

Staff Report

TO: Board of Directors
FROM: Greg Jones, Assistant General Manager
DATE: October 9, 2024
SUBJECT: Rollins Emergency Slope and Sediment Stabilization Project
(Project #2709)

ADMINISTRATION

RECOMMENDATION:

Adopt a Resolution approving a budget amendment and authorize the District to enter into an emergency contract in the amount not to exceed \$250,000 for slope and sediment stabilization activities and authorize the General Manager or designee to execute appropriate documents.

BACKGROUND:

In the Summer of 2024, unauthorized equipment and individuals trespassed onto NID property in a remote section of the Bear River arm of Rollins Reservoir. A steep, forested and remote portion of NID's property was cut for the purposes of an unauthorized road terminating at the reservoir.

The party responsible for this trespass, a property owner near-adjacent to NID's disturbed land, has admitted to developing a roadway through NID property to the reservoir. The significant amount of earthwork and vegetation clearing activities which occurred were not authorized by NID. The work has destabilized the area and has caused damage to NID real property.

These activities have altered the natural vegetation, slope and watershed characteristics in the disturbed area. NID is seeking to retain a third-party contractor to implement slope and soil stabilization measures above the water line to remediate the land while attempting to protect, restore and maintain a healthy watershed.

In August, the responsible party signed a Right-of-Entry Agreement with NID which, among other things; (i) authorizes NID and its contractors and consultants a right to ingress and egress through private lands to access the disturbed NID parcel; and (ii) solidifies an agreement of the responsible party to reimburse NID for all costs incurred because of the repair activities to NID property.

On September 19, 2024, NID submitted a Request for Quote from three local contractors to perform remediation activities: Hansen Bros., C&D Contractors, and

Neil's Controlled Blasting. On September 30, 2024, NID staff conducted an on-site mandatory pre-quote site walk – all three contractors were present. Through the conversations on-site, staff realized that the original scope was extremely costly to implement. A refined scope was discussed among and with the contractors which includes stabilization of the loose fill below the road, stabilization of the soil on the road, effective water bar installation to slow water flow, and hydroseeding of the area to promote regrowth and long-term natural stabilization.

A revised request for quote based on an amended plan has been sent to the contractors. NID staff seeks the appropriated funds with additional time to attain other quotes from the revised plan. To beat the winter rains and winter storms, a contract would then be finalized as soon as possible. This is a prevailing wage contract.

BUDGETARY IMPACT:

This project contract in the amount of \$250,000 was not anticipated in the 2024 budget. In keeping with NID's procurement procedures, this contract would require a budget amendment of an additional \$250,000 to Fund 70 (Administration Department), identified in the attached resolution.

After the project is complete, NID will invoice the responsible party. NID has demanded that the responsible party reimburse NID for all costs and expenses incurred as a result of the trespass, including without limitation all contractor, staff, legal and material expenses necessary to abate and remediate the unlawful alterations and conditions, and they have agreed to do so both orally and in writing.

Attachments (1)

- Resolution No. 2024-39



RESOLUTION NO. 2024-39
OF THE BOARD OF DIRECTORS OF THE NEVADA IRRIGATION DISTRICT

**BUDGET AMENDMENT FOR ROLLINS EMERGENCY SLOPE AND SEDIMENT
STABILIZATION PROJECT (Project #2709)**

WHEREAS, In the Summer of 2024, unauthorized equipment and individuals trespassed onto NID property in a remote section of the Bear River arm of Rollins Reservoir.; and

WHEREAS, A steep, forested and remote portion of NID’s property was cut for the purposes of an unauthorized road terminating at Rollins Reservoir; and

WHEREAS, The significant amount of earthwork and vegetation clearing activities which occurred were not authorized by NID. The work has destabilized the area and has caused damage to NID real property; and

WHEREAS, The party responsible for this trespass, a property owner near-adjacent to NID’s disturbed land, has admitted to developing a roadway through NID property to the reservoir; and

WHEREAS, NID is seeking to retain a third-party contractor to implement emergency slope and soil stabilization measures above the water line to remediate the land while attempting to protect, restore and maintain a healthy watershed; and

WHEREAS, On September 19, 2024, NID submitted a Request for Quote from three local contractors to perform remediation activities and on September 30, 2024, NID staff conducted an on-site mandatory pre-quote site walk – all three contractors were present; and

WHEREAS, NID did not budget this project in the 2024 fiscal year and requires a budget addition of \$250,000 to the Administration Department’s consulting expense line item in order to execute a contract; and

WHEREAS, NID seeks to contract for the work in an amount not to exceed this budget amendment amount sooner than the next Board meeting in October; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Nevada Irrigation District, as follows:

- 1. Adopt a resolution authorizing a budget amendment of \$250,000 to Fund 70 (Administrative Department); and
- 2. Authorize the General Manager to enter into a contract in the amount not to exceed \$250,000 for soil and sediment stabilization emergency work at Rollins Reservoir; and
- 3. Authorize the General Manager or designee to execute appropriate documents.

BE IT FURTHER RESOLVED that the General Manager is hereby authorized to execute the appropriate documents.

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PASSED AND ADOPTED by the Board of Directors of the Nevada Irrigation District at a regular meeting held on the 9th day of October 2024 by the following vote:

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| AYES: | Directors: |
| NOES: | Directors: |
| ABSENT: | Directors: |
| ABSTAINS: | Directors: |

President of the Board of Directors

Attest:

Secretary to the Board of Directors