

**CARSON CITY OPEN SPACE ADVISORY COMMITTEE**

**Minutes of the June 19, 2000 Meeting**

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A regular meeting of the Carson City Open Space Advisory Committee was held at 6:00 p.m. on Monday, June 19, 2000 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

**PRESENT:** Chairperson Steve Hartman  
Michael Fischer  
Dan Jacquet  
Ron Pacheco  
Don Quilici  
Bruce Scott

**STAFF:** Steve Kastens, Parks and Recreation Director  
Vern Krahn, Parks Planner  
Juan Guzman, Senior Planner, Community Development  
Kathleen King, Recording Secretary  
(OSAC 06/19/00; Tape 1-0001)

**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, DETERMINATION OF QUORUM (1-0001)** - Chairperson Hartman called the meeting to order at 6:03 p.m. A quorum was present. Vice Chairperson Merrill was absent. Alternate Members Anderson and Robinson were present.

**B. APPROVAL OF MINUTES (1-0005)** - Member Quilici moved to approve the minutes of the April 19, 2000 meeting of the Carson City Open Space Advisory Committee. Member Fischer seconded the motion. Motion carried 6-0. Member Scott moved to approve the May 15, 2000 meeting minutes. Member Fischer seconded the motion. Motion carried 6-0.

**C. PUBLIC COMMENT** - None.

**D. MODIFICATION OF AGENDA (1-0033)** - Mr. Krahn advised that item F-3(2) would be continued to the next regular meeting.

**E. DISCLOSURES (1-0044)** - Alternate Member Anderson advised of a meeting with George Szabo, a land use planner, who is working closely with the hospital and with Ira Andersen regarding development options for the 8-acre portion of the Mountain Street pasture. Member Pacheco advised of an informal conversation with Rob Scanland regarding item F-2.

**F. PUBLIC MEETING**

**F-1. PRESENTATION BY MIKE FORD OF THE CONSERVATION FUND, REGARDING PROGRAM ASSISTANCE FOR THE OPEN SPACE ADVISORY COMMITTEE (1-0058)** - Member Scott introduced Mike Ford, the Great Basin Director of the Conservation Fund, and provided information regarding his contacts with Mr. Ford. Chairperson Hartman welcomed Mr. Ford and

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thanked him for coming. Mr. Ford expressed appreciation for the opportunity to make his presentation, and referred to the annual report which had been previously mailed to the Committee members. He provided background information on the Conservation Fund, including that it is not a membership organization, but is supported through corporate sponsors, foundations, etc. The purpose of the Conservation Fund is apolitical, and the organization is relatively small with approximately 125 staff nationwide, including the headquarters office in Arlington, Virginia. Last year, over one-half million acres in land transactions were done, mostly through contracting and local partnerships. The organization is very decentralized and its representatives are empowered to make deals, create books of work, and seek out partnerships.

Mr. Ford went on to explain that an additional component of the Conservation Fund is involvement in projects which blend economic development and conservation. He provided the example of a housing development which was done in conjunction with local counties in Colorado, and explained that the project complimented ongoing conservation projects throughout the Rockies. He discussed the challenge of the federal government owning 87% percent of the land in Nevada and commented that, although Conservation Fund representatives are working on some small, important acquisitions, there is no interest in adding to the federal land base. The Conservation Fund prefers to focus on achieving conservation goals through alternate means which doesn't necessarily mean federal acquisition and ownership. The long range vision is to utilize agricultural conservation easements and similar tools.

Mr. Ford emphasized the need for partnerships, and advised that Conservation Fund projects are generally more localized and area-specific. He pointed out that the Conservation Fund and The Nature Conservancy are not competitors, and that the two organizations often work together on projects which compliment each other. Although he would not want to usurp or hinder any ongoing projects, he indicated that there is a "niche" in the Carson City area where the Conservation Fund may be able to work together with the Committee on potential projects specifically related to the open space plan.

