

**CARSON RIVER ADVISORY COMMITTEE  
CARSON CITY OPEN SPACE ADVISORY COMMITTEE  
Minutes of the November 5, 2001 Meeting**

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A joint meeting of the Carson River Advisory Committee and the Carson City Open Space Advisory Committee was scheduled for 6:00 p.m. on Monday, November 5, 2001 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

**CARSON RIVER**

**ADVISORY COMMITTEE:** Vice Chairperson Claire Clift  
Dan Greytak  
Thomas Hall  
Kevin Walsh  
Barbara Wright

**OPEN SPACE**

**ADVISORY COMMITTEE:** Chairperson Steve Hartman  
Laura Bird  
Ron Pacheco  
Margaret Robinson  
Bruce Scott

**CARSON CITY STAFF:** Juan Guzman, Open Space Manager  
Vern Krahn, Parks Planner  
Robb Fellows, Senior Engineer  
Laura Lueders, Carson River Intern  
Kathleen King, Recording Secretary  
(OSAC/CRAC 11/05/01)

**NOTE:** Unless indicated otherwise, each item was introduced by Chairperson Hartman. 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.

**A. CALL TO ORDER, ROLL CALL AND DETERMINATION OF QUORUM (1-0001) -** Chairperson Hartman called the Open Space Advisory Committee ("OSAC") to order at 6:00 p.m. Vice Chairperson Clift called the Carson River Advisory Committee ("CRAC") to order at 6:00 p.m. Quorums of both committees were present. Vice Chairperson Jacquet and Member Fischer were absent from the Open Space Advisory Committee. Chairperson Zimmerman and Member Johnson were absent from the Carson River Advisory Committee.

**B. PUBLIC COMMENT ON NON-AGENDIZED ITEMS (1-0020) -** Susan Hoffman, a Carson City resident and concerned citizen to save Fuji Park and Fairgrounds, provided comments from a prepared statement. She commended the OSAC on their efforts to acquire open space for Carson City. She inquired as to whether the OSAC is considering a way to protect open space in perpetuity, and expressed the hope that the Committee will do what it can to assure the citizens of Carson City that the open space it is working so hard to acquire will be safe in the future. Chairperson Hartman advised that the Committee plans to schedule a meeting with the Board of Supervisors to discuss how to deal with the ongoing issues of commitment and flexibility.

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**C. MODIFICATION OF THE AGENDA (1-0050) - None.**

**D. DISCLOSURES (1-0053) - None.**

**E. PUBLIC MEETING**

**E-1. INTRODUCTION OF COMMITTEE MEMBERS (1-0056) -** At Chairperson Hartman's request, the members of the two committees introduced themselves.

**E-2. PRESENTATION AND DISCUSSION ONLY REGARDING MITIGATION EFFORTS PROPOSED BY CARSON CITY, DOUGLAS COUNTY, NDOT AND THE SUBCONSERVANCY DISTRICT ALONG CLEAR CREEK (1-0072) -** Mr. Krahn reviewed the staff report and introduced Paul Pugsley, of the Carson Valley Conservation District ("CVCD"); Rob Fellows, of Carson City Development Services; Dan Kaffer, of Western Nevada Resource Conservation & Development ("WNRC&D"); and Laura Lueders, the Carson River Intern. Mr. Pugsley provided background information on development of the Clear Creek Watershed Council. He and Mr. Kaffer narrated a slide presentation relative to issues surrounding Clear Creek, and responded to questions regarding the time of year the photographs were taken, the flow rate of the Carson River during its high water point, the condition of the riparian area in that portion of the Creek which flows through Fuji Park, and channelization of the Creek in the Fuji Park area. In response to a question, Mr. Fellows advised that the Highway 395 culverts are sized for approximately 500 cfs. One hundred year flows are approximately 2500 cfs. In response to a further question, Jon Nowlin advised that the 1997 flood was 266 cfs on Clear Creek.

