

CARSON CITY OPEN SPACE ADVISORY COMMITTEE

Minutes of the June 21, 2004 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, June 21, 2004 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Chairperson Steve Hartman
Vice Chairperson Dan Jacquet
Laura Bird
Michael Fischer
Howard Riedl
Margaret Robinson

STAFF: Scott Fahrenbruch, Acting Parks and Recreation Director
Juan Guzman, Open Space Manager

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

CALL TO ORDER AND ROLL CALL (1-0009) - Chairperson Hartman called the meeting to order at 6:00 p.m. A quorum was present. Member Scott was absent.

CITIZEN COMMENTS ON NON-AGENDIZED ITEMS (1-0014) - None.

1. ACTION ON APPROVAL OF MINUTES - May 17, 2004 (1-0017) - Member Riedl moved to accept the minutes. Member Fischer seconded the motion. Motion carried 6-0.

2. CHANGES TO THE AGENDA (1-0023) - None.

3. AGENDA ITEMS:

3-A. PRESENTATION ONLY BY THE U.S. FOREST SERVICE CARSON RANGER DISTRICT REGARDING THE FIRE ECOLOGY OF C-HILL/BORDA MEADOW AREAS (1-0025) - Mr. Guzman introduced U.S. Forest Service ("USFS") Resource Officer Eric Walker, and reviewed the staff report. Mr. Walker distributed to the Committee members and staff a Field Tour Report of the C-Hill Fuelbreak Demonstration Project, dated July 28, 1999, and reviewed the same. He summarized the report findings, as follows: sheep were effective in controlling fine fuels (grasses and young growth on sagebrush and bitter brush) by consumption and trampling. The result of the study indicates reductions in the total amount and distribution of vegetation. Mr. Walker provided an overview of the survey results attached to the Field Tour Report.

Mr. Walker advised that in the spring of 2004, the USFS signed a decision memo to treat fuels adjacent to homes in the areas of C-Hill and the Borda Meadow. The project will be done in conjunction with ongoing efforts of the Carson City Fire Department and the Parks and Recreation Department. Mr. Walker referred to a map which depicted the treatment area, and advised that the project will be implemented in the fall using hand crews and equipment.

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Mr. Walker referred to the Clear Creek Landscape Analysis, which includes the areas of C-Hill and Kings Canyon. He pointed out, on a displayed map, areas which are being considered for possible fuel reduction projects and other vegetation treatments, and described the proposed projects. He advised that project level planning has been funded for 2005. This will implement the strategies identified in the Clear Creek Landscape Analysis for fuel treatment and other projects. USFS representatives will be considering strategically placed land area treatments, which are further up in the watershed and incorporate larger acreages, as well as treatment projects adjacent to residential areas. Mr. Walker explained that USFS representatives are currently considering the most appropriate tools for the fuel reduction projects. Livestock, hand crews, and equipment are all possibilities to accomplish fuel reduction and maintenance. Mr. Walker reviewed costs associated with using livestock to reduce fuels. He advised that livestock can often be propagators of noxious weed infestations.

Mr. Walker responded to questions regarding funding associated with the Healthy Forest Initiative to address hazardous fuels situations across the nation. He advised that the funding is available to all national forests on a competitive basis. In response to a question, Mr. Walker advised that USFS Carson Ranger District staff will be planning large and small scale projects for 2005. Livestock grazing may be the method chosen to achieve project objectives. In response to an additional question, Mr. Walker advised that a 12-month cycle is usually associated with environmental assessment. There may be opportunities for categorical exclusions which provide for more flexibility and a more expeditious planning cycle of approximately three months. Mr. Walker responded to additional questions regarding the planning time table. He advised that once the Clear Creek Landscape Analysis is finalized, Carson Ranger District staff will begin considering specific projects that will meet the strategies identified therein.

Chairperson Hartman advised that he walks in the C-Hill/Borda Meadow area frequently, and that there is currently a lot of fire fuel in the area. He expressed concern regarding the two-year time table associated with the USFS planning process, and that no projects will be implemented until it is completed. He advised of having contacted Mr. Guzman on the day of the lightning-caused fire just above the Indian colony land in 2003. He expressed concern regarding loss of the habitat. Mr. Walker discussed the successful revegetation project, which goal at the time was to prevent the hillside from eroding onto the residential properties below. Discussion took place regarding the mule deer habitat.

