

item #9-8

**City of Carson City
Agenda Report**

Date Submitted: June 21, 2010

Agenda Date Requested: July 1, 2010
Time Requested: Consent Agenda

To: Mayor and Supervisors
From: Public Works

Subject Title: Action to approve the Right-of-Way Grant Renewal (NVN 013400) between the United States Department of Interior Bureau of Land Management (BLM) and Carson City for an Amendment which will allow Carson to construct a 3 million gallon water tank and related facilities (Prison Hill Water Tank #2) on BLM property. (*Mark Brethauer*)

Staff Summary: The primary purpose of this amendment is to provide Carson City the access necessary to construct the Prison Hill Water Tank #2 facilities. Carson City has received a grant from the Department of the Army for the construction of the Water Tank and this amendment will allow the City's contractor to work on BLM property.

Type of Action Requested: (check one)

☐ Resolution ☐ Ordinance
☒ Formal Action/Motion ☐ Other (Specify)

Does This Action Require A Business Impact Statement: ☐ Yes ☒ No

Recommended Board Action: I move to approve the Right-of-Way Grant Renewal (NVN 013400) between the United States Department of Interior Bureau of Land Management (BLM) and Carson City for an Amendment which will allow Carson to construct a 3 million gallon water tank and related facilities (Prison Hill Water Tank #2) on BLM property. (*Mark Brethauer*)

Explanation for Recommended Board Action: The primary purpose of this amendment is to provide access for the construction of the new 3 Million Gallon Water Tank at the Prison Hill Facility.

Applicable Statute, Code, Policy, Rule or Regulation: NRS 408

Fiscal Impact: No fiscal impact.

Explanation of Impact: N/A

Funding Source: N/A

Alternatives: Provide other direction pursuant to Board Action.

Supporting Material: Right-of-Way Grant Renewal (NVN 013400)

Prepared By: Mark Brethauer, Senior Project Manager.

Reviewed By:

(Public Works)

(City Manager)

(District Attorney)

(Finance Director)

Date:

Date:

Date:

Date:

Board Action Taken:

Motion: _____

1) _____

2) _____

Aye/Nay

(Vote Recorded By)



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Carson City District – Sierra Front Field Office

5665 Morgan Mill Road

Carson City, Nevada 89701-1448

http://www.blm.gov/nv/st/en/fo/carson_city_field.html

In Reply Refer To:

NVN 013400

2800 (NVC0200)

JUN 8 2010

Larry Werner, City Manager
City Hall
201 N. Carson Street, Suite 2
Carson City, NV 89701

Dear Mr. Werner:

Right-of-Way Grant Renewal NVN 013400 for a water tank, access road, and pipeline was issued to Carson City with an effective date of July 5, 2007. On September 10, 2009, Carson City filed an application to amend the grant to include a new 3 million gallon water tank and related facilities (Prison Hill Water Tank #2).

The enclosed right-of-way grant amendment is provided for your review. If it meets with your approval, sign and date both copies and return to the address shown above. Upon our receipt of the signed documents, we will issue the grant amendment, absent any other unresolved issues.

Questions may be directed to Jo Ann Hufnagle, Lead Realty Specialist at (775) 885-6144.

Sincerely,

Linda J. Kelly
Field Manager
Sierra Front Field Office

Enclosures

RIGHT-OF-WAY GRANT NVN 013400 AMENDMENT

By application dated September 10, 2009, Carson City applied for amendment of grant NVN 013400 for new water supply facilities.

The application to amend conforms to the appropriate laws and regulations. Therefore, pursuant to the Act of October 21, 1976 (90 Stat 2776; 43 U.S.C. 1761), Grant NVN 013400 is hereby amended to include the right to construct, operate, maintain, and terminate a new water tank, water pipeline and related facilities on public lands described as follows:

Mount Diablo Meridian

T. 15 N., R. 20 E.,
sec. 28, NW¼SE¼.

The approved amendment area is approximately 420 feet in length and 400 feet in width and contains 3.03 acres, more or less.

