

CARSON CITY OPEN SPACE ADVISORY COMMITTEE

Minutes of the April 21, 2003 Meeting

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A regular meeting of the Carson City Open Space Advisory Committee was scheduled for 6:00 p.m. on Monday, April 21, 2003 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Chairperson Steve Hartman
Vice Chairperson Dan Jacquet
Laura Bird
Howard Riedl
Margaret Robinson
Bruce Scott

STAFF: Steve Kastens, Parks and Recreation Director
Juan Guzman, Open Space Manager
Kathleen King, Recording Secretary

NOTE: A tape recording of these proceedings is on file in the Clerk-Recorder's Office and is available for review and inspection during regular business hours.

CALL TO ORDER AND ROLL CALL (1-0007) - Chairperson Hartman called the meeting to order at 6:00 p.m. A quorum was present. Member Fischer was absent.

CITIZEN COMMENTS ON NON-AGENDIZED ITEMS (1-0013) - None.

1. ACTION ON APPROVAL OF MINUTES - March 24, 2003 (1-0015) - Member Robinson moved to approve the minutes, as written. Member Scott seconded the motion. Vice Chairperson Jacquet noted a correction to page 4. Member Robinson amended her motion to include the correction. Member Scott continued his second. Motion carried 6-0.

2. CHANGES TO THE AGENDA (1-0034) - None.

3. AGENDA ITEMS:

3-A. ACTION TO SUPPORT A CARSON CITY APPLICATION TO THE NEVADA DIVISION OF FORESTRY FOR A 2003 NEVADA URBAN AND COMMUNITY GRANT (U&CG) FOR THE EAGLE CREEK MOFFAT OPEN SPACE PROPERTY URBAN RIPARIAN FOREST RESTORATION PROJECT (1-0036) - Mr. Guzman reviewed the staff report and pointed out the project area on the Moffat Open Space Property master plan which was displayed. He noted that the project will add considerably more vegetation to the river bank. The \$2,500 grant will be used to purchase a large number of seedlings which will be planted very close to the creek bank. Mr. Guzman advised that most of the 50% match requirement will be fulfilled through in-kind labor. Any necessary funding will be allocated from the appropriate Open Space budget line items already approved by the Committee.

Mr. Guzman acknowledged an existing effluent pipeline in the area, and pointed out its location on the displayed master plan. He advised that the Utilities Department is beginning a project to extend effluent water to the Silver Saddle Ranch. Mr. Guzman acknowledged that the restoration project will be done in

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the natural vadose zone so as to eliminate the need for irrigation. Chairperson Hartman discussed past concerns by the Shade Tree Council over planting cottonwoods and willows.

In response to a question, Paul Pugsley, of the Carson Valley Conservation District, advised that he is sponsoring a project just below the point at which the Mexican Ditch crosses the subject property. His project will include a hydrology analysis of Manning's Factor in the calculation of flood way flows. Mr. Pugsley discussed the 11,000-12,000 cfs designation on the subject portion of the Creek. Mr. Guzman advised that he has been discussing the project with City Engineer Larry Werner and Senior Project Manager John Givlin. Member Scott suggested considering the structures which would have to be rebuilt in a 50-100 year flood situation. He advised of having recently visited the area and suggested that the structures in the area are rebuildable. He agreed with considering the broader flood plain, as necessary, but pointed out that the project would benefit the resource over time. Mr. Guzman advised that Mr. Pugsley has been requested to consider expanding his project to include substantially lowering a portion of the Eagle Creek bank.

In response to a question, Mr. Guzman advised that Jenny Scanland has the restoration project planned to accommodate adjustments in the field to avoid plantings which will interrupt views from the trail. He anticipates that the Nevada Division of Wildlife ("NDOW") will be very interested in the property because of indications of a wildlife habitat. **Member Scott moved to support the grant request with the specific suggestion that the Committee thank Ms. Scanland for her efforts. Member Bird seconded the motion. Motion carried 6-0.**

3-B. ACTION TO RECOMMEND TO THE PLANNING AND COMMUNITY DEVELOPMENT DIRECTOR AN EXEMPTION TO SECTION 3.10.6, PLANT MATERIAL, OF DIVISION 3, LANDSCAPING, OF THE DEVELOPMENT STANDARDS IN ORDER TO PLANT COTTONWOODS AND WILLOWS AS PART OF THE EAGLE CREEK URBAN RIPARIAN FOREST RESTORATION PROJECT. THIS PROJECT IS PART OF THE OPEN SPACE PROGRAM'S REHABILITATION EFFORTS FROM BUTTI WAY, INCLUDING THE MOFFAT OPEN SPACE PROPERTY AND EXTENDING TO THE CARSON RIVER, TO RESTORE THE CREEK AND CONTROL NOXIOUS WEEDS (1-0212) - Mr. Guzman reviewed the staff report. Member Scott commented that the project will, in effect, create a potential riparian area which may require future animal control as the cottonwood saplings age. He pointed out that the area has year-round moisture and expressed a preference for creating an area similar to that which is downstream along the Carson River. Mr. Guzman acknowledged that the Planning and Community Development Director can grant an exemption without a public hearing.