Mr. Ford reiterated that the Conservation Fund is supported by corporate sponsors, foundations, etc, and explained that funds are leveraged in conjunction with partnerships. Operations are financed by significant national revolving funds. As Conservation Fund representatives begin a project, a determination is made to match funds locally or regionally. In addition, the Conservation Fund has had a long-standing relationship with the Richard King Mellon Foundation, and Mr. Ford provided background information on the same. He discussed the Sheldon National Wildlife Refuge as an example of a project done in conjunction with the Mellon Foundation.

Mr. Ford provided a copy of the Assessment of Land and Water Conservation Fund, developed with a grant from the Henry M. Jackson Foundation. He explained the component which allows state, county, and local governments to receive funding directly, without having to work with federal agencies, for parks, greenbelts, etc. The Conservation Fund's western regional office is in Boulder, Colorado, with satellite offices located in Sacramento, California and in Las Vegas, Nevada. Mr. Ford discussed progressive partnerships developed for conservation easements in Colorado, California, and Nevada. He offered to bring in a representative from the Boulder office to discuss partnership projects such as those done in Douglas County, Colorado. He indicated that easements are the "thing of the future," certainly in Nevada, Utah, and southern California.

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Member Scott inquired as to estate planning expertise, and Mr. Ford advised that the Conservation Fund has its own legal staff and is partnered with the National Land Trust Alliance to make presentations around the country. At the request of Member Fischer, Mr. Ford explained conservation easements for the benefit of the viewing public. In response to a question, Mr. Ford advised that he is responsible for making the decision to invest in a project.

Chairperson Hartman discussed the concern that conservation easements are restrictive as to existing use and that they preclude the future of agriculture. He expressed the opinion that this issue ultimately reflects in value, and discussed the need to be cognizant of the changing face of agriculture in the new millennium. He commented that most local appraisers and assessors do not understand conservation easements. He proposed a conference for January or February of next year when the legislature will be in session, suggested inviting the State Assessor and local appraisers, and requested Mr. Ford to consider speaking at the conference. Mr. Ford explained that when he meets with landowners regarding conservation easements, the first step is to determine what is important to the landowner. This information then becomes the basis for drafting the easement. He discussed general concerns and confusion regarding easements, and commented that depending upon how an organization gets involved with easements, whether it is with federal or private funds or a donation, the easements can be written to address issues from the landowner's standpoint. This is the reason for referring to "agricultural" conservation easements so as to make clear the purpose of the easement. The easement can provide for open space, wildlife, riparian habitat, etc. but its purpose is agricultural. Valuing easements involves appraising the land in its unrestricted, unfettered state and then appraising the land with the restrictions. The difference between the restricted use and the unrestricted use becomes the value of the easement. Mr. Ford advised that many of the easements written in Colorado are worth 75% of the value of the land. Chairperson Hartman explained that the difficulty for most appraisers is in trying to put a fair market value on the restriction, with the added problem of each circumstance being different. He agreed with Mr. Ford that conservation easements are the best method. Mr. Ford agreed to return and present information on conservation easements at a future time.

Member Jacquet inquired as to whether the Conservation Fund owns and manages land or is more interested in brokering deals and donating to communities and organizations. He further inquired as to the Conservation Fund's interest in Carson City. Mr. Ford advised that the Conservation Fund does not manage land on a long-term basis. It partners with projects across the country and its representatives work as third-party facilitators who are able to leverage funds, in conjunction with other available funds. With its non-profit, 501(c)(3) status, the Conservation Fund can facilitate the needs of landowners. Mr. Ford discussed Nevada's vast natural resources and the inertia in Carson City, and elsewhere along the Sierra front, to become involved in conservation. He referred to his meetings with Member Scott and indicated that he saw an opportunity to come to Carson City and put into practice, on a limited basis, some of the things he talked about earlier. He clarified that the Conservation Fund does not plan to impose a major, new initiative for Carson City; however, since Carson City has an ongoing program which could utilize some of the opportunities available through the Conservation Fund, the Conservation Fund will make an offer.

