reminder on
18 that timeline, Andrew. That rings a bell. And I would
19 put the longer in there, Judy, in your --

20 MS. TORTELLI: Yeah.

21 MS. WILLIAMS: -- the timeline based on what
22 we're going through right now with COVID and the delays
23 that happen within the agencies.

24 MS. TORTELLI: Right.

25 MS. WONG: This is Lucy Wong. I'm going to

1 have to leave soon, so I'm going to put in my two cents
2 about state lands permits.

3 So it looks like we'd have to do this in a
4 two-step process. The first step would be getting a
5 temporary authorization to remove the bridge or do any
6 studies that you need, and then that would be followed up
7 by a long-term or perpetual easement of -- so we'll have
8 to account for a two-step process in your timeline.

9 And if this is federally funded or working
10 through the federal highways folks, then we may need to
11 use a temporary construction easement instead of a
12 temporary right-of-entry augmentation. But that's
13 probably later down the road. So you can put state lands
14 permitting process more toward the end because we would
15 like to get plans and whatnot along with the application.

16 MS. TORTELLI: And, Lucy, what is the time
17 frame of those processes? I mean, is it like a six-month
18 process to get temporary authorization to remove the
19 bridge or --

20 MS. WONG: Right. So accounting for all of
21 the delays we've been seeing, I would estimate about
22 three months, approximately, because we do have to do a
23 30-day public comment period review. And then following
24 that, it has been taking us a little longer than normal
25 to push the documents through for authorization. So I

1 would give it a good three months.

2 MS. TORTELLI: Okay. And then for the -- to
3 get the easement or temporary construction easement or a
4 right of entry, depending on funding, I mean, what's the
5 time frame on that?

6 MS. WONG: So, sorry. The authorization or
7 the temporary construction easement will take about three
8 months. But when you convert it into a permanent
9 easement, that process shouldn't take as long because all
10 of the work will be done to get the approval for the
11 temporary construction easement.

12 MS. TORTELLI: Okay. Got you.

13 MS. KOSKI: And, Judy, the long-term easement
14 will need to be within the city's name. RTC doesn't have
15 the ownership, Lucy, just for clarification there. The
16 temporary authorization, can you clarify, does that have
17 to come from the City of Reno or, I mean, obviously RTC
18 would act as our agent, but does that have to be in our
19 name or how does that work?

20 MS. WONG: No, it doesn't have to be in your
21 name. The person who applies will basically take
22 responsibility for the construction work, so if anything
23 goes wrong, we need a person to reach out to resolve any
24 issues. So that could be RTC or the Jacob Group or
25 whoever is doing the majority of the work.

1 MS. KOSKI: Okay. Thank you. This is Kerrie
2 Koski again. So for the temporary authorization or slash
3 construction authorization, that could be applied for and
4 granted to the RTC or their consultant.

5 MS. WONG: Yes.

6 MS. KOSKI: And it would be no problem with
7 the city having the long-term easement.

8 MS. WONG: No, yeah. That would work for us.
9 That happens quite frequently where it gets turned over
10 to a local government agency to do the long-term
11 maintenance and management.

12 MS. KOSKI: Okay. Perfect. Thank you so
13 much for that.

14 MS. WONG: Okay. Thank you. I'm going to
15 have to sign off now. Thank you guys. Bye.

16 MS. THOMASON: We have about ten minutes
17 left.

18 So, Judy, is there anyone else specifically
19 that you're looking to hear from?

20 MS. TORTELLI: No, there's not, really. I
21 mean, I guess, as I kind of alluded to earlier and when
22 you've looked at this chart with all of its checkboxes
23 and stuff in it, you know, all of the various
24 alternatives are pretty even in terms of permitting and
25 regulatory requirements.

1 I think the exception to that may be the
2 tied-arch or the elevated concept. And our thought
3 there -- I'm going to let Ken just talk about where our
4 thought was there, but maybe those two specific
5 alternatives are a little bit more challenging from a
6 permitting perspective.

7 MR. GREEN: Yeah, I think they're going to be
8 more -- this is Ken Green -- I think they're going to be
9 a little more challenging from a permitting perspective.

10 And certainly, in terms of maintenance,
11 whether it be for removing debris from the channel or
12 maintaining removing sediment from the kayak park, the
13 tied-arch structure is going to be -- I think it's
14 constructed similar to the Virginia Street Bridge, right?