Member Riedl suggested revising the Development Standards to include a provision which would allow the use of vegetation appropriate to riparian restoration projects. Mr. Guzman advised he would investigate this potential with the Planning and Community Development Director, and endeavor to provide an explanation in the ordinance regarding riparian rehabilitation/restoration. Vice Chairperson Jacquet suggested acquiring an exemption for all natural riparian areas in Carson City according to a map. **Vice Chairperson Jacquet moved that the Committee proceed with asking for an exemption under Section 3.10.6 to allow for riparian restoration on the Moffat Property. Member Riedl seconded the motion.** Vice Chairperson Jacquet acknowledged that his motion was specific to the entire reach of Eagle Valley Creek. Chairperson Hartman called for a vote on the pending motion; **motion carried 6-0.**

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3-C. ACTION TO CONSIDER THE LAND CONSERVATION OPTIONS AVAILABLE FOR A +/- 20-ACRE PARCEL OF LAND LOCATED AT THE EXTENSION OF SNYDER AVENUE ON THE WEST BANK OF THE CARSON RIVER, OWNED BY MR. WILLIAM DESORMIER, APN 10-502-01 (1-0304) - Mr. Guzman reviewed the staff report, described access to the property, and advised that development potential is relatively non-existent. He advised of visiting the property with Vice Chairperson Jacquet and Member Riedl. Member Riedl agreed that the parcel has wonderful views and would be difficult to develop. He expressed a concern regarding an adjacent road and associated issues, and advised that much of the property is "torn up by off-road vehicles." Vice Chairperson Jacquet agreed with Member Riedl's assessment, and commented that the property connects well to existing public lands - the Prison Hill Recreation Management Area, that the property is consistent with other acquisitions being pursued along the River, and that it has good public access. He further commented that the parcel would represent "another small piece in the puzzle." He noted the success of similar Southern Nevada Public Lands Management Act ("SNPLMA") nominations, which indicates the value placed on Carson River acquisitions by the rating committee. He expressed the opinion that the parcel fits with the BLM's mission and would be an asset to the City. Mr. Guzman acknowledged he would develop the nomination, and that BLM property is on the north and west boundaries of the parcel. **Member Scott moved to direct Mr. Guzman to work with Mr. Desormier in getting his approval to nominate the property as a piece of the overall plan for the Carson River and in helping BLM get back the Prison Hill Recreation Area. Member Bird seconded the motion. Motion carried 6-0.**

3-D. STATUS REPORT ONLY REGARDING THE PROGRESS OF THE HORSE CREEK RANCH CONSERVATION EASEMENT, CONSISTING OF APPROXIMATELY 606 ACRES AND LOCATED AT KINGS CANYON ROAD, UPPER MEADOW, APN 7-051-01, 7-031-22, 7-051-11 AND 7-051-57 (1-0425) - Mr. Guzman displayed a topographical map of the Horse Creek Ranch and provided an overview of the same. He advised of revisions to the Evaluation Form at the request of Michael Fagen, who showed him buildings on the property which were constructed in the 1800s. He commented that Mr. Fagen is "very in tune with his resource." Mr. Fagen is continuing to work with The Nature Conservancy ("TNC"), which has scientists evaluating the vegetation to determine how the parcel will fit with its goals and mission. TNC Director Ame Hellman has authorized TNC Biologist Laura Crane to apply for a portion of the Question #1 NDOW allocation. Mr. Guzman invited the Committee members to attend a field trip scheduled for Thursday, April 24th. The field trip will include NDOW staff, Michael Fagen and Beth McCleary, TNC staff, and Mr. Kastens; Mr. Guzman provided details of the field trip. He advised of a recent visit to the property, together with Member Robinson, which inspired him "more than ever" to pursue the conservation easement. He noted that Mr. and Mrs. Fagen and TNC staff are also very motivated, and that the project will constitute the Open Space Program's first conservation easement. Mr. Guzman referred to the April 21, 2003 letter to Mr. and Mrs. Fagen which was distributed prior to the start of the meeting, and provided a brief overview of the same. He requested the Committee members to advise him of their interest in attending the field trip.

