

CARSON RIVER ADVISORY COMMITTEE

Minutes of the November 15, 2010 Meeting

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A regular meeting of the Carson River Advisory Committee was scheduled for 4 p.m. on Monday, November 15, 2010 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Chairperson Randy Pahl
Vice Chairperson Paul Pugsley
Member Dan Greytak
Member Ernie Rink
Member Lacey Sheck

STAFF: Roger Moellendorf, Parks and Recreation Director
Juan Guzman, Open Space Manager
Vern Krahn, Park Planner
Ann Bollinger, Natural Resource Specialist
Tamar Warren, Recording Secretary

NOTE: A recording of these proceedings, the committee's agenda materials, and any written comments or documentation provided to the recording secretary during the meeting are part of the public record. These materials are available for review, in the Clerk's Office, during regular business hours.

ROLL CALL AND DETERMINATION OF QUORUM – Chairperson Pahl called the meeting to order at 4:00 p.m. Roll was called; a quorum was present. Members McCubbin and Kosch were absent. Member Rink joined the Committee after the Northern Nevada Correctional Center property tour.

1. CARSON RIVER ADVISORY COMMITTEE TOUR

1A. TOUR OF THE NORTHERN NEVADA CORRECTIONAL CENTER

PROPERTY. – Mr. Krahn briefed the Committee, en route to the Correctional Center, that they would be meeting with Warden Jack Palmer, and Mr. Tim Bryant, from Silver State Industries, a self-supporting industrial program with the Nevada Department of Corrections.

After brief introductions, Mr. Guzman relayed an interest from the Carson City Advisory Board to Manage Wildlife (CCABMW) to have a trailhead, or a form of access, east of the Carson River, for the hunting of ducks. Mr. Bryant stated that they currently had an issue with duck hunters and were working with the Fish and Game Department towards a resolution. He stated that hunters encroached on prison property, fences were in constant need of repair, and shotgun shells and trash were left behind. He also expressed concern about weapons being so close to the prison and the inmates.

Mr. Guzman also reminded the prison officials about a Lands Bill, where 14 acres would be returned to Carson City. He stated that, by law, they needed to manage the land as a conservation easement, and wanted to make certain that the prior agreements with the prison still stood. Mr. Guzman also showed an area map, and shared the plans of connecting with Douglas County in the future, allowing an expanded use of the river. He added that a master plan provided a linkage of the two counties on the

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west side of the prison. He asked if there was an opportunity to link the land-based trails on the east side of the prison property as well. Mr. Bryant asked for a map of the area in question, and Mr. Guzman agreed to provide it.

Warden Palmer described the complexities of having inmates in a ranch situation, stating it as a reason for keeping civilians “as far away as possible”. He affirmed his mission as one of protecting the public. He explained that all inmates working in the ranch area would be well-screened prior to being assigned a job.

Mr. Bryant let the group on a tour of the dairy operation, the barn, and the milking plant. He reported that with 100 cows, approximately 200,000 gallons of milk were processed each year, and distributed to other area correctional facilities. In response to a question, Mr. Bryant said that they had around 55 beef cows as well. He also showed the horse training, adoption, hay storage, and compost areas. In response to a question, he stated that they were compensated by BLM for feeding and training the horses. Mr. Bryant showed the water collection and storage areas, and pointed out problems with noxious weeds at the riverbank.

The Committee thanked Mr. Bryant, agreeing it was an informative tour, and headed to the Community Center to continue the meeting.

2. CARSON RIVER ADVISORY COMMITTEE MEETING (6:01:00) – Chairperson Pahl called the meeting back to order, and noted the presence of Member Rink.

CITIZEN COMMENTS ON NON-AGENDIZED ITEMS (6:01:05) - None.

2A. ACTION ON APPROVAL OF MINUTES - July 19, 2010 (6:01:10) - Member Sheck moved to approve the minutes. Vice Chairperson Pugsley seconded the motion, which carried 5-0.

2B. MODIFICATION TO THE AGENDA (6:01:27) – None.

3C. AGENDA ITEMS:

1. PRESENTATION ONLY BY THE NEVADA DIVISION OF STATE LANDS REGARDING NEVADA REVISED STATUTES RELATED TO INAPPROPRIATE MOTORIZED USES IN THE CARSON RIVER. (6:01:46) – Chairperson Pahl introduced the item and invited Mr. Rick Murray, Land Agent, Nevada Division State Lands, to elaborate. Mr. Murray presented relevant portions of the Nevada Administrative Code and Revised Statutes Applicable to Motorized Used within State Waterways, which is incorporated into the record. He explained that no contaminants were allowed in water sources such as lakes or rivers, which could be emitted from motorized vehicles. Additionally, any repair, restoration or wildlife preservation work in or along the river, requiring motorized equipment, necessitated a permit, according to Mr. Murray. He also stated that complaints and violations would be investigated through the Attorney General’s office. In response to a question by Chairperson Pahl, he stated that their office handled general permits, but the

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more complicated ones would be obtained through the EPA. He added that they did have the authority to cite violators. Mr. Krahn asked about communication with State Lands regarding stuck cars in the river, and Mr. Murray suggested coordinating with the Sheriff's Department. Member Scheck suggested educating the public about the rules and the consequences, in the form of a pamphlet. Chairperson Pahl suggested working with the Carson River Coalition on educating the public, and Mr. Krahn agreed. Member Scheck believed many were unaware that they were breaking the law. Chairperson Pahl thanked Mr. Murray for his time.

