

CARSON RIVER ADVISORY COMMITTEE
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A regular meeting of the Carson River Advisory Committee was held on Wednesday, March 4, 1998 in the Community Center Sierra Room, 851 E. William St., Carson City, NV at 6:00 p.m.

PRESENT: Chairperson Mark Kimbrough
Vice Chairperson Marian Battaglia
Claire Clift
Barbara Wright
Charles Zimmerman

STAFF: Steve Kastens, Parks and Recreation Director
Walter Sullivan, Community Development Director
Melanie Bruketta, Deputy District Attorney
Vern Krahn, Park Planner
Fran Smith, Recording Secretary
(CRA 3/4/98 1-0000.5)

NOTE - Unless otherwise indicated each item was introduced by Chairperson Kimbrough. Individuals speaking are identified following the heading of each item. A tape recording of these proceedings is on file in the Clerk-Recorder's office. This tape is available for review and inspection during normal business hours.

A. CALL TO ORDER - Chairperson Kimbrough called the meeting to order at 6:10 p.m. A roll call was taken and a quorum was present although Member Johnson was absent and Vice Chairperson Battaglia did not arrive until 6:13 p.m.

B. COMMITTEE ACTION

1. Approval of Minutes - Member Wright corrected F-4 of the Minutes of the February 4 meeting to read "Chuck Zimmerman" rather than "Chuck Wright". The list of those present indicated "James" Zimmerman and this was corrected to read "Charles". Member Zimmerman then moved to approve the Minutes of the February 4, 1998 meeting as corrected. Member Wright seconded the motion. Motion carried 4-0.

C. PUBLIC COMMENT - None.

D. MODIFICATION OF AGENDA - None.

E. DISCLOSURES - None.

F. PUBLIC HEARING -

F-1 DISCUSSION AND POSSIBLE ACTION REGARDING A LETTER OF SUPPORT FROM THE CARSON RIVER ADVISORY COMMITTEE TO THE BUREAU OF LAND MANAGEMENT, JOHN SINGLAUB, DIRECTOR FOR THE BLM'S PROPERTY ACQUISITION PROGRAM - (1-0061.5)
Tom Abbett of BLM - Chairperson Kimbrough said he had put this on the agenda so he could get feedback from the Committee. He added there is a lot going on with BLM opportunities and felt this is a favorable opportunity to obtain properties on the river. He added that Mr. Singlaub had indicated letters of support from grass roots could help and expressed his hope that after discussion a motion could be made to send a letter of support.

(1-0091.5) Mr. Abbett said one of the issues they had run into was on the property below the Morgan Mill where they had used mercury to process the ore and that is part of the Super Fund area. He added he had been told not to pursue acquisitions of land that might be contaminated. He said if there are properties the Committee feels are valuable they are welcome to make comments to BLM. He added that properties above the mill such as the Anderson Ranch do not have the problem. Member Zimmerman asked how BLM is handling the determination as

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to which properties they would or would not consider for acquisition. Mr. Abbett said they are part of the Super Fund project and that they know where the upper mill sites were that processed the ore. Member Clift asked if property owners assume some of the liability for cleanup or is the Super Fund federal dollars. Mr. Abbett expressed his belief that the reluctance to acquire those lands was because BLM would assume some liability for the cleanup. Vice Chairperson Battaglia said it was her understanding that some Dayton residents had successfully fought cleanup saying that it was not that much of a proven hazard to residents who have been there a long time. Mr. Abbett said in general it is a matter of priorities and noted they are working on a couple of other large projects, one being the Walker Lake project where they are trying to acquire conservation easements to gain more water for the lake. He said they are also pursuing easements in Douglas County to try and maintain some of the open space and ranch lands. Member Zimmerman asked if this restriction affects the lands that were recently shown to the Committee with respect to a proposed land acquisition or land swap with Mr. Serpa. Mr. Abbett said the Serpa land is below the area. Mr. Kastens commented that there are other communities in the state that have expressed opposition to the BLM land trade program. He added his belief that the City, Washoe County, and perhaps Douglas County, are somewhat unique in that there has been support and cited Silver Saddle as an example along with the Galena and Borda acquisitions. He felt the letter of support would be to offset some of the negative response BLM has gotten in other counties. Chairperson Kimbrough said the Committee has been dealing primarily with the central area and felt perhaps in the letter they could emphasize it gets the heaviest use. Vice Chairperson Battaglia expressed her belief that the Committee does support the acquisition via trade for open space land and in this case they focus on the river. Chairperson Kimbrough said he would like to have a draft of the letter by the next meeting. Vice Chairperson Battaglia volunteered to help with it. Chairperson Kimbrough asked Mr. Abbett to find out who the letter should be sent to. No formal action was taken.

