



# WASHOE COUNTY

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HR N/A  
County Clerk JQ

## STAFF REPORT BOARD MEETING DATE: May 12, 2015

**DATE:** April 17, 2015  
**TO:** Board of County Commissioners  
**FROM:** Chris Benedict, Remediation District Manager  
954-4642, [cbenedict@washoecounty.us](mailto:cbenedict@washoecounty.us)  
**THROUGH:** Dwayne Smith, P.E., Division Director, Engineering & Capital Projects,  
Community Services Department, 328-2043, [desmith@washoecounty.us](mailto:desmith@washoecounty.us)  
**SUBJECT:** Public hearing to consider all comments concerning a proposed  
amendment to the boundaries of the Groundwater Remediation District  
(Central Truckee Meadows Remediation District).

AND

Hold the first reading of an ordinance amending Ordinance No. 1000 in order to change the boundaries of District No. 24 (Groundwater Remediation); and providing other matters relating thereto. (Public Hearing for the second reading and adoption to be set for 6:00 p.m. on June 9, 2015.)

AND

Hold the first reading of an ordinance imposing a fee on the parcels of land in Washoe County, Nevada District No. 24 (Groundwater Remediation) to pay the costs of developing and carrying out a plan for remediation; and prescribing other matters relating thereto. (Public Hearing for the second reading and adoption to be set for 6:00 p.m. on June 9, 2015.) (All Commission Districts.)

### SUMMARY

In 1995 the legislature passed NRS 540A.250-285, allowing for the creation of a district for the remediation of the quality of water that is available for municipal, industrial, or domestic use. In 1997, the Washoe County Board of Commissioners (Board) passed Ordinance 1000 creating District No. 24 (the Central Truckee Meadows Remediation District) in accordance with NRS540A.250 to address the tetrachloroethene (PCE) contamination of groundwater that is utilized to meet water demands in southern Washoe County.

The Board is required to amend the Central Truckee Meadows Remediation District (CTMRD) boundaries when needed. The boundary changes are accomplished through an ordinance that is required by NRS 540A.262 to be introduced by the Board at a public hearing. The CTMRD boundaries consist of the Service Area Boundary and the Contaminant Boundary. As per NRS540A.250(3)(b), the Service Area Boundary includes the wholesale and retail service areas of any water purveyor with groundwater

AGENDA ITEM # 24

wells located inside area contaminated by PCE (i.e., inside the Contaminant Boundary). As per NRS540A.250(3)(a), the Contaminant Boundary includes the areas where groundwater is contaminated by PCE, and the areas where that contamination may migrate to if remediation is not carried out.

Amendments to the Service Area Boundary are required when there are changes in the wholesale and/or retail service areas of water purveyors with wells located inside the Contaminant Boundary. These changes occur when parcels are annexed into or removed from those service areas.

Amendments to the Contaminant Boundary are required when the results of CTMRD program activities define previously unrecognized contaminated areas, indicate that contamination no longer exists in areas previously within the Contaminant Boundary, or help identify the party or parties responsible for PCE contamination present in a particular part of the central Truckee Meadows. Amendments to the Contaminant Boundary result in the addition or removal of parcels and stem from a coordinated review of existing data with the Nevada Division of Environmental Protection (NDEP) and the Washoe County Health District (WCHD).

The Board is further required (NRS 540A.265) to determine by ordinance the amount of the fee to be collected in a given year for carrying out activities in support of the Remediation Management Plan (i.e. the "Plan for Remediation" referred to in NRS 540A.260).

Changes in the CTMRD Service Area Boundary and the determination of the annual remediation fees have occurred through ordinance amendments every year since 1998. Changes in the CTMRD Contaminant Boundary (first established in 2002) occurred in 2011 and 2014. No changes in the CTMRD Contaminant Boundary are being considered for 2015.

The number of parcels subject to the remediation fee, the average annual per parcel remediation fee for each benefit group, and the total annual remediation fee revenue that would result (or that has resulted in recent years) from the adoption of these ordinances are summarized in following table.