Chairperson Hartman discussed the importance of not allowing windows of opportunity to close before implementing programs to reduce fire fuels. He pointed out that utilization of livestock is not as effective once the fuels are no longer green. He discussed the problem of planning and planning, but never doing anything. He expressed a concern that windows of opportunity have been missed since 1999. He expressed understanding for the required environmental assessment processes, but noted that they are "interminable" and that the problems remain. He expressed an interest in the Clear Creek Landscape Analysis presentation in July in conjunction with future programs. Mr. Walker discussed the responsibility of the Carson Ranger District to oversee approximately 400,000 acres. Chairperson Hartman pointed out that Carson City has attempted to be very proactive, and discussed the partnership opportunities between the City and the USFS. He requested Mr. Walker to consider the partnership opportunities. Mr. Walker referred to the C-Hill Fuelbreak Demonstration Project and advised that the USFS will continue to work with the City to implement projects. Chairperson Hartman referred to the survey results which indicate the preference for utilizing livestock to reduce fire fuels. Mr. Walker discussed private property considerations and obligations in the area of C-Hill, and suggested that the City could assist the USFS in facilitating coordination of projects. He assured the Committee that the USFS is taking steps to address the fire fuels

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issue. He advised that livestock grazing may not be the correct tool. He explained that many times changing fire fuel distribution is effective, and discussed fuel reduction programs implemented above the Lakeview subdivision. Chairperson Hartman expressed understanding for the required processes, but reiterated the need to implement programs as soon as possible.

Mr. Walker responded to questions regarding funding allocations for fire suppression. He suggested writing to the USFS Forest Supervisor, the District Ranger, and Congressional representatives. In response to a question, he advised that program planning includes maintenance. He responded to additional questions and discussed the current national policy of fire suppression. Chairperson Hartman thanked Mr. Walker for his presentation. Mr. Guzman acknowledged that a USFS representative will present the Clear Creek Landscape Analysis in July. Mr. Walker made himself available to answer additional questions or conduct field tours.

3-B. ACTION TO REVIEW AND MAKE A RECOMMENDATION TO THE PLANNING COMMISSION REGARDING SUP-04-095, A SPECIAL USE PERMIT APPLICATION FOR THE EXPANSION OF THE CINDERLITE AGGREGATE PIT, LOCATED AT 600 GONI ROAD, APNs 008-011-58 AND -57 (1-0600) - Mr. Guzman reviewed the staff report, and discussed the mitigation opportunities represented by the proposal. He suggested that the public purpose will be served by facilitating mitigation of the cut slopes created by the pit operation. He advised of having discussed with the applicant, Gregory Lehman, the possibility of providing the opportunity for the Open Space Program to obtain lands further up Goni Canyon, or to construct trails, which would separate truck traffic from non-motorized uses, to provide public lands access. He further advised of having invited Mr. Lehman to attend the meeting, but noted he was not present. He explained the process by which this item will be forwarded to the Planning Commission and to the Bureau of Land Management. He suggested conveying the same message to both the Planning Commission and the Bureau of Land Management: acknowledging the Committee's obligation to protect public lands, but also acknowledging the slim chance of the land ever being revegetated if the special use permit is not approved. He advised of having suggested to Mr. Lehman that he include conditions of approval, or a donation, or voluntary action to improve the public aspect of the proposal.

In response to a question, Mr. Guzman explained that the proposal is to enlarge the existing pit in order to modify the wall from vertical to one which can be revegetated. Vice Chairperson Jacquet advised of having discussed this item with Mr. Guzman, and of having reviewed the most recent special use permit, including the mining and reclamation plans for the existing operation which call for a 1.5:1 slope and reclamation of most of the slopes other than the high wall. He discussed the economic development component of the proposal and noted the "win-win" opportunity in that other parts of the same mountain, owned by a private mining company, could be protected.