F-2 DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED LETTER TO PAM WILCOX, NEVADA DIVISION OF STATE LANDS, FOR REMOVAL OF DIVERSION DAM BELOW LLOYDS BRIDGE - (1-0250.5) Citizen Tom Quigley said there are some navigable hazards which include rebar, concrete, and rocks which impede rafting. He noted that Ms. Wilcox had previously said the State would help mitigate the problems with the obstacles. Member Wright had a form from the State which she said requires authorization for this type of action and that the person to contact was an Edward Biddleston and that she had already talked to him. Member Clift talked about AB 190 funding which she felt might help in cleaning some of the debris although this requires matching funds. She suggested discussing this at the upcoming workshop. No formal action was taken.

F-3 DISCUSSION AND POSSIBLE ACTION REGARDING ESTABLISHMENT OF ORDINANCES ALONG THE CARSON RIVER FOR ILLEGAL CAMPING, CAMPFIRES, AND OFF ROAD VEHICLES ON APNs 10-582-04, 10-582-05 AND 10-581-16 AS REQUESTED BY TOM QUIGLEY, AND OTHER MATTERS RELATED THERETO - (1-0335.5) Tom Abbett of BLM - Mr. Sullivan said he had asked Deputy District Melanie Bruketta to be at the meeting to assist the Committee in this area. He added that BLM has enacted certain requirements for their properties along the river and asked Mr. Abbett to provide information. Mr. Abbett said they have done a couple of orders in Carson City which he believed were consistent with the goals of the river plan. He explained that one relates to lands in the urban area, including Prison Hill and the river which are closed to camping and campfires. He referred to the problem in Reno along the river and said there is not a problem like that here because for the past six months they have been keeping perpetrators out. He added that the BLM property is also closed to shooting but does not include State lands along the river on which hunting occurs. He said they are still working on the off road vehicle order and said he has a proposal that will go out soon that will close the land at the Carson River trailhead except for the access road into it. He then talked about the Silver Saddle Ranch and said the lands on the west side of the river are closed to those vehicles but the east side which has had a lot of public access in the past is still open until their plan for Silver Saddle is completed. Chairperson Kimbrough asked about enforcement and cited the problem with camping and campfires. Mr. Abbett said their ranger can handle enforcement and cooperatively the Parks Department ranger has been informing those people of the closures. He added that the City has a shooting ordinance on the properties and believed the City can enforce it because it is consistent with BLM ordinances. Member Zimmerman asked if these ordinances are restricted to BLM land along the river or is this in place in other areas around the City and Mr. Abbett said they are in place in other places such

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as Prison Hill which is close to a residential area. Mr. Kastens said because the City has a city-wide ordinance against shooting they can enforce it on any property, whether it is BLM, City or private. Mr. Quigley said it was his understanding that the shooting ordinance says shooting within 5,000 feet of the river is prohibited. He noted that the three parcels listed in this item are City owned and that there are rocks to keep people from driving down there. He expressed the hope that an ordinance could be enacted to where signs could be posted and that driving around the rocks would be against the law. He talked about the eagles and other wildlife and said the public wants to enjoy them but the vehicles and camping, etc. are scaring them off. Mr. Kastens said it was his understanding that those parcels are the responsibility of the Parks Department and cited what CCMC says about that. He also talked about the letters from the property owners giving the City the authority to run people off their property. Ms. Bruketta said if people are trespassing on private property they are covered under the ordinance in Chapter 8. She added if there are plenty of signs or a fence on their private property and people still camp then the authorities would have the ability to cite them as a trespass. Mr. Kastens asked if an ordinance would cover the problem if the City does not have a letter from a property owner. Mr. Sullivan felt the Police Power Zoning would come into play and said there are requirements for campgrounds. He added that no campgrounds along the river have ever been approved so any type of camping is prohibited. Vice Chairperson Battaglia asked if there is anything in the code about open campfires. Mr. Kastens believed it is in Chapter 13. Mr. Sullivan said he had spoken to the Fire Department and that they can designate certain areas such as the backcountry where they have restrictions on campfires and can do the same along the river. Vice Chairperson Battaglia asked what happens when areas are posted but the signs get removed. Mr. Kastens said vandalism is a problem, especially in remote areas like this, but if the problem gets to a certain point perhaps the City and BLM need to get together to try and resolve the problem. Ms. Bruketta then commented that the City is insured by the insurance pool but when they enter into cooperative agreements with other agencies it gets confusing as to responsibilities but said she could look into it. She added her belief that the majority of citations issued locally are by the Parks Department. Mr. Abbett said they do have agreements with law enforcement agencies in other counties but at this point what they have tried to do is match ordinances or closures with the Carson River plan and land use plans. However, they have not entered into any local law enforcement agreements. Chairperson Kimbrough referred to an instance in the past where the Committee had tried to close some roadways to OHVs and one of them, a dirt road that belongs to the City, goes through BLM property to a subdivision. Ms. Bruketta said could look into this and let the Committee know the results. Mr. Kastens said he would work with Mr. Abbett and if it is determined that signs are needed they will handle it. No formal action was taken.