| <b>Summary Statistics Resulting from CTMRD Ordinance Amendments</b> |                         |                        |                         |                        |                         |                        |   |
|---|-------------------------|------------------------|-------------------------|------------------------|-------------------------|------------------------|---|
| <b>Fee Year</b>   | <b>Benefit Group</b>    |                        |                         |                        |                         |                        | <b>Total Annual Remediation Fee Revenue</b> |
|   | <b>A <sup>(1)</sup></b> |                        | <b>B <sup>(2)</sup></b> |                        | <b>C <sup>(3)</sup></b> |                        |   |
|   | <b># of parcels</b>     | <b>avg. annual fee</b> | <b># of parcels</b>     | <b>avg. annual fee</b> | <b># of parcels</b>     | <b>avg. annual fee</b> |   |
| <b>2015 (estimates)</b>   | 114721                  | \$8.72                 | 4799                    | \$10.23                | 2480                    | \$106.38               | \$1,249,995                                 |
| <b>2014</b>   | 114747                  | \$8.70                 | 4847                    | \$10.56                | 2480                    | \$105.13               | \$1,249,957                                 |
| <b>2013</b>   | 112752                  | \$8.73                 | 4895                    | \$10.46                | 2665                    | \$105.13               | \$1,249,929                                 |
| <b>2012</b>   | 107422                  | \$8.92                 | 3720                    | \$14.09                | 2457                    | \$119.74               | \$1,249,927                                 |
| <b>2011</b>   | 108005                  | \$8.86                 | 3576                    | \$15.08                | 2601                    | \$112.82               | \$1,249,954                                 |
| <b>2010 <sup>(4)</sup></b>  | 108101                  | \$15.46                | 6596                    | \$24.67                | 3737                    | \$220.97               | \$2,499,937                                 |

<sup>(1)</sup> Benefit Group A: all water using parcels within the CTMRD Service Area Boundary

<sup>(2)</sup> Benefit Group B: residential parcels within the CTMRD Contaminant Boundary (these parcels are also a subset of Benefit Group A)

- (3) Benefit Group C: non-residential parcels within the CTMRD Contaminant Boundary (these parcels are also a subset of Benefit Group A)
- (4) The 2010 fees and revenue predate a 50% fee rate holiday approved by the Board in 2011 and the use of a fund reserve in place of new revenue.

Washoe County Strategic Objective supported by this item: Sustainability of our financial, social and natural resources.

### **PREVIOUS ACTION**

Public hearings to introduce amendments to the CTMRD boundary ordinance and the remediation fee ordinance have been held annually by the Board since 1998. For the current year, the resolution to hold this hearing was adopted on April 14, 2015.

### **BACKGROUND**

#### **Boundary Amendment Ordinance (Exhibit 1)**

Each year the Board may amend the CTMRD boundaries to include parcels annexed into or to exclude parcels taken out of the service areas of the affected water purveyors (which determines the CTMRD Service Area and the parcels subject to the remediation fee) and to include any revisions to the CTMRD Contaminant Boundary (which determines the distribution of parcels in the three benefit groups and the associated tiered remediation fee rates).

***Service Area Boundary*** - NRS 540A.250 specifies that the CTMRD boundaries shall include the wholesale and retail service area of any water company with wells located in the contaminated area. Truckee Meadows Water Authority (TMWA) and the water utility of the Washoe County Community Services Department (CSD) operated wells within the contaminated area in 2014; therefore the CTMRD service area boundary proposed here incorporates the TMWA wholesale and retail service area and a portion of the CSD service area.

The 2014 calendar year CTMRD Service Area Boundary (upon which the 2015 remediation fees are based) includes all or part of these water purveyor service areas:

- TMWA;
- Sun Valley General Improvement District (SVGID);
- Parr-Reno Water Company; and,
- The water utility of the CSD.

NRS 540A.265 requires these water purveyors to provide the annualized water use (by Assessor's Parcel Number and in dollars) for each parcel in their respective service areas within ninety days of being requested. Since 2006, this request has been made by December 1 each year. Although NRS540A.265(1)(d) so allows, staff continues to recommend that the Board exclude assessing remediation fees against properties that are undeveloped (and receive no water service) or that receive water service wholly independent from any water purveyor with groundwater wells in the contaminated area. The CTMRD Service Area boundary has been amended by the Board every year since 1998.

***Contaminant Boundary*** - In 2002, in accordance with NRS 540A.265(1) the Board approved the delineation of the CTMRD Contaminant Boundary and a three-tiered

remediation fee structure (based on that contaminant boundary) to assign remediation fees in proportion to the benefits received. The CTMRD Contaminant Boundary is a subdivision of the CTMRD Service Area Boundary and includes that area where groundwater is contaminated by PCE, and where contamination may migrate if remediation is not carried out. In addition to receiving the benefit of being provided drinking water that meets the regulatory standards for PCE, owners of parcels located within the contaminant boundary who have not contributed to the PCE problem also receive the direct benefits of the action being taken to eliminate that contamination and the benefit of relief from any liability associated with PCE contamination on or under their property. Further discussion of the three benefit groups is included under the Fee Ordinance Amendments below.