In response to a question, Mr. Pugsley described Tribal lands boundaries. Mr. Kaffer discussed measures being taken by the Washoe Tribe to fence a portion of their property, pointed out an area which would support a good trout fishery, and described an erosion control project done on Tribal lands in 1990-91. Discussion took place regarding cattle grazing in the area, erosion problems, sedimentation sources affecting Clear Creek, and the location of the hot spring. Mr. Pugsley advised that Clear Creek and that portion of the Carson River which flows through State Prison property has been fenced to exclude cattle. The land was divided into several paddocks and it will be grazed every other year for the purpose of managing noxious weeds. Mr. Pugsley discussed the possibility of opening the grazing plan areas to habitat for ducks and other wildlife. He advised that the U.S. Fish and Wildlife Service has expressed opposition to installation of a diversion structure on Clear Creek because it may impede a future goal of recovering Lahontan cutthroat trout on the Carson River. Discussion took place regarding the Clear Creek Watershed Council and the cattle grazing operation at the prison.

Mr. Pugsley invited the members of both Committees to the first meeting of the Watershed Council on Thursday, November 8<sup>th</sup> at the Fairgrounds Exhibit Hall. Member Scott commented on the benefits of Carson City and Douglas County working together on a resource-based approach. He thanked Supervisor Williamson for her efforts in helping to initiate the Watershed Council. Mr. Pugsley and Member Scott responded to questions regarding Clear Creek water users and water rights. Chairperson Hartman thanked Mr. Pugsley, Mr. Kaffer, Mr. Fellows, and Ms. Lueders for their presentation. In response to a question, Mr. Pugsley reviewed the proposed agenda for the Watershed Council meeting. In response to a further question, Mr. Kaffer explained NDOT's involvement.

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**E-3. PRESENTATION AND DISCUSSION ONLY REGARDING FUTURE COMMERCIAL DEVELOPMENT PLANS IN DOUGLAS COUNTY ON LAND PARCELS DIRECTLY SOUTH OF CLEAR CREEK (1-0952)** - Mr. Guzman referred the Committee members to the development plans included in their agenda materials, and provided an overview of the same. He advised that the western boundary of the development site is approximately 100 feet from Clear Creek. The development plans propose very steep cut and fill slopes (1.5:1) on that boundary and the use of geogrid material. Mr. Guzman described the locations of surface drainage collection basins and the sand/oil separator.

Mr. Fellows advised that most of the grading for the development is complete. He described the geogrid material, the course of the drainage, and the drainage facilities. He reviewed the plans and responded to questions regarding the amount of water the detention area will hold, the portion of the development which will be paved, the discharge route from the development site to Clear Creek, and the elevation. He acknowledged that the sand/oil separators discharge to the northeast and end up on Carson City property. He explained that the plan has been slightly modified, but the Warehouse Way right-of-way allows Douglas County to tie their drainage facilities into the culvert without an easement. The sand/oil interceptor is sized to convey low flow events and allow higher flows to pass by. Mr. Fellows explained that most contamination results from lower frequency storms. He acknowledged that both flows discharge to the same point and, in response to a further question, advised that he had not yet been provided the necessary information to determine whether the culvert has adequate capacity to handle both flow types. He has been attempting to gather information on the drainage report.

Mr. Guzman acknowledged that NRS 278 requires consultation with the neighboring community for major projects within three miles of the county line. He further acknowledged that said consultation has taken place, and that notice of the same was provided to the City Manager and to the Planning and Community Development Department. Mr. Fellows advised that City staff is not very pleased with the development plans and is concerned regarding the slope stabilization, proposed landscape, and the lack of irrigation. City staff is negotiating with the developer over these issues.