F-4 DISCUSSION AND POSSIBLE ACTION REGARDING PRIORITIZATION OF BUDGET ITEMS FOR CARSON CITY PARKS AND RECREATION DEPARTMENT - (1-0783.5) Mr. Kastens said last year the Committee had two budget items which they had asked him to pursue on their behalf. These were funding for the Master Plan for Carson River Park and the other was funding for a feasibility study on the pedestrian bridges. He added he had been successful on the former but not the latter. He said he assumed they wanted him to pursue the pedestrian bridges project and asked if there were any other areas they want him to include on behalf of the Committee. Vice Chairperson Battaglia said the park was adjacent to Silver Saddle and asked if the funding was just for the piece of property that was owned at the time. Mr. Kastens confirmed that it was. She asked if the Committee could look into expanding it or changing it based on the fact that now there is also another piece of property owned by the City. Mr. Kastens expressed his belief it is the intent of the Silver Saddle Master Plan Task Force to incorporate or include Carson River Park in their plan. Therefore, he was not sure the Committee needs any funding to hire an outside architecture although he felt it would happen when the Silver Saddle plan is put together. Chairperson Kimbrough said the Master Plan is not done so it would be difficult for the Committee to ask for something that is conceptual at this point. He then said because they are displacing OHVs along the river the Committee needs to support that activity instead of shutting them out of other areas. He said the Committee should somehow do something about this but felt it would take the City and BLM getting together to perhaps establish an area on Sedgeway. He felt perhaps Mr. Kastens could pursue a trails grant in this respect. Mr. Kastens said he could probably do that and, because it is a matching grant, they could estimate a possible cost to hire someone to develop a plan for an OHV area and bring it back to the Committee. Member Clift asked about the possibility of a matching grant fund and Mr. Kastens said he did not believe it was out of line to ask for a block of funds but the Board usually likes to be more specific. Discussion ensued on funds that are available for grants and

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it was agreed to ask for \$15,000. Mr. Kastens said he needed support from the Committee at the budget meeting. Chairperson Kimbrough then asked about additional personnel to patrol the river area. Mr. Kastens said he was requesting a seasonal park ranger position. He explained they did not feel an additional full time ranger position is justified year round but for the months of April through October an additional full time ranger is needed and he is pursuing that through the budget process. Vice Chairperson Battaglia asked if remediation of the trail that had been built but not approved had been budgeted. Mr. Kastens said that expense would be borne by the developer. Chairperson Kimbrough asked about trails funding and Mr. Kastens said that is covered in Question #18. He added that Mr. Krahn will be putting a plan together on expenditure of those monies. He said the Committee can help by providing their input on trail development. Chairperson Kimbrough asked about funding for development of maps. Mr. Sullivan said there is some money left in the Master Plan fund that can be used. He added that he had been told by the City Manager's Office that there is \$3,000 in the budget for the Committee to use in implementing projects. He suggested that the Committee roll that over rather than send it back to the General fund. Mr. Sullivan said he was comfortable that he would be OK funding-wise for printing and advertising but felt he would need to look into funding for postage relating to the Committee. He suggested perhaps he and Mr. Kastens could meet with the Committee to review their financial needs. Chairperson Kimbrough asked if their budget requests should be prioritized and Mr. Kastens said it would be a good idea. He asked if the feasibility study on the pedestrian bridges was a priority. Chairperson Kimbrough felt it should be the most important item because if the bridges cannot be built the Committee would need to look at a whole different trail design. He confirmed for Mr. Kastens that the request for the grant money would be the second priority. No formal action was taken.

F-5 DISCUSSION AND POSSIBLE ACTION REGARDING A PROPOSED LETTER TO THE NEVADA STATE PRISON, AND OTHER MATTERS RELATED THERETO - (1-1191.5) Chairperson Kimbrough said the map the Committee is waiting for is still in draft form. He added as soon as he gets it the Committee can review it and possibly make contact with property owners adjacent to Cradlebaugh and that this should be done before contacting the prison. No formal action was taken.

G. INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS (NON-ACTION) -

G-1 Committee Member Comments

1. Discussion of Carson River Conference to be Held April 6 and April 27, 1998 at the Ormsby House - (1-1211.5) Chairperson Kimbrough said he had nothing new to add to what he had talked about to the Committee at the previous meeting. Mr. Kastens said he would handle the reservations for the Members that plan to attend. Mr. Krahn said Dave Morgan would have an announcement of the conference on his TV program.

G-2 Staff Comments

1. Report on Bureau of Land Management (BLM) trip to San Pedro Riparian National Conservation Area - (1-1261.5) Mr. Krahn had slides of the trip which he showed and explained what BLM has been doing. Mr. Abbett also provided information on projects. They each talked about how the environment and wildlife habitat has improved.

2. Status Report of the Silver Saddle Ranch Advisory Task Force Meetings - (1-1719.5) Mr. Abbett said they had their first meeting at the ranch. He noted that the members are himself, a wildlife biologist, a historical archaeologist, Mr. Kastens, Mr. Krahn and Mr. Sullivan. He added that the citizens advisory board is Chairperson Kimbrough of CRAC, Don Quilici of OSAC, Charles Wright of the Parks and Recreation Commission, and Mike Drews HARC. He said the task force is looking at alternatives for the future of the ranch. He added their next meeting would be March 11 at which time they will talk about a preferred alternative by looking at pieces of a plan and perhaps arrive at a consensus on which way to go and what the future of the property should be. He will come to the next meeting and provide that information and after that they will take the Master Plan to the public. He said they were asking for general direction at this time and that specific items will

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come later. He then explained some of the minimal alternatives which were no irrigation and getting rid of most of the structures and fences and implementing the trails plan. He added that a mid level alternative would emphasize wildlife and education values where there would be some irrigation and the ranch house could be used as a center for outdoor education and such things as book sales. He said an emphasis could be on creating diversity of vegetation on the ranch rather than just irrigation. He added a third alternative was basically maintaining it as a pastoral ranch in the setting it is now. He noted at their next meeting they would turn it over to Chairperson Kimbrough and go through a process similar to that of the Carson River plan. He also commented there are no proposals for RV parks or campgrounds or intensive uses such as a rodeo arena or concession activities like horse rental, etc. He said they hope to have a Master Plan by next fall which will set the general tone on what they want to do and then they can work on specifics. He noted they have a caretaker and the ranch on the west side of the river is closed to public use. However, they are planning on opening it up when they can this year. He added they were proposing to have special events such as an upcoming National Migratory Bird Day where the public can help inventory wildlife along the river and they are also planning a Nevada Historic Commission Day including a tour of the historic properties on the ranch. He said a big issue is how much irrigation they want to do and what the costs would be. Member Zimmerman asked if there is any indication of financial support for any of the alternatives. Mr. Abbett said BLM would be looking for partnerships and help. He felt it is unlikely they could fund any of the alternatives by themselves. He explained how several groups in San Pedro have gone after grants, etc. He commented that a challenge with the property is that the City acquired the water rights and explained how it could be used. He added that they will be doing more analysis on the cost. No formal action was taken.

G-4 Status Report Regarding Bureau of Land Management Trails Grant and Draft Trailhead Plan - (1-1995.5) Chairperson Kimbrough said a grant had been set aside and a plan developed and that the Committee was looking for closure but did not have answers. Mr. Abbett said they had asked for an extension of the grant and felt they would receive it because the majority of these tend to roll over into the second or third year. He said they are still planning on going ahead with the project.

3. Status Report Regarding the Open Space Advisory Committee Activities - (1-2105.5) Mr. Kastens said the meeting between staff and the U. S. Forest Service had been snowed out twice. Therefore, there was nothing new to report.

G-3 Status Report Regarding Activities Along the Upper and Lower Carson River - (1-2123.5) Mr. Kaffer was not at the meeting to give a report.

G-5 Future Agenda Items for the Next CRAC Meeting on April 1, 1998 - This was previously discussed although Member Wright provided copies of the Proprietary and Regulatory Authority for Navigable Waters and said there were more that could be given to others who attend the upcoming workshop. Member Battaglia asked if the Committee needs to look into the subject of noxious as discussed at a previous meeting. She suggested having the citizen who is concerned about the problem come to a meeting to discuss it and Chairperson Kimbrough said it was a good idea. Mr. Kastens said he had talked to the State Department of Agriculture and they had indicated they could put him in touch with the people who can help.

H. ADJOURNMENT - There being no further business Vice Chairperson Battaglia moved to adjourn. Member Clift seconded the motion. Motion carried 5-0. Chairperson Kimbrough adjourned the meeting at 8:17 p.m.

The Minutes of the March 4, 1998 meeting of the Carson River Advisory Committee

ARE SO APPROVED __4/1____, 1998

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/s/ _____
Mark Kimbrough, Chairperson