2. ACTION TO RECOMMEND TO THE BOARD OF SUPERVISORS

APPROVAL OF A CONSERVATION EASEMENT REQUIRED FOR THE TRANSFER OF PRISON HILL AND ADJACENT CARSON RIVER LANDS FROM THE BUREAU OF LAND MANAGEMENT IN ACCORDANCE WITH THE OMNIBUS PUBLIC LANDS

MANAGEMENT ACT OF 2009. (6:18:39) – Chairperson Pahl introduced the item and invited Mr. Guzman to elaborate. In turn, Mr. Guzman introduced Dan Jacquet, BLM local Liaison, who was attending the meeting, and stated that it was “his task to move forward this conservation easement”. Mr. Guzman presented a map of the Federal Lands Bill, which is incorporated in the record along with the meeting minutes, for the Development of a Conservation Easement. He also highlighted the lands that were obtained and purchased by Carson City. Mr. Jacquet clarified that the Easement was directed by the Omnibus Public Lands Management Act of 2009, which was a condition to transfer these lands to the City. He referred to a set of posters to be displayed at the following night’s public meeting at the BLM office, at 5 p.m., stating that BLM would oversee the easement on behalf of the U.S. Government. He expressed gratitude to all the City departments and other organizations for their cooperation, calling it “a great exercise in measuring the pulse of the community”, in terms of managing Silver Saddle Ranch, the Carson River, and other properties. He explained that the conservation values could be more, not less, restrictive than the Act permitted, and that had been the legal opinion as well. Mr. Jacquet also informed the Committee, that they were working with the Planning Division, and had used their guiding principles and goals to drive this process. Mr. Jacquet stated that the Management Plan would allow for flexibility, such as managing and allowing or disallowing events. He clarified that any desired modifications by the City would be sent to BLM in the form of a proposal, which would be evaluated for conservation and historic values, and discussed until agreed upon by both parties. In case of a violation of the Easement, Mr. Jacquet stated that at best case, it would be negotiated, and at worst case, it would end up in court. Mr. Guzman added that in case of an emergency, BLM had the ability to act as a first responder. He also explained that the cost had been estimated at \$128,000 and that an account had been set up, initially for \$10,000, to which funds would be added, to produce the transfer documents. Mr. Jacquet also clarified that the documents would have two signatures, one from the City, represented by the Mayor, and the other from BLM. In response to Mr. Greytak’s question, Mr. Jacquet explained that the Stewardship account would pay for on-going monitoring and enforcement. Member Greytak cautioned having a clear cut permitted use of the water to avoid future issues. Discussion ensued over water rights and Vice Chairperson Pugsley suggested a legal opinion. Member Greytak wanted to know about funds and the use of open space rules. Mr. Guzman stated that the Parks and Recreation Department’s Operations Division would be able to “satisfy the needs of the management of Open Space lands”. **Vice Chairperson Pugsley moved to recommend to the Board of Supervisors approval of a conservation easement, generally in the outlines as presented to this Committee, required for the**

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transfer of Prison hill and adjacent Carson River lands from the Bureau of Land Management in accordance with the Omnibus Public Lands Management act of 2009. Member Greytak seconded the motion, which carried 5-0.

3. UPDATE ONLY REGARDING THE CITY'S PROGRESS ON THE PURCHASE OF THE JARRARD RANCH, SERPA AND BENTLY PROPERTIES AND THE VIDLER WATER COMPANY PROPERTY DONATION. (7:00:50) – Chairperson Pahl introduced the item and Mr. Krahn reminded the Committee that the City had purchased the Jarrard Ranch earlier in 2010, and that the Board of Supervisors was working with Mr. Guzman on the purchases of the Bently and Serpa properties, a report of which is incorporated into the record. He also announced a donation of 39 acres to the Open Space Program from the Vidler Water Company, east of Hells Bells Road. Mr. Guzman stressed the importance of the property as the linking of Riverview Park and Morgan Mill Trail. Vice Chairperson Pugsley recommended the use of flat rocks similar to the Baily Fishing Pond at Fuji Park, at Eagle Valley Creek. Mr. Guzman also reported that grants, assumed lost, were reinstated, therefore the City was negotiating with Mr. Serpa. As for the Bently property, Mr. Guzman stated that Mr. Bently was interested in pursuing discussions with the City, and that “the V&T will pay some monies for a right-of-way and Open Space will pay the remainder for the properties that are not deeded by the V&T”. He added that they were expediting the execution of a grant, to enter into escrow. Mr. Guzman was confident that they could enter into transactions with Mr. Serpa and Mr. Bently for an additional 800 acres east of Deer Run Road. As for the Jarrard Ranch, Mr. Guzman informed the Committee that a formal management plan was being worked on with Vice Chairperson Pugsley, and several consultants. He was confident that the trail to the river would be completed in three or four months. Mr. Krahn reminded the Committee that the larger scale plan, developed with the help of the Committee, may need to be scaled back due to the lack of staff, and the inability to maintain a larger scale park.