In response to a question, Mr. Guzman pointed out the Schultzes and the Fagens properties on the displayed map. Chairperson Hartman referred to the Evaluation Form included in the agenda materials, and expressed the opinion that the habitat and physical setting is quite rare. Mr. Guzman agreed and advised he would change the priority. He anticipates NDOW will be interested in the property because it is a known bear habitat. Chairperson Hartman advised of a time when turkeys were present on the property.

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In response to a question regarding the nature of the conservation easement, Mr. Guzman advised that the Fagens have indicated the locations of two building sites, which he pointed out on the displayed map. In addition, the Fagens have expressed the desire to continue grazing cattle in the pasture. They have expressed strong opposition to public access because of problems experienced in the past. Mr. Guzman related the example of a vehicle which was stuck to the axle in the middle of the access road at the time of his visit to the property with Member Robinson. He discussed the scenic beauty of the property which can be viewed by the public from several points along Kings Canyon Road. He advised that the Schultzes are even more opposed to public access. At the request of Member Riedl, Mr. Guzman pointed out agricultural access points. He advised that discussions have taken place regarding the possibility of trails at the edge of the property, the location of which he pointed out on the displayed map. He discussed recreational opportunities such as mountain biking and hiking. Mr. Guzman pointed out another road which would also be a potential for hikers, and Member Bird requested Mr. Guzman to particularly pursue that road. Vice Chairperson Jacquet inquired as to a road on the eastern edge of the property and whether it has been historically used to access adjoining properties. Mr. Guzman expressed the opinion that the road is relatively new, and that it is used extensively for hiking and bicycling. He pointed out the route of the road which begins in Voltaire Canyon on U.S. Forest Service property and traverses into the Schultz property. He advised that the majority of the road is not gated. He indicated that negotiations will continue. Vice Chairperson Jacquet suggested the possibility of designating a route through the property rather than allowing open public access. Member Bird suggested requesting the property owners to consider strictly non-motorized access on the far east side of the property. Discussion took place with regard to the same, and Mr. Guzman responded to questions regarding the development potential of the property.

3-E. STATUS REPORT ONLY REGARDING THE ACQUISITION OF THE GILBERT PROPERTY, CONSISTING OF 40 ACRES LOCATED SOUTH OF THE TERMINUS OF KINGS CANYON ROAD, APNs 7-061-72 THROUGH -75 (1-0787) - Mr. Guzman advised that the Gilbert Property closed, the deed is in possession of Parks staff, and it includes language indicating the property was purchased with Open Space Program funds. He acknowledged that sheep grazing is in the works, and advised he would agendize discussion of this matter for the next meeting. He advised that there is a portion of fencing which will be removed using maintenance funding. He encouraged the Committee members to visit the property. Member Riedl advised of a trail from the corral that goes up to C-Hill.

3-F. STATUS REPORT ONLY REGARDING THE RULE MAKING PROCESS FOR STATEWIDE BALLOT QUESTION #1, OPEN SPACE AND TRAILS TAX INITIATIVE (1-0823) - Mr. Guzman reviewed the staff report, and advised that he has requested Skip Canfield, of the Nevada Division of State Lands, to provide a copy of the draft regulations as soon as they are available. He advised he will attend as many of the hearings as possible in order to get a sense of the opinions of other county representatives regarding the draft regulations. Mr. Guzman reminded the Committee that a joint meeting will be scheduled with other relevant committees to discuss Question #1.

Member Scott inquired as to how the various City advisory committees fit together with the V&T committee in terms of right-of-way along the Carson River. He advised of a recent discussion with John Serpa, wherein he indicated that the V&T group was taking the lead in pursuing right-of-way issues. Mr. Serpa reminded Member Scott that if the project moves forward, he is willing to reasonably allow pertinent parcels to become available for the V&T right-of-way. Mr. Guzman advised that staff will prioritize potential nominations for SNPLMA Round 5, which are due at the beginning of August. Mayor Masayko has advised that the V&T group has an agreement with Mr. Serpa to pursue the right-of-way. Member

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Scott clarified that Mr. Serpa expressed a willingness to work with the appropriate entity to make the parcels available at a nominal price if they are to be included in a larger project. He suggested keeping the parcels out of the SNPLMA process. Mr. Guzman advised that he is pursuing all potential avenues, and agreed that the Open Space Program is not the appropriate entity to pursue V&T right-of-way. The BLM has consistently been made aware that the City is interested in the easement for the V&T if the land is acquired through the SNPLMA process. Mr. Guzman agreed that additional clarification would be helpful. Member Riedl commented that since the V&T is being funded through a federal transportation grant, care will have to be taken, with regard to the right-of-way, to avoid a conflict with the federal aid process.

