

**City of Carson City
Agenda Report**

Date Submitted: November 21, 2012

Agenda Date Requested: December 6, 2012
Time Requested: Consent

To: Mayor and Supervisors

From: Parks and Recreation Department – Open Space Division

Subject Title: For possible action to authorize the Mayor to sign a letter in favor of the U.S. Forest Service acquisition of the 45-acre Benna-Marshall property located at the crest of Ash Canyon Road, APN 007-601-01, in Carson City, Nevada. (Juan F. Guzman)

Staff Summary: The Humboldt-Toiyabe National Forest proposes to nominate a 45.5-acre vacant property owned by Benna-Marshall for public acquisition through the Southern Nevada Public Lands Management Act - Environmentally Sensitive Lands grant program. The parcel is surrounded by U.S. Forest Service lands to the north and east, Carson City to the south, and Lake Tahoe State Park to the west. Public ownership will facilitate the enjoyment of the conservation values of the land by the public at large and the preservation of public access.

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 authorize the Mayor to sign a letter in favor of the U.S. Forest Service acquisition of the 45-acre Benna-Marshall property located at the crest of Ash Canyon Road, APN 007-601-01, in Carson City, Nevada.

Explanation for Recommended Board Action: The Carson City Open Space Plan identifies this parcel as a high priority for public acquisition. Carson City's nomination to purchase this parcel under the Forest Legacy program was not successful. Acquisition by a public agency is important in order to secure the only public access road open to public use into the Lake Tahoe State Park backcountry and Hobart Lake vicinity. The unimproved parcel contains a riparian area created by springs that support sensitive species, scenic views, and rugged rocky outcrops.

Applicable Statute, Code, Policy, Rule or Regulation:

Southern Nevada Public Lands Management Act
Carson City Open Space Master Plan

Fiscal Impact: The loss of ad valorem property tax is estimated at \$363.63 for the current fiscal year.

Explanation of Impact: Public ownership will result in the loss of tax income.

Funding Source: U.S. Forest Service and the Southern Nevada Public Lands Management Act – Environmentally Sensitive Lands category.

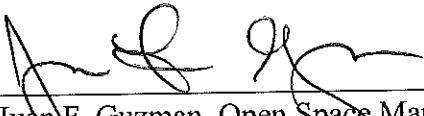
Alternatives: Not to support the U.S. Forest Service efforts.

Supporting Material:

Draft letter of support for Mayor's signature

Property map

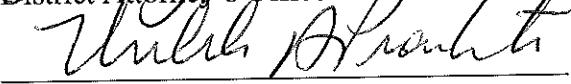
Letter from the U.S. Forest Service advising of the intent to nominate the property for acquisition

Prepared By:  Date: 11/20/12
Juan F. Guzman, Open Space Manager

Reviewed By:  Date: 11/20/12
Roger Moellendorf, Parks & Recreation Director

 Date: 11/21/12
Lawrence A. Werner, City Manager

 Date: 11/29/12
District Attorney's Office

 Date: 11/27/12
Finance Department

Board Action Taken:

Motion: _____ 1: _____ Aye/Nay

2: _____

(Vote Recorded By)

December 6, 2012

DRAFT

Ms. Rebecca S. Nourse
Forest Supervisor
1200 Franklin Way
Sparks, NV 89431-6432

Re: Support for the U.S. Forest Service grant nomination for the acquisition of the 45.5-acre vacant parcel owned by the Robert Marshall and Benna Estate located in Carson City, Nevada, APN 007-601-01

Dear Ms. Nourse,

Please accept this letter on behalf of the Carson City Board of Supervisors expressing support for the Forest Service nomination for the acquisition of the 45.5-acre Benna-Marshall property located in Carson City, Nevada. As you are aware, the parcel is surrounded by public lands and constitutes an isolated private ownership. To the east, the adjacent ownership is by the Forest Service. To the south, Carson City is the adjacent owner, and to the north and west the Lake Tahoe State Park.

This parcel has been identified by the Carson City Open Space Master Plan as an important acquisition for open space preservation. Located at the top of the Carson Range crest, this property is also very important to Carson City for the protection of our watershed, sensitive alpine and riparian environments, and our scenic viewshed. The City has been unsuccessful in acquiring the property through the U.S. Forest Service Legacy program. The Carson City Board of Supervisors has directed staff to concentrate their emphasis and priorities on the management of existing properties over the acquisition of new properties for the next two years. In addition, our Quality of Life acquisition funding has been depleted. Therefore, for the foreseeable future, attempts by Carson City to purchase this property are not feasible. The grant nomination by the U.S. Forest Service is now very timely as the property owners have agreed to allow the Forest Service to pursue a grant request for funding the purchase through the Southern Nevada Public Lands Management Act's Environmentally Sensitive Lands program.

Please do not hesitate to ask our staff if you require any additional information or have questions regarding this matter. Juan F. Guzman, our Open Space Manager, is our contact person. In the past our staff has collaborated with the Nevada Land Trust and the Bureau of Land Management in order to complete other federal acquisitions in Carson City. Juan can be reached at 775-887-2262, Extension 7341.