Member Bird advised of her residency in the Goni Canyon area. She provided a visual example of the existing mining pit operation, comparing the head wall to a very visible "cone," and discussed the impact of expansion. She expressed the opinion that there would otherwise be no way to fix the situation created by the head wall, but explained that the proposed expansion would begin to flatten it out. She acknowledged that the reclaimed area would still be visible but advised that the head wall would not be as visible an "eye sore." She acknowledged the citizens in the audience and advised that she does not belong to the Goni Canyon Preservation League. She referred to the staff report, and expressed the opinion that the wording in reference to Question #1 is not in any way binding. She expressed the further opinion that

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mitigation of the special use permit is required by the BLM and is not a special case of viewshed rehabilitation in that Cinderlite will continue to sell aggregate from the expanded operation. She advised that Cinderlite will more than double their aggregate sales over the next 20-25 years, and that the key observation points provided by the applicant don't show the close proximity of homes to the area. She further advised that the transportation analysis fails to mention that the Carson City School District presently has no less than three bus stops on Goni Road, with a total of six daily bus trips stopping on Goni Road more than twice. She noted that, although the Committee will not decide on this point, the Planning Commission and the BLM need to be aware of it. She reviewed the mitigation options referenced in the staff report, as follows: (1) an easement or bargain sale of land currently owned by Cinderlite; (2) widening the road to create an actual bike lane other than the one which currently merges into a dirt shoulder; and (3) creating a non-motorized path adjacent to the roadway. She pointed out that unless the Planning Commission or the BLM draft a memorandum of understanding or include specific details, the special use permit does nothing more than set out the same requirements which would be imposed on any permittee. She expressed the opinion that the Committee's recommendation should be forwarded to the Planning Commission "to approve if, and only if, further mitigation measures to benefit specific quality of life issues are established by the Planning Commission."

Chairperson Hartman discussed a concern that the Committee's very specific purview limits its involvement in issues of land use that are typically transportation driven. He noted that the Committee should not be used "as the foil" for certain things. He commended Member Bird on her expression of the issue. Mr. Guzman agreed, and noted that the phrasing of Member Bird's recommended motion provided the opportunity for many potential actions. He recommended including the Bureau of Land Management in any action so that both the Planning Commission and the BLM can act as the permit issuing authorities.

In response to a question, Vice Chairperson Jacquet clarified that the letter from the BLM, which was included in the Mactec application materials, indicates that the land use plan would allow consideration of the expansion. In response to a question, Member Bird reiterated her support for recommending approval of the special use permit "if, and only if, there is mitigation." In response to a question, Vice Chairperson Jacquet explained that the subject public lands are unencumbered and designated principally as open space. He suggested that this should be the driving force for BLM in making their decision. Chairperson Hartman noted that Cinderlite is an established, responsible business which has been in the community for a very long time. He advised that discretion exercised on the part of the City and the BLM must be reasonable. **Member Bird moved to recommend to the Planning Commission and to the BLM to approve the special use permit if, and only if, further mitigation measures to benefit specific quality of life issues are established by either the Planning Commission and/or the Bureau of Land Management, not specifically limited to staff recommendations. Member Riedl seconded the motion.** Vice Chairperson Jacquet requested Member Bird to further define the quality of life issues by including the words "open space" in her motion. Discussion took place with regard to the same, and Member Bird expressed appreciation for the suggestion. She noted that the language of the special use permit specifically mentions mitigation of the visual impact of the head wall. She expressed the opinion that the three mitigation measures recommended by staff would address Vice Chairperson Jacquet's concerns. She expressed concern with regard to limiting the discussion and thereby excluding trails or some other off-site mitigation which is not specifically related to open space. Chairperson Hartman called for additional comments and, when none were forthcoming, a vote on the pending motion. **Motion carried 6-0.**

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3-C. DISCUSSION AND UPDATE ONLY REGARDING A WETLAND MITIGATION PROJECT PROPOSED BY MR. CHUCK RAFFETY ON LAND APPROXIMATING 35 ACRES AND DESCRIBED AS THE NATURE PARK BY THE NORTHRIDGE DEVELOPMENT AGREEMENT. THE PARCELS INVOLVED INCLUDE APNs 008-124-19, 002-101-54, 002-101-55, and 002-101-73 (1-1172) - Mr. Guzman described the location of the subject parcels and reviewed the staff report. Chairperson Hartman suggested breaking out a separate map for the next presentation to the Board of Supervisors in order to avoid confusion between the subject parcels. Mr. Fahrenbruch discussed the importance of the public understanding that there may not always be a wetlands at the site when and if reclaimed water is extended to it.