Alternate Member Anderson inquired as to a fee, and Mr. Ford explained that the Conservation Fund typically works with landowners and others and, if a pilot project could be developed, he indicated a willingness to approach some of the Conservation Fund foundations or corporate partners to provide funding on a test basis. "If it is successful and would feed on itself, and other mechanisms could be

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utilized, the Conservation Fund would have no immediate expectations.” In the end, however, the Conservation Fund would be looking for ways to leverage and roll over funds. In response to a question, Mr. Ford explained his availability to meet with the Committee between now and the January/February 2001 conference. He suggested developing an understanding of respective expectations. Then, if there is a parcel which has been prioritized, the Conservation Fund would initiate contact with the landowner. An honest assessment would be provided regarding the possibility of the Conservation Fund’s involvement with the individual in terms of the goals of the Committee. Chairperson Hartman thanked Mr. Ford for his presentation. Mr. Ford stated that he would welcome the opportunity to work with the Committee.

**F-2. DISCUSSION AND ACTION REGARDING ACCEPTANCE FROM THE NATURE CONSERVANCY OF A ±17.62-ACRE WETLAND LOCATED WEST OF LOMPA LANE AND NORTH OF NORTHRIDGE DRIVE (1-0675)** - Mr. Guzman introduced Rob Scanland, The Nature Conservancy’s (“TNC”) Director of Protection for the Nevada Program, and provided information on the proposal. Mr. Scanland thanked the Committee for the opportunity to make his presentation and expressed appreciation to each of the Committee members for their involvement in the open space program. He distributed a copy of a Grant, Bargain, Sale Deed and described the subject property.

In response to a question, Mr. Scanland pointed out access to the property. With regard to water rights, Mr. Scanland advised that TNC would convey everything, however, there were no water rights included in the donation made by Roger Shaheen. Chairperson Hartman expressed a concern over the reservations in paragraphs 5 and 6, and the easements in paragraphs 8, 9, and 11. He recommended that the Committee tour the area, and request the District Attorney to review the provisions. He discussed a concern over the degree to which the easements create affirmative obligations for the Committee to undertake to do certain things relative to the wetlands. In addition, he expressed a concern over the requirements for maintenance of the drainage easement.

Mr. Kastens indicated the area in which the freeway will be constructed. He explained that when the Northridge Subdivision was being planned, the Parks and Recreation Commission was concerned enough about the wetlands area south of the subject property that they agreed to purchase it from the Northridge Subdivision for a park site. Once the exact location and improvements for the freeway are finally determined, there will be land, on the east side between Lompa Lane and the freeway and on the west side between the freeway and the housing development all the way to Northridge Drive, which will become the property of Carson City, under the purview of the Parks and Recreation Department. He advised of contemplating a donation of the wetlands to TNC. He referred to a recent meeting with Charles Watson and advised that they had visited the subject property. At Mr. Kastens’ request, Mr. Watson agreed to pursue information regarding a partnership with the Audobon Society. Mr. Kastens indicated that from an open space standpoint, the property is an asset. From a parks and recreation standpoint, however, he is hesitant to begin maintenance and management of the property without assistance.

Mr. Scanland provided historical information on management of the property. He advised that he had contacted the Audobon Society to inquire as to their interest in a management agreement with Carson City. He indicated that TNC could continue to provide technical expertise on wetland issues. The parcel has vast bird resources, and Mr. Scanland indicated that the Audobon Society was interested in the proposal. He offered to research the title documents and provide them to the Committee for review.

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Member Fischer inquired as to the continued responsibility of TNC if the Open Space Advisory Committee declines the donation. Mr. Scanland explained that TNC would continue to hold the parcel as there may be future opportunities for wetland mitigation or enhancement. He advised that the Open Space Advisory Committee was the first choice of TNC for the donation. Member Scott requested the wetlands delineation for the parcel, and Mr. Scanland agreed to research the information in conjunction with the title documents. Member Fischer suggested addressing the concerns expressed by Chairperson Hartman before moving forward.