The right-of-way grant is further amended to include the following stipulations:

- a. *The holder shall construct and operate the authorized facilities as described under Section 2.2 (Preferred Alternative) of Environmental Assessment DOI-BLM-NV-2010-14-EA, Prison Hill Water Tank #2, Carson City, Nevada, May 2010.*
- b. *The holder and its contractors shall consider the possibility of wildfire danger and take into account the need for prevention and suppression of fire on the right-of-way or adjacent public lands. Construction crews should be cautioned as to the potential fire danger of welding activities, open flames, and tobacco use. Basic firefighting equipment such as shovels, fire extinguishers, axes, or other tools should be readily available to crews to assist in putting out fires, if necessary. All fires should be reported to the Minden Interagency Dispatch Center at (775) 883-5995.*
- c. *The holder shall seed all disturbed areas, using an agreed upon method suitable and seed mixture for the location (Attachment 1). Seeding shall be repeated if a satisfactory stand is not obtained as determined by the authorizing officer upon evaluation after the growing season.*
- d. *All above-ground structures, including fencing, not subject to safety requirements shall be painted by the Holder to blend with the natural color of the landscape. The paint used shall be a flat, non-reflective color which simulates "Standard Environmental Color" Sudan Brown. (Color Chart is attached – Attachment 2.)*
- e. *The holder shall contact the Washoe Tribe of Nevada and California and provide the opportunity for a tribal monitor to be onsite to monitor surface disturbing activities authorized by this grant.*

Furthermore, Exhibit A, incorrectly referenced in the grant renewal, is hereby replaced with the attached Exhibit A-1, titled "Amendment to Appl. No. N-13400" and stamped – "*Received by BLM Nevada State Office May 19, 1977*") and is supplemented by Exhibit A-2, which reflects the additional area and facilities authorized by this amendment.

All other terms and conditions of the original grant continue to apply.

IN WITNESS WHEREOF, The undersigned agrees to the terms and conditions of this right-of-way grant.

(Signature of Holder)

(Signature of Authorized Officer)

(Title)

Manager, Sierra Front Field Office
(Title)

(Date)

(Effective Date of Grant)

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(Signature of Authorized Officer)

(Title)

Manager, Sierra Front Field Office
(Title)

(Date)

(Effective Date of Grant)

ATTACHMENT 1

Prison Hill Water Tank #2 ROW NVN 013400

Native Seed Mix for Restoration and Reclamation.

The following native species are adapted to the environmental conditions at the site. Availability of the seed for each species may vary. If certain species are not available, then a native species substitute may be used when approved by the BLM office.

Seeding Rate Calculations

Seeding Method: Broadcast
Acres to seed: 1.0
Rate Calculation method: NRCS Seed Rate

Species	Mix %	Standard Seeding Rate(lb/acre)	Standard Seeds/ft2	Actual Seeding Rate(lb/acre)	Actual Seeds/ft2	Total lb PLS	Germ %	Purity %	Total lb. Bulk
antelope bitterbrush	10	50.67	20	5.06	2	5.06	0.90	0.95	6
Sandberg bluegrass	35	1.66	40	0.58	14	0.58	0.80	0.9	1
squirreltail	35	9.07	40	3.17	14	3.17	0.80	0.9	5
winterfat	10	7.86	20	0.78	2	0.78	0.50	0.6	3
woolly mule-ears	10	69.69	40	6.96	4	6.96	0.80	0.9	10

Total Mix: 100

Total Seeds/ft2: 36

Total Seed required(lb): 24

*The Total lb. Bulk, is the actual amount of seed to be purchased and would need to be calculated at the time of the seed purchase as each seed lot will have different percentages for seed purity and germ that is specific to each seed lot. All seed purchased must be certified as "weed free".