3-D. ACTION TO APPROVE A CLEANUP ACTIVITY PROJECT WITH SERVICE CLUBS AND VOLUNTEERS AT THE FOLLOWING SIERRA FRONT AREAS: VOLTAIRE CANYON, KINGS CANYON, ASH CANYON, COMBS CANYON, CLEAR CREEK, AND CITY PROPERTY IN LAKEVIEW; TO BE HELD DURING THE SUMMER OF 2004 (1-1254) - Mr. Guzman advised that the clean up activity project was scheduled for Saturday, July 10th. He reviewed the staff report, and discussion took place regarding the most appropriate meeting place for the volunteers, transportation, and the afternoon barbecue. Member Riedl suggested taking the opportunity to tour some of the open space lands in Kings Canyon in addition to cleaning up the designated areas. Chairperson Hartman suggested placing trash cans at Ash and Combs Canyons.

(1-1368) Mr. Guzman responded to questions regarding the purpose of the clean up activity in Kings Canyon. Laurie Walsh advised that there is very little trash in the area; she and her friends walk the road everyday, frequently with garbage bags. She advised that a homeless person lived in the area for over a week and spent time gathering trash in the area of the sheep camp. She further advised that there is new graffiti along the waterfall road and that the U.S. Forest Service left posts when they removed the barbed wire fence. She advised of “social fire rings” in the grove which are “scary.” (1-1436) Ms. Walsh expressed appreciation for the Committee’s willingness to schedule the clean up project.

Chairperson Hartman suggested involving the City Utilities Department in removing the brush from the stream bottoms next year.

3-E. ACTION TO RECOMMEND TO THE BOARD OF SUPERVISORS AND TO AUTHORIZE THE CHAIRMAN OF THE OPEN SPACE ADVISORY COMMITTEE TO SIGN A LETTER TO BE DIRECTED TO THE SOUTHERN NEVADA PUBLIC LAND MANAGEMENT ACT EXECUTIVE BOARD AND THE SECRETARY OF THE INTERIOR IN SUPPORT OF THE ROUND 5 NOMINATION FOR ACQUISITION OF ENVIRONMENTALLY SENSITIVE LANDS (1-1440) - Mr. Guzman reviewed the staff report. **Member Fischer moved to allow the chairman to sign an appropriate letter. Member Robinson seconded the motion. Motion carried 6-0.**

4. NON-ACTION ITEMS:

STATUS REPORTS AND COMMENTS FROM COMMITTEE MEMBERS (1-1476) - None.

STATUS REPORTS AND COMMENTS FROM STAFF (1-1478) - Mr. Guzman discussed the “General Tools” Land Trust class he recently attended. He offered to copy the class materials for any interested Committee member. He is scheduled to attend a class on Stewardship of Conservation

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Easements and another on Writing Conservation Easements. He advised of having met earlier in the day with City Engineer Larry Werner to discuss the status of the Horse Creek Ranch project. He commented that the meeting was productive and advised that Mr. Werner is supportive of the project.

Mr. Guzman provided a status report on appraisal of the Jarrard-Anderson property. He advised that Question #1 funding will be requested for purchase of the property. He further advised that the Question #1 funding requested for the trail project submitted by the City was approved. The land purchase project has not yet been considered. (1-1516) Jane Martin advised of a flood plain below her property owned by the Jarrard family. She expressed support for including this parcel in any potential purchase, and Mr. Guzman assured her it was included.

FUTURE AGENDA ITEMS FROM COMMITTEE MEMBERS (1-1542) - Mr. Guzman reviewed the tentative agenda for the July Committee meeting.

5. ACTION ON ADJOURNMENT (1-1550) - Member Fischer moved to adjourn the meeting. Member Bird seconded the motion. Motion carried 6-0.

The Minutes of the June 21, 2004 meeting of the Carson City Open Space Advisory Committee are so approved this 16th day of August, 2004.

STEPHEN D. HARTMAN, Chair