In response to a question, Mr. Scanland indicated that he was not aware if the site had ever been used for wetland mitigation. Member Jacquet advised of a conversation with Peter Broussard, of the University of Nevada-Reno, who has done field work in the vicinity related to the wandering skipper. From a biology standpoint, Professor Broussard described the property as a very unique and high quality wetland with a lot of biodiversity. He expressed concerns over any entity's ability to manage the wetlands in an urban environment with OHV use. Overall, he was very positive and thought it worthwhile to manage the site as wetlands, and suggested consideration of connecting it with the Steinheimer land for additional skipper habitat. Professor Broussard discussed the possibility of a very interesting biological complex in the center of town.

Member Jacquet discussed analogies that the BLM is working on north of Reno, in the Lemmon Valley area, called the Swan Lake Nature Study Area where private, BLM, Nevada military, and Audobon lands have been dedicated to managing wetlands with an emphasis on education. The Washoe County School District and the Washoe County Parks Department are developing an interpretive program. School children are participating in hands-on science projects, inventory work, and water quality monitoring. He remarked that it is a huge asset to have "in your back yard," and, philosophically, this is exactly what the Committee should be doing. He expressed understanding for Mr. Kastens' concerns and agreed that the City should not acquire a piece of property with so many strings attached that wetlands management is prevented. He concurred with working out the legal issues, and encouraged the Committee and the community to look favorably at this donation, especially with the offer of the Audobon Society to assist with management.

Member Quilici concurred with Chairperson Hartman's earlier concerns over paragraph 6 regarding restrictions for the wetlands preservation. He advised of a personal friendship with the owners of the Creekside Deli, where a small stream, running underneath the deli, has been identified as wetlands. The Army Corps of Engineers has specified wetlands restrictions, one in particular that they are not allowed into the wetlands to pick up trash and litter. Member Quilici commented that this seems to be counterproductive, and requested that the matter be researched.

Chairperson Hartman stated that the subject parcel is of interest to the Committee in that the community has identified small pockets of open space as priorities. He indicated that the Committee needs to be sure there isn't a floodway easement or any obligation on behalf of the City associated with the parcel. Mr. Scanland concurred with earlier comments made by Member Jacquet, and discussed other wetlands parcels which may lead to the potential for wetlands connectivity all the way to the Carson River. He offered to research the items of concern and provide the information to the Committee.

Mr. Scanland provided background information on TNC, and offered the possibility of working together with the Committee on appropriate opportunities. He described a project in Beatty, Nevada to acquire

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properties which are habitat for the Amargosa Toad, a species threatened with inclusion on the Endangered Species List. He distributed literature on TNC, and discussed its interests in Carson City. Chairperson Hartman thanked Mr. Scanland for his presentation. Mr. Scanland agreed to provide the property's title information and wetlands designation to Mr. Kastens.

### **F-3. DISCUSSION AND ACTION REGARDING THE ASSESSMENT OF THREE PROPERTIES FOR POSSIBLE LAND ACQUISITION AS PART OF THE CARSON CITY OPEN SPACE PROGRAM**

**(1) 39.17 ACRES; APNs 8-612-01, 03, 04, 05, 06; U.S. HIGHWAY 50 EAST, WEST OF COUNTY LINE - NORTH SIDE OF HIGHWAY 50; PROPERTY OWNERS, ANDREW BUTTI AND MARY KNAPP (1-1243)** - Mr. Krahn introduced Bruce Robertson, of Gold Dust Commercial Associates, and reviewed the staff report. He displayed slides of the subject property, and described its vegetation and topography. Mr. Robertson provided information on the distance of the subject parcel from the highway, and Mr. Krahn pointed out the Pick and Pull dismantling yard which is currently being developed. He complimented Mr. Robertson on the documentation submitted. Mr. Krahn reviewed page two of the staff report and discussed staff's reasons for recommending further consideration of the parcel. In response to a question, Mr. Kastens advised that an MAI appraisal will be required.