Member Scott pointed out that “this project has successfully blocked a beautiful view of the Sierras from Highway 395” and “tends to accentuate the impact of the fill slope.” He expressed the hope that the City and the Committee can expect the same level of effort required of Costco to establish and stabilize the slopes. He suggested that a mixture of desert peach and sagebrush to create a natural-looking, stabilized slope would be appropriate. He advised of the Wal-Mart standard of 2% or flatter unless otherwise specified, and suggested that 1.5:1 is most likely not Wal-Mart’s standard. He commented that geofabric will not work unless something is planted and irrigated, at least temporarily. Natural or native plantings will become established and eventually survive well on their own; however, the slope stabilization, erosion control, and runoff which all discharge to Carson City property are significant. Member Scott suggested that the community and the Committees should take a relatively active role in requesting an understanding of the requirements and, if the requirements are not satisfactory, in remedying the situation.

Mr. Fellows advised that City staff was in contact with Douglas County representatives regarding a number of issues prior to the site being graded. City staff requested the same level of effort as was required at The Home Depot and other large commercial developments. Mr. Fellows encouraged the support of the Committee members and the community. He acknowledged that the developers have received a permit for

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grading over five acres. With regard to the discharge permit, Mr. Fellows advised that the developers have been working with Rob Saunders of the Nevada Department of Environmental Protection.

Member Scott pointed out that Carson City has a significant interest in expressing concerns simply as an adjacent property owner. He suggested that the OSAC take more formal action, under a future agenda, to provide City staff and elected officials support to request more information and to express concern. Member Scott acknowledged that Clear Creek qualifies as a United States waterway. Chairperson Hartman inquired as to the Clean Water Act permit and the involvement of the U.S. Army Corps of Engineers. Mr. Fellows indicated that he would welcome support from the Army Corps of Engineers and from any other interested party. He advised that letters of objection and concern have been sent to the Douglas County Community Development Director and to the County Engineer on several different occasions with very little response. He advised that Jon Nowlin had contacted Wal-Mart via e-mail and expressed concerns. Member Scott suggested that the focus should remain on legitimate, technical issues. In response to a question, Mr. Guzman explained that environmental assessments are required by federal law and that this project is not subject to said requirement. In response to a further question, Mr. Guzman advised that the State of Nevada has no formal environmental review process; however, State Public Works will consider environmental concerns such as drainage, landscaping, etc. Member Scott advised that fairly significant water quality standards have been applied to Clear Creek. Thus, the issue of sediment and sand/oil separation may be factors for review. In response to a question, Chairperson Hartman advised that the water quality standards are delegated from the federal government to the State of Nevada which acts as the custodian of the standards. Chairperson Hartman requested that staff agendaize this matter for formal action by the OSAC, and provide information regarding the status of the required permits.

With regard to the Clean Water Act, Mr. Pugsley explained that discharge in Douglas County and Carson City is controlled in the permitting process by either NPDES or non-point source. It generally depends on the size of the community and, in this case, Douglas County "is on the small side and is addressed as a non-point source." At the moment, there is no discharge permit required for drainage to waters of the U.S. by the Nevada Department of Environmental Protection. The individual responsible for determining whether it would apply in specific instances is Rob Saunders. Mr. Pugsley advised that Douglas County is behind Carson City in establishing a county-wide drainage plan and will most likely not be required to obtain an NPDES permit. In response to a question, Mr. Pugsley explained that community drainage is not defined as point discharge until the community becomes a certain size and then, under the NPDES phase 2 rules, only if the system is publicly owned. All drainage in Douglas County will be treated as part of the NPDES program which will only follow the establishment of TMBLs in the Carson drainage. Chairperson Hartman requested information regarding ownership of the improvements in the Industrial Way right-of-way.