15 MS. TORTELLI: Right.

16 MR. GREEN: And so access to the channel and
17 to the materials below the bridge is -- it's going to be
18 a similar challenge to what we've already got or what
19 we're seeing with the Virginia Street Bridge.

20 And then the elevated bridge, you know, it's
21 just occupying so much of Wingfield Park. It's elevated.
22 There's an opportunity, I think, with that concept to be
23 able to remove debris from the channel. But getting
24 equipment off that bridge down into the park is -- it's
25 not an option, at least based on the current conceptual

1 design.

2 MS. TORTELLI: So I guess, you know, I just
3 would like to maybe gain concurrence from the folks that
4 are on the phone that you agree with that statement that
5 maybe those two concepts are going to be more challenging
6 permitting as something that we could move forward with
7 as kind of a result from this TAC meeting.

8 Does anybody disagree with that point or --

9 MS. WILLIAMS: This is Lori Williams. And so
10 like the beautiful design of the Virginia Street Bridge
11 is good, but the sidewalks on the outside of the arches
12 are cantilevered, and so they aren't really supported
13 like for equipment if you wanted to widen those and make
14 those available for equipment access.

15 But then clearly, that drives up the cost.
16 You need a wider bridge abutment. And so I can see that,
17 you know, it really makes it infeasible to do that. And
18 so ideally, that wouldn't be the design, from the
19 Carson-Truckee channel maintenance perspective.

20 MS. KOSKI: Kerrie Koski here at the City of
21 Reno, and I would like to add that we have had those
22 conversations as well as far as our own maintenance
23 during high water levels that we would prefer to have
24 some -- prefer to have an access to the river, unlike
25 what we have on the Virginia Street Bridge. So I'm

1 supporting Lori's statement.

2 MS. TORTELLI: Well, it doesn't sound like --
3 this is Judy Tortelli again. You can probably tell, but
4 it doesn't sound like there's any additional input on
5 this. I think we've gotten great feedback today. We
6 really have. I appreciate everybody's participation.

7 We will be, you know, as I stated, we'll have
8 a court reporter and we'll have transcribed notes from
9 this meeting. We'll probably put together -- probably
10 have the design team put together just kind of a quick
11 summary of discussion items and send it out to everybody
12 that attended just to make sure that you agree with what
13 we're saying and make sure that nobody wants to add
14 anything.

15 So, Jennifer, I really appreciate you hosting
16 this and letting us know that you have these. I think
17 this was a great forum to have this meeting. So I guess
18 with that, we're done unless anybody has any questions,
19 additional last additional questions.

20 MS. THOMASON: Giving you 30 seconds. This
21 is Jennifer, with the Corps. I'm giving a 30-second
22 countdown to Judy.

23 Does anyone have any final thoughts,
24 questions, concerns, red flags? Anything of that nature?

25 MS. KOSKI: This is Kerrie, at the City of

1 Reno. And I would also like to thank you, Jennifer, for
2 putting this together and getting all of the players
3 together, I think, or people that are involved in this
4 project. I appreciate your time. Being with the City of
5 Reno, we know how valuable everyone's time is. I
6 appreciate that very much, and this has been really good
7 information. Thank you all.

8 MS. THOMASON: Thanks, Kerrie.

9 Anybody else? T-minus 15 seconds. All
10 right. We'll call that a wrap. Thanks, Bill.

11 Thanks, everybody from the City of Reno. I
12 appreciate everybody's time.

13 (The meeting concluded at 10:27 a.m.)

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1 STATE OF NEVADA,)

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3 WASHOE COUNTY.)

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I, NICOLE J. HANSEN, Official Court Reporter for the
7 Technical Advisory Committee Meeting, do hereby certify:

8

9

That on the 15th day of July, 2020, I was
10 present remotely at said meeting for the purpose of
11 reporting in verbatim stenotype notes the within-entitled
12 public meeting;

13

That the foregoing transcript, consisting of pages 1
14 through 48, inclusive, includes a full, true and correct
15 transcription of my stenotype notes of said public
16 meeting.

17

18

Dated at Reno, Nevada, this 16th day of
19 July, 2020.

20

21

Nicole J. Hansen

22

NICOLE J. HANSEN, NV CCR #446
RPR, CRR, RMR

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