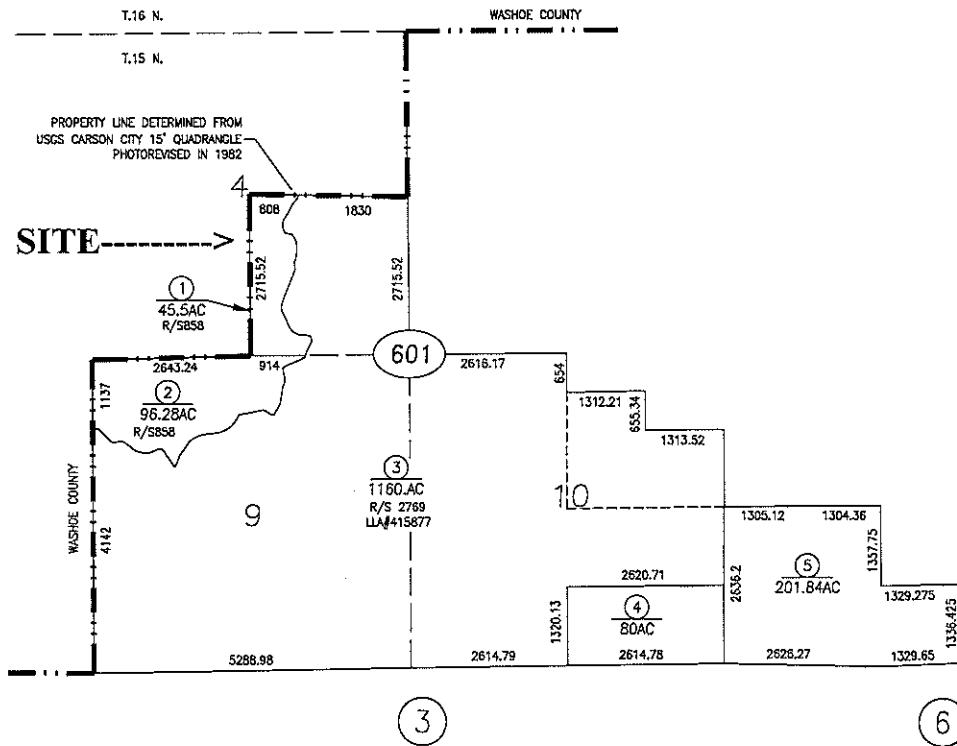
Sincerely,

Robert L. Crowell
Mayor

cc: Juan F. Guzman, Open Space Manager
Bruce Scott, Chairman, Open Space Advisory Committee

PORTION T.15 N., R.19 E. M.D.B. & M.

7-60



C: Juan Guzman

USDA United States
Department of
Agriculture

Forest
Service

Humboldt-Toiyabe
National Forest

1200 Franklin Way
Sparks, NV 89431-6432
(775) 331-6444 Fax (775) 355-5399

RECEIVED File Code: 5420
Date: NOV 07 2012

Lawrence Werner, City Manager
Carson City - City Hall
201 North Carson Street, #2
Carson City, NV 89701

NOV 07 2012
CARSON CITY
EXECUTIVE OFFICES

Dear Mr. Werner:

This letter is being sent to advise you, per the requirements of the Southern Nevada Public Land Management Act of 1998 (SNPLMA) for Round 14, that the Humboldt-Toiyabe National Forest is nominating 45.5 acres in the Ash Canyon vicinity identified as APN 007-601-01, for public acquisition by the U.S. Forest Service. The property is currently owned by Tom and Robert Marshall, and Chris Benna, as representatives of the Bruno Benna estate. Parties submitted a letter on August 7, 2012, as a requirement of the SNPLMA indicating their willingness to sell the subject property. The estate has also submitted application to the State of Nevada for 4-acre-feet of water rights to be used on the property.

The property is bordered on all sides by public lands except the portion that lies immediately east of Lake Tahoe State Park and will secure critical access needs off of the Ash Canyon Road. The legal description is all that certain real property situated in the County of Carson City, State of Nevada, described as follows: Southeast ¼ of Section 4, Township 15 North, Range 19 East, M.D.B. & M. containing more or less 45.5 acres.

The property was previously nominated for acquisition by Carson City under the Forest Legacy Program. The acquisition will secure the last private in-holding in the upper Ash and Vicee watersheds and secure the only public motorized access from the east into Lake Tahoe Nevada State Park backcountry. The land includes a mixed-age class of conifers and aspen trees and magnificent rock formations and outcrops. In addition, there is a natural spring which supports riparian habitat critical to several sensitive species such as northern goshawk, mountain willow flycatchers, and Galena Creek rockcress.

If you have any questions regarding nomination of the Ash Canyon property, please contact Leslie Morefield, CA/NV/UT Landownership Adjustment Zone Team Lead, at (775) 352-1250 or by email at ldmorefield@fs.fed.us.

Sincerely,

Christie Kallouski
for REBECCA S. NOURSE
Forest Supervisor

cc: Genny E Wilson, Leslie D Morefield



Caring for the Land and Serving People

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