(1-1408) Jon Nowlin advised of e-mail communication with Amy Hill, the northern Nevada Wal-Mart representative, with regard to this project. He reviewed the concerns expressed to Ms. Hill, including the 1.5:1 slope and that neither top soil nor irrigation is planned for the slope. Ms. Hill advised that Wal-Mart is meeting all applicable requirements and provided the name of the development's geotechnical consultant. Mr. Nowlin responded with an additional e-mail to Ms. Hill and to the consultant re-addressing the same and some additional concerns. He has received no response since then. He described the geo-net material, and advised that its purpose is to keep the steep slope from "sloping", not to stop surficial erosion of the slope face. He expressed the concern that nothing will grow on the slope without top soil. He suggested to Ms. Hill and to the geotechnical consultant that native shrubs and trees be planted along the base to break

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up the “monolithic wall” as well as to stop erosion. He reiterated that he has received no response. He advised of a conversation with the development’s general manager, who advised that the rough grading is anticipated to be finished in November. The general manager advised Mr. Nowlin that he is meeting all specifications for the project and assumes that said specifications meet all applicable State and community standards. Member Scott requested a copy of Mr. Nowlin’s communication with Ms. Hill and the geotechnical consultant. Mr. Fellows acknowledged the 4" top soil requirement listed as a condition of the plan; however, he indicated that “it remains to be seen as to how they’re going to do that.” Chairperson Hartman thanked Mr. Nowlin and Mr. Pugsley for their comments. Supervisor Robin Williamson suggested discussing this matter at the meeting of the Clear Creek Watershed Council on Thursday, November 8<sup>th</sup>.

(1-1510) Mr. Nowlin inquired as to whether discussion would take place regarding Carson City’s development plans along Clear Creek. Mr. Guzman advised that such discussion was not agendized. Chairperson Hartman suggested that discussion could take place regarding the land owned by Carson City south of Clear Creek. He inquired as to whether the toe of slope being created abuts Carson City-owned property. Mr. Fellows described the property line between Wal-Mart and City property, and advised that the toe of slope in the area is within 10' and narrows at the east end to 2'. Mr. Guzman pointed out the City-owned property on a displayed map. In response to a question, Mr. Fellows advised that there is no retaining wall contemplated as part of the plan. He reiterated that the plans included in the agenda materials have been modified.

Mr. Nowlin advised of researching Internet vendor sites for geo-grid systems, and that none of the vendors advertised successful systems for slopes greater than 45 degrees which did not include some sort of retaining system. Member Scott pointed out that the Indian Hills General Improvement District (“IHGID”) has fairly significant slope stabilization standards. He clarified that the project is not within the IHGID, but commented that in his experience revegetating a 2:1 slope is a major effort and a 1:1 slope is virtually impossible. Establishing vegetation requires at least temporary irrigation and normally, with such a long slope, terracing or some other means of breaking up the slope is employed. He commented that the slope looks “particularly engineer-like instead of something that’s more aesthetic.” He acknowledged that addressing it will be a challenge, but indicated that now is the time to do so as it will be “something that we all live with for a long time.”

Mr. Fellows advised that he would provide copies of the correspondence from the Development Services Department to Douglas County. Vice Chairperson Clift acknowledged that the CRAC would be interested in receiving copies of Mr. Nowlin’s e-mail communications and the Development Services Department correspondence. Chairperson Hartman pointed out that one of the charges of the OSAC is aesthetic viewscape and that this 37' wall of dirt needs to be addressed. Mr. Guzman acknowledged that he would agendize this matter for the next OSAC meeting.

**E-4. DISCUSSION AND ACTION REGARDING THE COORDINATION OF EFFORTS BETWEEN THE OPEN SPACE ADVISORY COMMITTEE AND THE CARSON RIVER ADVISORY COMMITTEE IN PAST ACTIVITIES AND IN ORDER TO ADVANCE COMMON GOALS AND POTENTIAL FUTURE PROGRAMS OR ACTIONS (1-1655)** - Mr. Guzman reviewed the staff report and, in response to a question, pointed out parcels nominated by the U.S. Forest Service during the last round of the Southern Nevada Public Lands Manage Act (“SNPLMA”) process. He

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discussed various groups such as The Trust for Public Lands and The Nature Conservancy which have applied for funding on behalf of other governmental entities. He continued reviewing the staff report and, in response to a question, pointed out a 40-acre parcel of Bently property, the Wrights' parcel, the Howard/Dombrowski parcel, and the properties nominated as part of SNPLMA round II. Mr. Pugsley pointed out additional Bently properties and the confluence of Clear Creek with the Carson River.

