

FILED

NO. 2000.004

APPROVED JANUARY 6, 2000 COMMISSIONERS MEETING

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INTERLOCAL CONTRACT AMENDMENT

BARBARA RIED

BY *[Signature]* DEPUTY
THIS Amendment to the Agreement previously made by and between the Incline Village General Improvement District (IVGID) and Douglas County (County) and recorded by the Douglas County Recorder as document 0408961, Book 0397, Pages 3529-3535.

RECITALS

WHEREAS, the parties are public agencies under NRS 277.100 and NRS 277.180(1) provides that any one or more public agencies may contract with any one or more other public agencies to perform any governmental service, activity, or undertaking which any of the contracting agencies is authorized by law to perform; and

WHEREAS, each party is authorized by the laws of this state to perform or undertake the function of ensuring safe and adequate treatment of wastewater; and

WHEREAS, NRS 277.180(2) provides that the authorized purposes for contracts made pursuant to NRS 277.180 include the joint use of personnel, equipment and facilities for the promotion of the health, comfort, safety, life, welfare and property of the inhabitants of IVGID and the County

WHEREAS, the existing agreement between IVGID and the County provides for County disposal of effluent generated by the North Valley Wastewater Treatment Plant at a temporary site located on IVGID's facility for the disposal of effluent, and the County desires to continue the disposal under the provisions of Nevada Division of Environmental Protection Order No. NV092399W1 (September 28, 1999) and an

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amendment to the existing agreement.

Now, therefore, the parties agree as follows:

AGREEMENT

A. The County and IVGID agree that the following paragraphs in the existing agreement are amended as follows:

1. IVGID agrees to lease short term effluent disposal capacity at Property to Douglas County not to exceed 300,000 gallons per day.

2. Effluent discharge quality to the Property will be monitored with the frequency required by Nevada Division of Environmental Protection Order No. NV092399W1 (September 28, 1999), attached as Exhibit A and incorporated by reference, and must fall within the parameters specified in the Nevada Division of Environmental Protection Order No. NV092399W1 (September 28, 1999). IVGID will have the right to discontinue acceptance and terminate this agreement upon compliance failure.

9. Provided that Douglas County is in full compliance with the terms and conditions of this Contract, it may renew this Contract for a period of up to three (3) years, on an annual basis, by providing written notice thereof of its intent to renew at least sixty (60) days before June 1st, of each such year. Effluent discharge to the Property as allowed by Nevada Division of Environmental Protection Order No. NV092399W1 (September 28, 1999) may continue through December 31, 2000.

B. No other provisions of the existing agreement have been modified by the

Parties, and all unmodified provisions of the existing agreement remain in effect.

IN WITNESS WHEREOF, the parties have executed this Agreement.

DOUGLAS COUNTY

INCLINE VILLAGE GENERAL
IMPROVEMENT DISTRICT

By: Jacques Zehyoghen
Chairman

By: [Signature]
Chairman

By: Maia L. Krolick
Secretary

Approved as to Legal Form:

Approved as to Legal Form:

By: [Signature]
Deputy District Attorney

By: [Signature]
IVGD General Counsel

ATTEST:

Barbara Reed
Douglas County Clerk

BY: [Signature] DEPUTY

ORDER

This Order is issued under the authority vested in the Director of the Department of Conservation and Natural Resources by Nevada Revised Statutes (NRS) 445A.445 and 445A.450, which has been delegated to the Division of Environmental Protection, and is issued in accordance with the provisions of NRS 445A.660, 445A.675 and 445A.690.

On the basis of the Finding of Alleged Violation attached hereto and made a part of this Order, the Administrator of the Division of Environmental Protection, pursuant to authority delegated to him by the Director, Department of Conservation and Natural Resources, has determined that Douglas County Community Development has violated Permit No. NEV60025 as outlined in the Finding of Alleged Violation.

IT IS HEREBY ORDERED:

That Douglas County Community Development complete the following acts by the dates specified:

1. By December 30, 2000, complete such modifications to the North Valley Waste Water Treatment Plant as are necessary to reliably achieve compliance with permit limits for CBOD and TSS. Such modifications may include those described as "PHASE I MODIFICATIONS" in the Technical Memorandum of May 14, 1999 by G. Tchobanoglous.
2. For the period July 1, 1999 through December 31, 2000 the following interim limits shall apply to the effluent discharged from Outfall 003 to the IVGID Wetlands:

CBOD 30-day average:	45 mg/l
TSS 30-day average:	90 mg/l

All other limits and requirements specified in in Permit No. NV0020061 shall remain in full force and effect.

3. By October 15, 1999, appear at the Division of Environmental Protection office at 333 West Nye Lane in Carson City to show cause why the Division should not seek civil penalties for the violations cited, as provided for under NRS 445A.700. A meeting for this purpose may be arranged by contacting Joe Livak at 687-4670 ext. 3143 or Leo Drozdoff at 687-4670 ext. 3142.

9/28/99
Dated

Leo M. Drozdoff
 Leo Drozdoff, P.E., Chief
 Bureau of Water Pollution Control
 Nevada Division of Environmental Protection

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