The CTMRD Contaminant Boundary was initially defined in 2001 and amended for the first time in 2011 to reflect the then current PCE distribution. The changes in 2011 reduced the area (from roughly 16.5 square miles to roughly 9.5 square miles) and number of parcels (from 10,333 to 6,177) inside the Contaminant Boundary. Additional changes to the Contaminant Boundary in 2014 reduced the area (from roughly 9.5 square miles to roughly 8.5 square miles) and number of parcels (from 7,560 to 7,273) inside the Contaminant Boundary. In a manner consistent with NRS 540A.250(2), all changes to the Contaminant Boundary have been reviewed and approved by NDEP and the WCHD. There are no changes to the Contaminant Boundary being considered in 2015.

The Boundary Amendment Ordinance (Exhibit 1) identifies those areas annexed into the service area boundary during calendar year 2013 and identifies those parcels that are to be excluded from paying a remediation fee based upon continuation of the Board's previous direction. The proposed Service Area Boundary and still current Contaminant Boundary are shown on Exhibit 2.

### **Fee Adoption Ordinance (Exhibit 3)**

The CTMRD program provides benefits to three distinct groups among water users and property owners. These include the Water Users Benefit Group and two Contaminated Area Benefit Groups. A map showing the distribution of these benefit groups is included as Exhibit 4.

The Water Users Benefit Group (Group A) includes water-using parcels that receive wholesale or retail water service from water purveyors with groundwater wells located inside the contaminant boundary. Both TMWA and CSD have groundwater wells within the contaminant boundary. The Water Users Benefit Group includes all TMWA retail customers, all the other water service areas that receive wholesale water from TMWA, and pressure zone 11 of the CSD water utility. The primary benefit for this group is continuing to receive drinking water that meets the regulatory standards for PCE. These water users pay a fee based on annual water use, as has been the case since 1998. Water using parcel owners in this benefit group are assessed a fee based on annual water use.

The two Contaminant Area Benefit Groups include water-using parcels located where PCE contaminated groundwater is known to exist. The Contaminant Area Benefit Groups include all water-using parcels inside the Contaminant Boundary as shown in Exhibit 4. The Contaminant Boundary includes much of the historical commercial and

industrial districts located along or near the Virginia Street and old Highway 40 corridors. The Contaminant Area Benefit Groups include a Residential Benefit Group and a Non-residential Benefit Group.

Contaminant Boundary Residential Benefit Group (Group B) – This group consists of the owners of water using residential parcels within the contaminant boundary. The primary benefits received by this group are:

- 1) Receiving safe drinking water that meets the regulatory standards for PCE;
- 2) Protecting property values by avoiding a federal Superfund listing;
- 3) The ongoing actions being conducted to reduce or eliminate the PCE-contaminated groundwater beneath their property.

Contaminant Boundary Non-residential Benefit Group (Group C) – The benefits for this group are:

- 1) Receiving safe drinking water that meets the regulatory standards for PCE;
- 2) Protecting property values by avoiding a federal Superfund listing;
- 3) The ongoing actions being conducted to reduce or eliminate the PCE-contaminated groundwater beneath their property; and,
- 4) The limitation of liability afforded by NRS 540A.260(4).

NAC 445A defines actions that must be undertaken by a property owner if a hazardous substance is present in soils or groundwater on or beneath their property. The responsibility for performing these actions lies with the property owner even if the actions of the property owner did not cause the contaminated condition. The costs associated with characterizing the nature and extent of the contamination and performing corrective actions to attain concentration levels established by NDEP can be significant. Furthermore, property owner liability is typically strict and several even if the current property owner did not cause the contamination. The creation of the CTMRD protects innocent property owners (i.e., those property owners who did not cause or contribute to the PCE contamination) from liability for costs associated with characterization and remediation of the PCE contamination that they would otherwise be responsible for.

In accordance with NRS 540A.265, the Board approved a tiered fee rate structure for these benefit groups on May 24, 2002. This tiered remediation fee rate structure is:

- The base rate (1x) for the Water Users Benefit Group (Group A);
- Twice the base rate (2x) for the Residential Benefit Group (Group B); and,
- Four times the base rate (4x) for the Non-residential Benefit Group (Group C).

As shown in Exhibit 5, this tiered fee rate structure has been applied since the Contaminant Boundary was first defined in 2002.