Mr. Guzman advised of a presentation by Mary Bennington of The Nature Conservancy at the September OSAC meeting regarding a study being conducted on the Carson River. Ms. Bennington agreed to share her findings with the OSAC and staff. Mr. Guzman referred to letters from the Bureau of Land Management, included in the agenda materials, and reviewed the same. With regard to the Pine Nut Mountains Plan Amendment, he advised he had suggested on behalf of the City that the study should include the Carson River. He further advised that Planning and Community Development Department staff have expressed an interest in updating the Urban Interface Plan developed approximately five years ago. Discussion took place regarding tribal lands and Chairperson Hartman suggested that Mr. Guzman locate the map depicting BIA and trust property parcels. Mr. Guzman requested input from the Committees regarding incorporating these matters into a meaningful work program.

Vice Chairperson Clift discussed the mercury issue in the northern portion of the Carson River Canyon and Member Walsh's activities in pursuing recreation opportunities and clean up projects in the area. She suggested getting input from the BLM regarding the Carson River in the northern part of the canyon. Mr. Guzman indicated he would look into this.

Member Scott inquired as to the CRAC's position regarding the lack of water and the weeds in the upper fields at the Silver Saddle Ranch. Vice Chairperson Clift provided background information on the purchase of water by the CRAC for irrigation of the acreage. Eighty acres are irrigated and Carson City Utilities committed to work, in conjunction with the BLM, to ensure that the green space is maintained. Chris Miller, of the BLM, provided information on the irrigation provided. She discussed the possibility of using treated grey water in the future and advised that the weed problem is being addressed. She indicated that if the southern area cannot be irrigated, reseeding with native seeds has been proposed. She acknowledged that the long-term plan is to keep the riparian area on the west side of the River closed. The only exception would be BLM or volunteer-sponsored activities such as bird walks in the area. Both the dry and green pasture areas are designated as wildlife preserves and are closed to the public from the water line back to the fenced area. The east side of the River is open. In response to a question, Ms. Miller advised that the grey water proposal is only for the Silver Saddle Ranch and not for other users downstream.

Discussion took place regarding maintenance of the Mexican Ditch, the possibility of using grey water to irrigate the southern portion of the Silver Saddle Ranch, and the Riverview Park wetlands. Member Scott pointed out that water quality which is adequate for recreation on park facilities may not meet the standard for discharge to the Carson River. Mr. Pugsley commented that "the key to the whole discussion" is the Mexican Dam. He agreed with Chairperson Hartman's earlier comments that there are no longer enough users along the Mexican Ditch to provide enough funding for proper repair of the Mexican Dam. He advised of the study conducted by R.L. Anderson which indicated that keeping the dam structure in place for very long could be very expensive. Minor repairs have been done to the dam structure with the purpose of attempting to stop seepage through the loose rock portion. Mr. Pugsley pointed out that the structure is very old, is piping underneath, and has a very limited life. He commented that there is not enough value,

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from an agricultural perspective, to replace the dam structure. In response to a comment, Mr. Pugsley advised that the CVCD has attempted to engage the State Historic Preservation Office (“SHPO”) in the possibility of preserving the structure because of its historic value. SHPO representatives have expressed an interest in having the dam structure restored, but have no funding sources to offer. Member Scott pointed out that water in the Mexican Ditch maintains the surface and subsurface water in the area between the Ditch and the River which is critical to summer peaking for Carson City through the two infiltration wells. He suggested that this could be one reason the City may be interested in helping to maintain the ditch and the dam structure. Mr. Pugsley advised that the City has participated in repairs to the dam structure and has been very supportive of the Mexican Ditch users. Chairperson Hartman suggested creating partnership opportunities. Mr. Guzman indicated that he would monitor the status of this matter and report back to the OSAC. He reiterated his request that the Committees to consider coordination of projects and contact him with suggestions.