3-G. STATUS REPORT ONLY REGARDING THE PRELIMINARY RECOMMENDATION OF THE TECHNICAL ADVISORY COMMITTEE FOR THE SOUTHERN NEVADA PUBLIC LAND MANAGEMENT ACT, ROUND 4, ENVIRONMENTALLY SENSITIVE LAND ACQUISITION PROGRAM (1-0945) - Mr. Guzman reviewed the staff report, and pointed out the Howard/Dombrowski properties on a displayed map. He advised of having visited the properties with Member Riedl and of their discussion with an adjacent private property owner regarding access to the Howard property. From the Howard property, there is a graded trail which leads to the River bank where large pieces of trailers and mobile homes remain from the 1997 flood. Mr. Guzman suggested that the BLM may be interested in having these things removed from the property prior to purchase. Discussions will need to take place with the private property owners prior to doing so, however. Mr. Guzman explained that the Technical Advisory Committee recommendation will be forwarded to the Executive Committee and, from there, to the Secretary of the Interior. Chairperson Hartman acknowledged he will be in Washington shortly and "will do what he can." Mr. Guzman advised that Acting City Manager Andy Burnham was in Washington today, and that he has been diligent about pursuing the BLM's purchase of the Bernhard property.

4. NON-ACTION ITEMS:

STATUS REPORTS AND COMMENTS FROM COMMITTEE MEMBERS (1-1036) - None.

STATUS REPORTS AND COMMENTS FROM STAFF (1-1046) - At the request of Member Scott, Mr. Guzman discussed the clean up projects at the Moffat Open Space Property on Saturday, April 19th and at the Northridge wetlands earlier in the day. He advised that the kids did a really good job on the Moffat property; two bicycles and a portion of a sofa were removed from the creek and a large amount of broken glass was removed from the property. The plaque at the top of the property has some embedded scratches and graffiti so staff is looking into other maintenance methods. Mr. Guzman commended Parks and Recreation Director of Operations Scott Fahrenbruch on the proactive maintenance program. He discussed the dedication of the Clean Up Trailer, a project funded by the Open Space Advisory Committee with a donation from the Society for the Betterment of Parks and Recreation. He described the trailer and its contents. Mr. Guzman advised that non-motorized vehicle signs were installed at the wetlands, including the portion the City is about to acquire. He described the trash which was removed from the wetlands, and advised that it filled two 16-cubic yard dumpsters. Approximately 21 people participated, mostly Boy Scouts and young people, and Mr. Guzman commended them on a job well done. He advised that items would be agendized to thank the two groups who participated.

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Mr. Guzman advised of attending a Tahoe Rim Trail Association meeting with Mark Kimbrough. A trail construction and maintenance conference is scheduled in June, and Mr. Kimbrough has requested the Open Space Advisory Committee to provide a presentation. Mr. Guzman discussed meetings with BLM representatives on SNPLMA nominations and other issues, a recent Clear Creek Watershed Coalition meeting, and a Clear Creek rehabilitation project sponsored by NDOT. Mr. Pugsley has advised that Tribal representatives have expressed a willingness to provide funding for land rehabilitation. Mr. Guzman advised that Costco donated drinks and \$25 toward the Moffat Open Space Property clean up project. (1-1194) In response to a question, Mr. Guzman advised that U.S. Forest Service representatives will be presenting a landscape analysis for the Kings Canyon area in the near future.

FUTURE AGENDA ITEMS FROM COMMITTEE MEMBERS (1-1174) - Mr. Guzman acknowledged he would agendize discussion and action regarding the sheep grazing project. He advised that staff will be polling members of this Committee, the Carson River Advisory Committee, Parks and Recreation Commission, and other relevant committees regarding a joint meeting on Question #1. Member Scott suggested agendizing recognition and commendation of the Boy Scouts, high school students, and others who participated in the clean up projects soon. Mr. Guzman acknowledged that the clean up projects were well covered by the media.

INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS - None.

5. ADJOURNMENT (1-1228) - Member Scott moved to adjourn the meeting at 7:13 p.m. Member Riedl seconded the motion. Motion carried 6-0.

The Minutes of the April 21, 2003 meeting of the Carson City Open Space Advisory Committee are so approved this 19th day of May 2003.

STEPHEN D. HARTMAN, Chair