4. UPDATE ONLY ON THE NEVADA CONSERVATION AND RESOURCE PROTECTION GRANT PROGRAM “QUESTION 1 PROGRAM” BOND SALES AND POTENTIAL IMPACT TO CITY LAND ACQUISITIONS AND RIVER PROJECTS. (7:16:36)

– Chairperson Pahl introduced the item. Mr. Krahn updated the Committee on the Capital Improvement Projects relating to Question 1, and Mr. Guzman stated that all the projects, except the Habitat Conservation Plan, had been completed. He hoped that the latter would be addressed in the form of Question 2. Mr. Guzman also stated that funds were still available from the Southern Nevada Public Plan Management Act, even though the amounts had been reduced. Mr. Krahn informed the Committee that when Question 1 was passed, during that particular allocation funding, the Carson River Corridor had received \$10 Million, divided by four counties. He continued that their allocation of \$2.5 Million would be used for Open Space projects, land acquisitions, and park capital. Mr. Krahn said that \$126,382 was left, and that dedicated funds for the Morgan Mill Road river access area were still available, and that they have received bids for that amount. He expected to have matching funds to do some additional trail improvements along the golf course.

5. DISCUSSION ONLY REGARDING THE COMMITTEE’S TOUR OF THE NORTHERN NEVADA CORRECTION CENTER. (7:25:18) – Chairperson Pahl introduced the

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item. Mr. Krahn explained that this was an opportunity to share with the viewing public information about the tour, conducted earlier. Vice Chairperson Pugsley was concerned that the cows had access to the river, and stated that only small areas were fenced. It was noted that because of flood activity, fences “don’t stay in place in that kind of activity”. Member Greytak stated that the facility officials recognized that public use of the river would most likely increase. He added that the issues with hunters and trespassers would not go away, and that they would need to work with their neighbors to manage the issue. He acknowledged that the facility had “a great big piece of very valuable wetland area”, but with limited access. He wondered “how do we make it work for all parties?” Member Scheck believed that the officials were amenable to any plan they would propose, and suggested putting it in writing. She suggested a sign similar to “you are entering prison area”, to thwart hunters. Mr. Moellendorf wondered if there were such signs from the outside looking in. Chairperson Pahl wished to find out if something could be done to help the river conditions. He also credited Mr. Bryant for many improvements.

6. DISCUSSION AND DEBRIEFING ONLY WITH CITY STAFF ON THE COMMITTEE’S EDUCATION AND WORK DAY (AKA RIVERFEST) HELD ON SATURDAY, OCTOBER, 16, 2010. (7:35:23) – Chairperson Pahl introduced the item. Mr. Krahn stated that he had put this item on the agenda to solicit feedback from the Committee. He was appreciative of the food the Kiwanis Club had brought. Mr. Krahn had included newspaper clippings and photos, incorporated into the record, in the packets. He also believed that they “ended up with a great Eagle Scout project”. Vice Chairperson Pugsley was surprised at the small number of people on their side of the river, and said he was very happy to see the ROTC “kids” there. The Committee had received a request to call the event River Work Day, from a contributor of the food. Mr. Krahn suggested that the Chamber of Commerce was pleased with the collaboration with the Kiwanis Club. Vice Chairman Pugsley said he liked the idea of a co-sponsorship with the Club. Mr. Krahn offered to continue the discussion with them.

3. NON-ACTION ITEMS:

A. NORTH DOUGLAS COUNTY AND CARSON CITY REGIONAL WATER LINE INTERTIE PROJECT. (7:42:40) – Mr. Krahn provided background and information, incorporated into the record, as a response to a request by a Committee member. It was commented that the project had minimal impact to the river.

STAFF ANNOUNCEMENTS (7:45:59) – Mr. Krahn reminded the Committee and the viewing public of a potential vacancy on the Carson River Advisory Committee, under the environmental and planning issue, and said that applications would be received until December 15, 2010, in the City Manager’s office. Mr. Krahn also referred to an Action Plan Matrix, incorporated into the record, which highlighted the successes and goals within the Master Plan. He indicated that the matrix would be shared with the Planning Commission as well.

4. FUTURE AGENDA ITEMS (7:48:30) – Mr. Krahn indicated that Ed James, General Manager, Carson Water Subconservancy District, would like to share, in January, the study results on

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flow pattern changes on the Carson River. In addition, he suggested brainstorming in January, on topics and speakers for the balance of the year.

5. ACTION ON ADJOURNMENT (7:51:14) – Member Sheck moved to adjourn and member Greytak seconded the motion. The meeting adjourned at 7:51 p.m.

The Minutes of the November 15, 2010 Carson River Advisory Committee meeting are so approved this 31st day of January, 2011.

RANDY PAHL, Chair