### **FISCAL IMPACT**

Approval of these Ordinance amendments will add and remove parcels to/from the CTMRD Service Area Boundary, provide for operation and maintenance of well head treatment on five municipal wells, and provide for ongoing implementation of the Remediation Management Plan.

As shown in Exhibit 5, the FY15-16 CTMRD program fees are proposed to remain at reduced levels (comparable to those put into effect during the 2-year 50% rate reduction approved by the Board on May 11, 2011). The decreased fee levels for FY11-12 and 12-13 resulted from the utilization of a fund reserve that had been created and funded in the past to provide one year of CTMRD program revenues in the event that purveyor water use information could not, for any reason, be processed in time to meet the deadline for general property tax bill distribution. Remediation fee revenue will remain at reduced levels and existing fund balance will be expended while a long term Financial Plan for the CTMRD program is completed. This plan will include a business case, capital plan, and best practice financial tools to insure the long-term effectiveness of the CTMRD program while preserving the viability of groundwater resources and minimizing adverse impacts on the regional economy.

It should be noted that the figures shown on Exhibit 5 represent the annual average remediation fee paid by property owners in each benefit group. The actual remediation fee charged to a specific individual parcel is dependent on the type of water service (service size, residential or commercial, metered or flat rate) to that parcel and the actual water consumption (as indicated by the annualized water bill). It should also be noted that the 2015 fee distribution shown on Exhibit 5 is estimated. The first draft of the final fee distribution is scheduled to be completed on May 29, 2015. The final fee list will be delivered to the Treasurer's office (for inclusion on the general tax bills) no later than June 12, 2015.

The current budget for the CTMRD program has sufficient authority for continued operations utilizing existing resources and projected revenues from adoption of the Fee Amendment Ordinance.

### **RECOMMENDATION**

It is recommended that the Board of County Commissioners hold a public hearing to consider all comments concerning a proposed amendment to the boundaries of the Groundwater Remediation District (Central Truckee Meadows Remediation District).

AND

Hold the first reading of an ordinance amending Ordinance No. 1000 in order to change the boundaries of District No. 24 (Groundwater Remediation); and providing other matters relating thereto. (Public Hearing for the second reading and adoption to be set for 6:00 p.m. on June 9, 2015.)

AND

Hold the first reading of an ordinance imposing a fee on the parcels of land in Washoe County, Nevada District No. 24 (Groundwater Remediation) to pay the costs of developing and carrying out a plan for remediation; and describing other matters relating thereto. (Public Hearing for the second reading and adoption to be set for 6:00 p.m. on June 9, 2015.)

### **POSSIBLE MOTION**

Should the Board wish to implement the staff recommendation, a possible motion would be: "Move to approve a public hearing to consider all comments concerning a proposed

amendment to the boundaries of the Groundwater Remediation District (Central Truckee Meadows Remediation District).

AND

Hold the first reading of an ordinance amending Ordinance No. 1000 in order to change the boundaries of District No. 24 (Groundwater Remediation); and providing other matters relating thereto. (Public Hearing for the second reading and adoption to be set for 6:00 p.m. on June 9, 2015.)

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CB:lr

Exhibit 1 - boundary ordinance

Exhibit 2 - boundary map

Exhibit 3 - fee ordinance

Exhibit 4 - remediation district fee area map

Exhibit 5 - remediation fee schedule

**Boundary Amendment Ordinance**

Summary - An ordinance amending the boundaries of Washoe County, Nevada District No. 24 (Groundwater Remediation).

**BILL NO. \_\_\_\_\_**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING ORDINANCE NO. 1000 IN ORDER TO CHANGE THE BOUNDARIES OF DISTRICT NO. 24 (GROUNDWATER REMEDIATION); AND PROVIDING OTHER MATTERS RELATING THERETO.**

1. **WHEREAS**, the Board of County Commissioners (herein "Board") of the County of Washoe (herein "County") in the State of Nevada has, pursuant to Ordinance No. 1000 (the "Creation Ordinance"), adopted and approved on November 14, 1997, created a district (the "District" or "District No. 24") for the remediation of the quality of water (specifically in order to address contamination of ground water by perchloroethylene ("PCE")) pursuant to NRS 540A.250 through 540A.285 and Sections 1 to 6 of Ch. 379, Statutes of Nevada, 1997 (the "1997 Act"); and

2. **WHEREAS**, subsection 3 of NRS § 540A.250 provides that:  
"The District created pursuant to this section must include, without limitation:

(a) The area where the condition which requires remediation is determined by the Board to be present, or for which remediation is determined by the Board to be necessary, including any area to which the condition is expected to migrate unless remediation is carried out; and

(b) If the Board determines that the condition which requires remediation affects the quantity or quality of drinking water within the region, the wholesale and retail service area of any provider of water that has used or uses for any portion of its supply wells located in the area described in paragraph (a)"; and

3. **WHEREAS**, pursuant to NRS § 540A.250, the Board has had prepared for it a plan for remediation designated the "Central Truckee Meadows Remediation District



Final Work Plan February 22, 1996” as updated by the “Central Truckee Meadows Remediation District Remediation Management Plan” dated October 28, 2002 (as updated, the “Plan for Remediation”); and

4. **WHEREAS**, the Plan for Remediation (including the update) has been submitted to the Division of Environmental Protection of the State of Nevada (the “Division”) and approved by the Division pursuant to Subsection 1 of NRS § 540A.260; and

5. **WHEREAS**, the Plan for Remediation indicates that, and based upon such plan the Board has determined that, the condition which requires remediation affects the quality of drinking water within the region; and

6. **WHEREAS**, the boundaries of the District described in the Creation Ordinance (the “Original Boundaries”) included the wholesale and retail water service area of Sierra Pacific Power Company (“Sierra”); and

7. **WHEREAS**, Sierra's water business was acquired by the Truckee Meadows Water Authority (“TMWA”) during 2001; and

8. **WHEREAS**, Sierra was, and TMWA is, a provider of water service that has used and uses for a portion of its water supply, wells located in the area in which the condition (i.e., presence of PCE in the groundwater at unacceptable levels) that requires remediation is hereby determined by the Board to be present, based upon the Plan for Remediation; and

9. **WHEREAS**, Washoe County’s Community Services Department (CSD) was a provider of water service that used for a portion of its water supply a well or wells located in the area where the condition of PCE in the groundwater requires remediation is hereby determined by the Board to be present; and

10. **WHEREAS**, the Board has determined and hereby determines that the wholesale and retail water service area of Sierra/TMWA and a portion of the wholesale and retail service area of CSD are included in the boundaries of the District for the fee collected in a particular calendar year should include properties which were actually served with water provided by Sierra or TMWA and CSD on a retail or wholesale basis during the prior calendar year; and

11. **WHEREAS**, the Original Boundaries have been heretofore amended; and

12. **WHEREAS**, the Board has determined and hereby determines to propose to further amend the boundaries of the District with respect to the fee collected in 2015 to exclude from the District certain properties included in the Original Boundaries of the District as amended through July 1, 2014 (the “2014 Boundaries”), which properties did not receive water service on a wholesale or retail basis by TMWA or by CSD during calendar year 2014; and

13. **WHEREAS**, the Board has determined and hereby determines to propose to amend the Original Boundaries of the District with respect to the fee collected in 2015, to add to and include new properties added to the wholesale and retail water service areas of TMWA and that portion of the wholesale and retail water service area of CSD during calendar year 2014; and

14. **WHEREAS**, the Board has determined and hereby determines to propose to amend the Original Boundaries of the District with respect to the fee collected in 2015 to exclude from the District certain properties, which properties did not receive water service involving water provided on a wholesale or retail basis by TMWA and that portion of the wholesale and retail water service area of CSD during calendar year 2014; and

15. **WHEREAS**, each of the following have been filed with the County Clerk (the “Clerk”) on April 14, 2015, prior to the publication of a notice of hearing as hereinafter described:

(a) a list of the properties proposed to be excluded from the 2014 Boundaries with respect to the fees collected in 2015 as described in the 12<sup>th</sup> preamble hereto entitled “Second List of Properties to be excluded from 2014 Boundaries of District No. 24” (the “Second 2014 Exclusion List”),

(b) a description of the areas proposed to be added to the District as described in the 13<sup>th</sup> preamble hereto, entitled “2015 Description of Areas to be Added to District No. 24” (the “2015 Addition List”), and

(c) a list of the properties proposed to be excluded with respect to the fee imposed in 2015 as described in the 14<sup>th</sup> preamble hereto, entitled “First List of Properties to Be Excluded from the 2015 Boundaries of District No. 24” (the “First 2015 Exclusion List”); and

16. **WHEREAS**, pursuant to NRS § 540A.262, the Board is required to hold a hearing before amending the boundaries of the District; and

17. **WHEREAS**, after published notice in accordance with NRS § 540A.262, the Board on May 12, 2015 held a hearing on the amendment proposed to be made by this ordinance and hereby determines to overrule each and every objection to such amendment made at the hearing; and

18. **WHEREAS**, the Board has determined and the Board hereby determines to now amend the boundaries of the District.

**NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE, IN THE STATE OF NEVADA, DO ORDAIN:**

Section 1. Section 2 of Ordinance No. 1000 is hereby amended to read as follows:

“Section 2. A. The boundaries of the District with respect to the fee for remediation imposed in 1998 are the wholesale and retail water service area of Sierra Pacific Power Company as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997, but excluding therefrom (a) the properties listed on the “List of Properties Excluded from District 24 Boundaries” as filed with the County Clerk on June 16, 1998; (b) the properties listed on the Second 1998 Exclusion List, as filed with the County Clerk on April 21, 1999 and (c) and (c) the properties listed on the Second Exclusion List as filed with the Clerk on April 24, 2001.

B. The boundaries of the District with respect to the fee for remediation imposed in 1999 are the wholesale and retail water service area of Sierra Pacific Power Company as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997 and further including in the District boundaries all properties in the area described in the 1999 Addition List as filed with the County Clerk on April 21, 1999, but excluding from the District Boundaries the properties listed on the First 1999 Exclusion List as filed with the County Clerk on April 21, 1999 and as supplemented with the Supplemental 1999 List of Additional Excluded Parcels filed with

the County Clerk on June 22, 1999 and as supplemented by the Second 1999 Exclusion List filed with the Clerk on May 2, 2000 and by the Second Exclusion List as filed with the Clerk on April 24, 2001.

C. The boundaries of the District with respect to the fee for remediation imposed in 2000 are the wholesale and retail water service area of Sierra Pacific Power Company as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997 and further including in the District Boundaries all properties in the area described in the 2000 Addition List as filed with the County Clerk on May 2, 2000, but excluding from the District Boundaries the properties listed on the First 2000 Exclusion List as filed with the County Clerk on May 2, 2000, and the Second Exclusion List filed with the County Clerk on April 24, 2001.

D. The boundaries of the District with respect to the fee for remediation imposed in 2001 are the wholesale and retail water service area of Sierra Pacific Power Company as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997 and further including in the District Boundaries all properties in the area described in the 2001 Addition List as filed with the County Clerk on April 24, 2001, but excluding from the District Boundaries the properties listed on the First 2001 Exclusion List as filed with the County Clerk on April 24, 2001.

E. The boundaries of the District with respect to the fee for remediation imposed in 2002 are the wholesale and retail water service area of Sierra Pacific Power Company (of the Truckee Meadows Water Authority, after the acquisition of Sierra Pacific Power Company's water business by the Truckee Meadows Water Authority), as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997 and further including in the District Boundaries all properties in the area described in the 2002 Addition List as filed with the County Clerk on April 23, 2002, but excluding from the District

Boundaries the properties listed on the First 2002 Exclusion List as filed with the County Clerk on April 23, 2002 and excluding from the District boundaries the properties listed on the Second 2002 Exclusion List as filed with the County Clerk on April 21, 2003.

F. The boundaries of the District with respect to the fee for remediation imposed in 2003 are the wholesale and retail water service area of the Truckee Meadows Water Authority, as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997 and further including in the District Boundaries all properties in the area described in the 2003 Addition List as filed with the County Clerk on April 21, 2003, but excluding from the District Boundaries the properties listed on the First 2002 Exclusion List as filed with the County Clerk on April 21, 2003 and excluding from the District boundaries the properties listed on the Second 2003 Exclusion List as filed with the County Clerk on April 22, 2004.

G. The boundaries of the District with respect to the fee for remediation imposed in 2004 are the wholesale and retail water service area of the Truckee Meadows Water Authority as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997 and further including in the District Boundaries all properties in the area described in the 2004 Addition List as filed with the County Clerk on April 22, 2004, but excluding from the District Boundaries the properties listed on the First 2004 Exclusion List as filed with the County Clerk on April 22, 2004 and excluding from the District boundaries the properties listed on the Second 2004 Exclusion List as filed with the County Clerk on April 19, 2005.

H. The boundaries of the District with respect to the fee for remediation imposed in 2005 are the wholesale and retail water service area of the Truckee Meadows Water Authority as more specifically detailed in the District Boundaries on file with the County Clerk prior to September 16, 1997 and further including in the District Boundaries all properties in the area described in the 2005 Addition List as filed with the County Clerk