Vice Chairperson Clift suggested scheduling a field trip to the prison to view the improvements made since 1997. Member Walsh commented that coordinating efforts between the two Committees is a positive step. He expressed support for working more closely with the OSAC, especially on issues such as the proposed development along Clear Creek. He discussed his interest in the northern section of the Carson River Canyon, and the difficulties in developing recreation opportunities because of the mercury and various private property ownership.

**F. FUTURE AGENDA ITEMS AND COMMITTEE MEMBER STATUS REPORTS (1-2731)**

Mr. Guzman provided a brief overview of a proposal regarding the University Heights open space which will be agendized for a future meeting. Consensus of the OSAC was to schedule the next meeting for November 19<sup>th</sup>.

**G. STATUS REPORTS FROM STAFF (1-2445)** - In response to a question, Mr. Krahn discussed the activities of the Sound Wall Committee, which is comprised of Nevada Department of Transportation staff, their consultants, and City staff. He described the proposed sound wall treatments and Member Scott provided the e-mail address to register a vote for one the various treatments. Mr. Krahn provided a status report on the portion of the freeway at the Arrowhead Interchange. He advised that plans and photo simulations for the gateway treatments will be submitted for review by the OSAC, the Parks and Recreation Commission, and the Regional Transportation Commission in the near future.

In response to a question, Mr. Krahn discussed the revegetation project for the cut slope at Lone Mountain. He advised that the slope was reseeded and that a mulch/tackifier has been applied to keep the seeds in place. He assured the Committees that the green dye will fade. Vice Chairperson Clift discussed problems with reseeding Blackwells Pond Park, and expressed concerns that the reseeding project at Lone Mountain will not restore it to the way it looks on the opposite side of the ridge. Chairperson Hartman pointed out that the same problem will present on the north side of town when the freeway is constructed, with the same type of slope, the same height and the same grade. Mr. Guzman assured the Committees that staff would provide information on these projects.

(1-2648) Mr. Guzman advised that the Board of Supervisors approved the Moffat property rezoning and finalized distribution of the Certificates of Appreciation at their October 18<sup>th</sup> meeting. He further advised of attending a seminar on Nevada Water Law on October 18<sup>th</sup> and 19<sup>th</sup>; and of representing Development

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Services Director Andrew Burnham at a Conservation Easements class on October 23<sup>rd</sup>. He reported on a meeting with Jim Crane, Director of the Boulder, Colorado Open Space Program, wherein they discussed the accomplishments of the Carson City Open Space Program. He further reported on a meeting with U.S. Forest Service representatives regarding the SNPLMA Round IV. He discussed an initiative to move the U.S. Forest Service property line west of Highway 395 which will facilitate disposal of certain parcels from the U.S. Forest Service, such as the one north of Costco. Mr. Guzman reported on a meeting with Dr. Parker and Lynn Norberg regarding the appraisal of a potential conservation easement of Dr. Parker's property on Highway 50. He invited the Committee members to the Clear Creek Watershed Council meeting on November 8<sup>th</sup> at 6:00 p.m, and advised of the BLM's Pine Nut Mountains Plan Amendment meeting scheduled for November 13<sup>th</sup> at 6:00 p.m. He further advised that bid opening for the Moffat property project is scheduled for November 26<sup>th</sup> at 2:00 p.m. at the Carson City Utilities Conference Room.

**H. ADJOURNMENT** (1-2791) - Member Pacheco moved to adjourn the Open Space Advisory Committee Meeting at 8:30 p.m. Member Bird seconded the motion. Motion carried 5-0. Member Greytak moved to adjourn the Carson River Advisory Committee meeting at 8:30 p.m. Member Hall seconded the motion. Motion carried 5-0.

The Minutes of the November 5, 2001 joint meeting of the Carson River Advisory Committee and the Carson City Open Space Advisory Committee are so approved this \_\_\_\_\_ day of December, 2001.

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CHARLES ZIMMERMAN, Chairperson