Mr. Robertson indicated that the appraisal can be done after the Committee decides whether or not to consider the property. If the Committee is interested, Mr. Robertson advised that the owners are interested in proceeding in terms of trading or selling the property on a note. The owners' interest is to dispose of the land and dissolve their partnership, and Mr. Robertson acknowledged that the offer is for all the properties indicated. Mr. Kastens acknowledged that the property to the west is owned by the BLM. Member Scott inquired as to whether or not the City's gateways are considered open space or developed focal points. Chairperson Hartman advised that the master plan identifies gateway elements at all three entry points into the community. Mr. Guzman explained that the community has not yet defined the meaning of "gateways". A gateway could be as simple as a sign welcoming people to Carson City or open space with a little sign welcoming people to Carson City. The main emphasis is the differentiation between one community and another.

Chairperson Hartman referred to the Evaluation Form and commented that the site is not very visible from Carson City. Mr. Krahn acknowledged that the property is not visible from the entire valley, but indicated that the property is visible from the east side of town, and that a large development would definitely be visible. Mr. Kastens described various points in town from which the parcel is visible. Member Fischer expressed an interest in hearing a presentation from the property owners. Mr. Robertson acknowledged that the asking price is for all the parcels presented, and Mr. Krahn acknowledged that the Eitel parcel is completely unrelated. At the request of Member Scott, Mr. Robertson pointed out the easements. Chairperson Hartman expressed a concern over the gateway concept and Member Scott suggested defining the gateway concept before proceeding further. Alternate Member Anderson commented that the value of the gateway has been diminished by the loss of one side. Member Scott pointed out that because of the way the land lays, if the parcel is developed, it will be more visible from the highway than what is on the other side of the road.

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Mr. Krahn discussed the importance of physical and visual separation between communities. Member Quilici inquired as to the possibility of an exchange with the BLM for land in another location. Member Jacquet discussed the opportunity available through the Carson Urban Interface Plan Amendment. He requested Mr. Guzman to agendaize the matter for the next meeting to discuss how to pursue exchanges, specifically for Carson River land. He pointed out that the BLM public land which is adjacent to the subject property is identified in the Urban Interface Plan as dedicated open space. In response to a question, Member Jacquet indicated that the BLM would be willing to go outside of Carson City for a land trade, such as to Lyon County or Moundhouse. Mr. Robertson acknowledged that the property owners would be interested in such a proposal. Member Jacquet clarified that the proposal would qualify as a "small level exchange of relatively low national significance." Mr. Guzman suggested making the property more attractive to the BLM by facilitating some of the studies or fronting the monies so that a transaction could take place in a timely fashion. Member Fischer commented that the Committee needs to know that the sellers' price is reasonable. Chairperson Hartman agreed that an MAI appraisal will be needed, and he requested a position statement from Community Development relative to gateways. Member Scott commented that the Committee's concept of a gateway does not connote intensive development. If the property were to become part of BLM ownership and management through an exchange, something as simple as a sign could conceivably be done under an easement. He suggested at least exploring the potential from the standpoint of the acquisition by BLM which would then leave the entire western portion of that stretch in one ownership. Alternate Member Anderson concurred. Discussion took place regarding a "gateway" on one side of the street. With regard to a BLM exchange, Member Jacquet recommended that the Committee and City staff put some emphasis on the property in the form of work or funds.

Committee consensus was to delay action on the proposal until a determination can be made regarding an exchange with the BLM. Chairperson Hartman expressed appreciation for Mr. Robertson's presentation. Mr. Robertson thanked the Committee members and staff for their time and consideration of the proposal. Discussion took place regarding formal action, and **Member Quilici moved that the Committee support the Bureau of Land Management moving forward with an exchange with Mr. Butti and Ms. Knapp and their partners for the properties which are the subject of item F-3(1) for purposes of expanding the open space interface area which is currently set forth in the BLM Interface Plan. Member Scott seconded the motion. Motion carried 6-0.**