STORMWATER PROTECTION NOTES:

- [illegible]

ESTIMATED QUANTITIES:

HIGH VISIBILITY ORANGE SALT FENCE	865 LF
GRAVEL BAG CHECK DAM	36 LF
STRAW BATTLES	24 LF
STABILIZED ROCK ENTRANCE	86 CY

LEGEND:

-  HIGH VISIBILITY ORANGE SILT FENCE
 CRANE BAG CHECK DAM
 STRAW WATTLES
 STABILIZED ROCK ENTRANCE

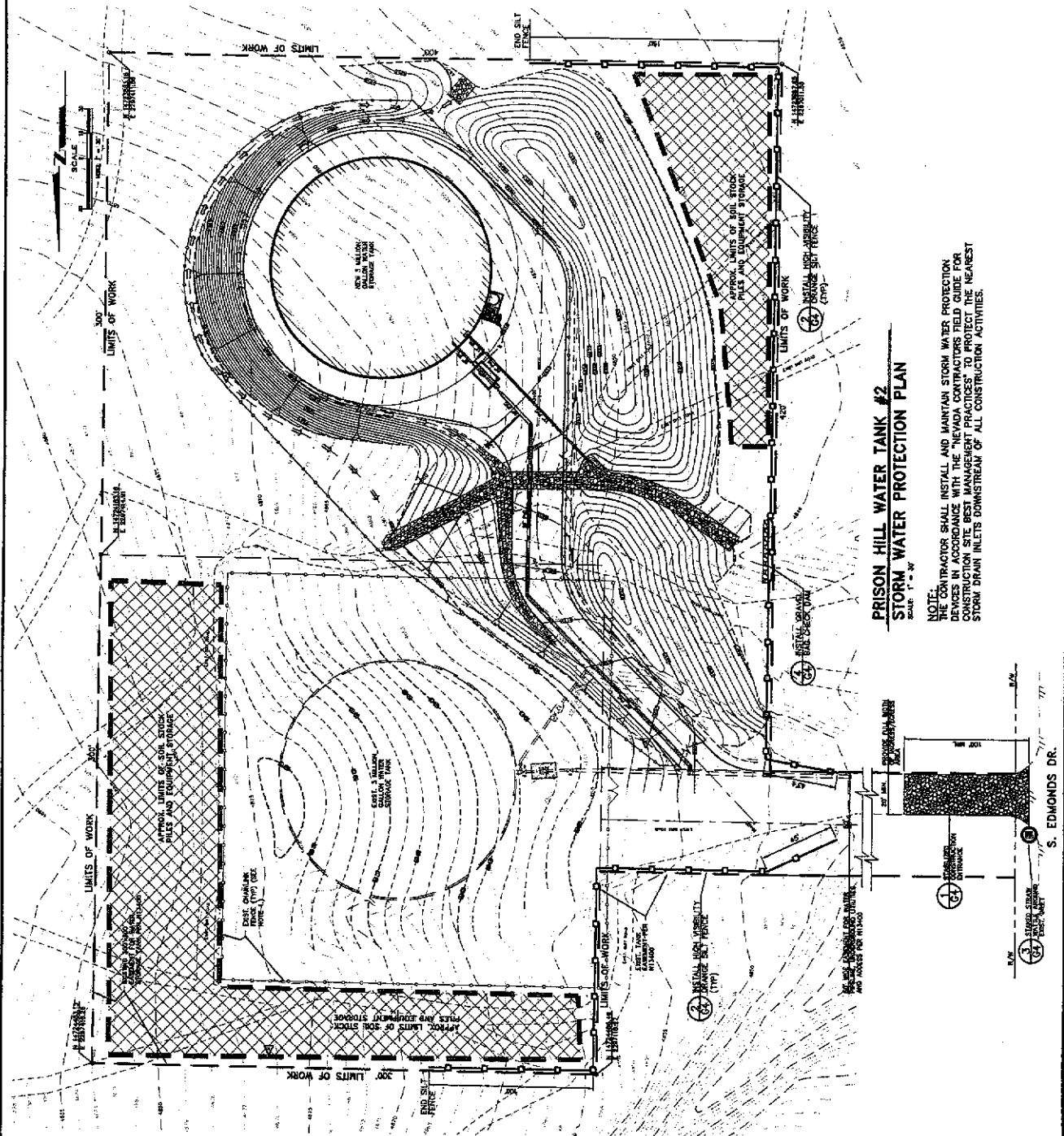


PLATE 4

