



STAFF REPORT

Report To: Board of Supervisors **Meeting Date:** July 16, 2026

Staff Contact: Darren Schulz, Public Works Director and Jennifer Budge, Parks, Recreation and Open Space Director

Agenda Title: For Possible Action: Discussion and possible action with a presentation by Krater Consulting Group, PC regarding a proposed Flood Volume Mitigation Improvement Agreement ("Agreement") for CC Nevada, LLC to construct and provide for the maintenance of flood mitigation improvements on City property at the Wastewater Treatment Plant and Moffat Open Space, Assessor's Parcel Number ("APN") 010-031-11 and APN 010-032-35, respectively, to satisfy U.S. Federal Emergency Management Agency ("FEMA") and Carson City Municipal Code ("CCMC") flood mitigation requirements for development at Lompa Ranch East, APN 010-741-06 ("Development"). (Jennifer Budge jbudge@carsoncity.gov and Stephen Pottey, spottey@carsoncity.gov).

Agenda Action: Formal Action / Motion **Time Requested:** 15 Minutes

Proposed Motion

I move to approve the Agreement as presented.

Board's Strategic Goal

Sustainable Infrastructure

Previous Action

September 18, 2025 (Item 17.A) – The Board of Supervisors ("Board") approved the abandonment of a 60-foot-wide public access easement to allow for the realignment of the future extension of North Lompa Lane from Airport Road through APN 010-741-06.

August 7, 2025 (Item 19.A) – The Board approved the abandonment of a public roadway easement and right-of-way along the west side of Airport Road.

August 7, 2025 (Item 19.B) – The Board adopted Bill No. 104, a zoning map amendment ordinance within the Lompa Ranch North Specific Plan Area.

October 19, 2017 (Item 21.A) – The Board adopted Bill No. 127, approving a development agreement for the Lompa Ranch North Specific Plan Area.

March 17, 2016 (Item 34.A) – The Board adopted the Lompa Ranch North Specific Plan.

Background/Issues & Analysis

The regulatory context for floodplain management in Carson City is established by CCMC Title 12,

which sets forth requirements for developments within special flood hazard areas as identified by FEMA. CCMC Title 12 mandates that any use of floodplain for fill or development must be offset by a hydraulically equivalent volume of excavation, and that all such excavations must be constructed to drain freely to the watercourse. This approach is intended to ensure that floodplain storage capacity is preserved and that new development does not increase flood risk to the community. CCMC Title 12 further requires that all flood mitigation activities be certified by a registered professional and that any proposed encroachment or fill within designated floodways be supported by hydrologic and hydraulic analyses demonstrating no increase in flood levels, with appropriate review and approval by FEMA where applicable. These provisions are designed to comply with federal standards and to protect both public safety and property within the community.

In the case of the Development, hydraulic modeling was performed, which determined that the most effective means of achieving the required flood volume mitigation was to conduct excavation activities downstream of the Development site, specifically on City-owned properties adjacent to Eagle Valley Creek. This strategy was selected based on hydraulic modeling and site-specific analysis, which indicated that removing soil in the downstream locations would provide greater flood mitigation benefits than excavation on the Development parcel itself. The downstream excavation not only fulfills the regulatory requirement for hydraulic equivalency but also offers additional public benefits, such as reducing flood risk to existing City infrastructure, creating new wetland habitat within City open space areas, and assisting with natural resource management through erosion control measures and reduction of noxious and invasive weeds. These outcomes align with the City's broader goals for environmental sustainability and resilience, as articulated in adopted plans and policies.

The Agreement between Carson City and CC Nevada, LLC, formalizes the responsibilities and procedures for implementing flood-volume mitigation improvements. Under the Agreement, CC Nevada, LLC is required to complete all work at its sole cost and in accordance with approved plans and all applicable laws. The Agreement also establishes a process for City inspection and acceptance of the completed improvements, as well as a maintenance period during which CC Nevada, LLC is responsible for ensuring successful revegetation and site stabilization. Upon satisfactory completion of the maintenance period and fulfillment of all obligations, the improvements are dedicated to the City at no additional cost, and CC Nevada, LLC is released from further maintenance responsibilities, subject to the provision of a financial endowment to support ongoing City stewardship of Moffat Open Space improvements. The Agreement includes provisions for performance bonding, assignment of warranties, and indemnification of the City, ensuring that public interests are protected throughout the project lifecycle.

This coordinated approach reflects a collaborative effort among City departments and the private sector to address complex floodplain management challenges in a manner that meets regulatory requirements, advances community objectives, and delivers tangible environmental and public safety benefits. The Board's consideration of this Agreement is informed by the technical analysis, regulatory framework, and negotiated terms that collectively support a sustainable and effective flood mitigation solution for the development and the broader community.

Applicable Statute, Code, Policy, Rule or Regulation

Art. 2, sec. 1.140 and art. 6, sec. 6.010 of the Carson City Charter; CCMC Chapter 12.09

Financial Information

Is there a fiscal impact? Yes

If yes, account name/number: Quality of Life Fund, Open Space Department, Donation

Account/2545018-465881

Is it currently budgeted? No

Explanation of Fiscal Impact: The financial donation "endowment" provided by CC Nevada, LLC will be deposited into the Quality-of-Life Open Space donation account, restricted, and spent according to the terms of the Agreement.

Alternatives

Do not approve the Agreement and/or provide alternative direction to staff.

Attachment(s):

[1 - Flood_Mitigation_Site_Improvement_Agreement 07082026.pdf](#)

[2 - EXHIBITS.pdf](#)

[3 - Moffat_WWTP_East Lompa Ranch Moffat-WWTP Presentation.pdf](#)

Motion: _____

1) _____

2) _____

Aye/Nay

(Vote Recorded By)