**(2) 73.1 ACRES; APN 9-031-02; RHODES STREET, WEST END TERMINUS OF RHODES STREET; PROPERTY OWNER, JOANNE MARIE GRAVES COOMES (1-2060) - Mr. Krahn requested that this item be continued until the next regular meeting.**

**(3) 7.9 ACRES; APN 9-151-50; MOSES STREET, WEST END TERMINUS OF MOSES STREET; PROPERTY OWNER, LLOYD B. AUSTIN LTD., C/O PHIL HOSKING (1-2062) - Mr. Krahn displayed slides of the subject property, and referred to the April 19<sup>th</sup> tour with Jeff Winston. Mr. Guzman pointed out the property boundaries and advised that it is surrounded by Bureau of Indian Affairs ("BIA") land on several sides. Staff's main concern is that the property is not very visible from all parts of town, and it is also not integrated with other parcels of open space. Mr. Guzman expressed a personal opinion that open space would have the benefit of controlling the lands from the base of the hill upward. He pointed out, however, that Mr. Winston had taken the position that the Committee should be considering areas of higher visibility from the entire City.**

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Three different proposals have been submitted to Community Development, none of which have been acceptable based on the steep slopes of the site. The property is zoned for commercial development. Mr. Krahn pointed out and described the vegetation on the parcel, and advised that it has no value for any park sites and does not connect with any trail systems. He noted that the site was visible from Edmonds Drive during the April 19<sup>th</sup> tour, and from selected viewpoints around the City.

Member Jacquet commented that land set aside by the BIA for the Washoe Tribe will not necessarily remain open space. **Member Scott moved to accept staff's recommendation and thank the property owners and their representatives for presenting the proposal, and indicate that the Committee is not interested in pursuing this parcel at this point in time. Member Fischer seconded the motion. Motion carried 5-0-2-0.** (Member Quilici had stepped from the room, and returned shortly after the vote.)

**F-4. UPDATE ON PARKS AND RECREATION COMMISSION AND CARSON RIVER ADVISORY COMMITTEE COMMENTS ON BUREAU OF LAND MANAGEMENT ("BLM") SILVER SADDLE RANCH PLANNING DOCUMENT (1-2235)** - Mr. Krahn advised that the Carson River Advisory Committee, the Parks and Recreation Commission, and the Board of Supervisors had approved the proposed plan in the draft Interdisciplinary Management Plan. He discussed the participation by City staff and members of City committees and commissions in the development of the plan. Chairperson Hartman referred to issues of keeping the Ranch green and water rights, and inquired as to the status. Mr. Krahn advised that Utilities Operations Manager Tom Hoffert, and Mr. Kastens had worked with the BLM to provide water for the next three years. Member Jacquet explained the agreement for the haying operation between the City Manager, Mr. Hoffert, and the BLM.

**F-5. DISCUSSION AND ACTION REGARDING A JOINT MEETING WITH THE CARSON RIVER ADVISORY COMMITTEE ON JULY 10, 2000 TO REVIEW PROPERTIES SUBMITTED FOR INCLUSION IN THE OPEN SPACE PROGRAM, RIBBON CUTTING AND BAR-B-QUE AT CARSON RIVER PARK (1-2333)** - Mr. Krahn reviewed the schedule for the meeting and discussion took place regarding items which will be agendized.

**G. FUTURE AGENDA ITEMS (1-2404)** - Mr. Guzman advised that Mr. Szabo has requested to make a presentation to the Committee. It will be agendized for the July 17, 2000 meeting. Mr. Krahn advised that review and discussion of the open space manager job description will also be agendized for the July 17<sup>th</sup> meeting. He requested that the Committee members review the draft job description and begin providing comments to Mr. Kastens. He thanked Members Jacquet and Scott for their assistance in developing the job description.

**H. ADJOURNMENT (1-2470)** - Member Fischer moved to adjourn the meeting. Member Quilici seconded the motion. Motion carried 6-0.

The Minutes of the June 19, 2000 meeting of the Carson City Open Space Advisory Committee are so approved this \_\_\_\_\_ day of August, 2000.

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STEVE HARTMAN, Chairperson