

CARSON CITY OPEN SPACE ADVISORY COMMITTEE

Minutes of the March 24, 2003 Meeting

Page 1

A regular meeting of the Carson City Open Space Advisory Committee was scheduled for 6:00 p.m. on Monday, March 24, 2003 in the City Hall Capitol Conference Room, 201 North Carson Street, Carson City, Nevada.

PRESENT: Chairperson Steve Hartman
Vice Chairperson Dan Jacquet
Michael Fischer
Howard Riedl
Margaret Robinson
Bruce Scott

STAFF: Juan Guzman, Open Space Manager
Kathleen King, Recording Secretary

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

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

CITIZEN COMMENTS ON NON-AGENDIZED ITEMS (1-0017) - None.

1. ACTION ON APPROVAL OF MINUTES - February 24, 2003 (1-0019) - Member Riedl moved to accept the minutes. Member Scott seconded the motion. Motion carried 6-0.

2. CHANGES TO THE AGENDA (1-0029) - None.

3. AGENDA ITEMS:

3-A. ACTION TO SHARE THE COST OF PAYING FOR A FEDERAL LOBBYIST FOR A NOT-TO-EXCEED SUM OF \$2,000 PER MONTH FOR A ONE-YEAR PERIOD (1-0030) - Mr. Guzman provided an overview of the staff report. Mr. Burnham advised that Richard Spees, of Katz, Kutter, Alderman, Bryant & Yon, has agreed to a \$4,000 monthly fee. He provided background information on the basis of federal lobbyist fees and the preliminary arrangements made by former City Manager John Berkich to involve several Nevada counties and entities in a consortium. He advised that the Board of Supervisors authorized up to \$2,000 per month from two different funding sources: the Regional Transportation Commission and the Utilities Department. He discussed Carson City's need for a federal lobbyist.

Chairperson Hartman advised that in the last ten years, Mr. Spees and Ed Allison, a consultant to the firm of Katz, Kutter, et al., have been responsible for in excess of \$100 million being allocated to the University of Nevada system. He further advised of a large sum of ISTEAs funds which will become available and will be important to the V&T Railroad project. He has discussed, with Mr. Allison, land and water conservation funds for projects on the Andersen property, the Lompa property, etc. He commented that Mr. Allison and Mr. Spees "get the job done." Mr. Burnham discussed ideas proposed by Mr. Spees and Mr. Allison for the V&T Railroad project. Member Scott suggested that the lobbyists may be able to facilitate the Southern

CARSON CITY OPEN SPACE ADVISORY COMMITTEE

Minutes of the March 24, 2003 Meeting

Page 2

Nevada Public Lands Management Act (“SNPLMA”) clarification. Chairperson Hartman noted the benefit of Mr. Allison’s tie to the community. Vice Chairperson Jacquet suggested there may be an opportunity to lobby for Question #1 funding. Mr. Burnham advised that the Katz, Kutter firm was selected because of its local relationship and understanding of Nevada. Other firms are just as successful at getting federal dollars but may not have the influence on the City’s situations.

Member Riedl expressed support for hiring a lobbyist, and pointed out that lobbying has to be constantly maintained. He expressed a concern that Carson City missed the opportunity to participate in T3 reappropriations. Mr. Burnham advised that the City submitted an application for T3 funding. In response to a question, he advised that the \$4,000 fee would be comprised of \$2,000 from RTC/Utilities and \$2,000 from Open Space. Member Riedl advised that the Washoe County RTC, a \$115 million organization, is spending \$50,000 on a federal lobbyist. He expressed a concern regarding the City having a good return on the \$24,000 investment. Member Fischer provided similar comments based on his experience with lobbyists in the medical community.

Mr. Burnham responded to questions regarding the allocation of funding from the Open Space Program, and the \$4,000 monthly fee. Chairperson Hartman credited Mr. Allison with the firm agreeing to the low fee. Member Fischer expressed a concern regarding Storey and Lyon Counties and the Committee for Reconstruction of the V&T benefitting from the railroad project in spite of dropping out of the consortium. Mr. Burnham responded to questions regarding the City’s priorities in light of the other counties and entities backing out of the consortium. Chairperson Hartman advised that Mr. Allison had expressed a preference to involve only Carson City entities as he was far more interested in serving as Carson City’s advocate. Member Scott noted the potential for extending open space capability and adding outside funding to Question #1. He discussed open space potential in the area of the Marlette-Hobart Reservoir, and expressed support for hiring the lobbyists. He discussed the potential for possible reorientation of the SNPLMA.

Mr. Burnham discussed the City’s responsibility in the lobbying process to provide position papers which will direct the lobbyists’ efforts. Member Fischer expressed a concern regarding the public’s perception of the portion of the open space budget from which the lobbyist funding will be allocated. Mr. Guzman advised that the funding would be allocated from the contractual obligations line item. Mr. Burnham advised that there were no public repercussions from the Board of Supervisors’ approval of the \$2,000 allocation from the RTC/Utilities Department. Member Scott commented that the open space allocation represents an opportunity to assist in Carson River projects which benefit the Open Space Program since the Carson River Advisory Committee does not have a funding source. **Member Fischer moved to approve the outlay from the open space budget of \$2,000 a month for a lobbyist in Washington, Mr. Spees. Vice Chairperson Jacquet seconded the motion.** Member Riedl expressed a preference for the Open Space Program to have priority in the lobbying effort. He suggested discussing and outlining areas on which the lobbyists should concentrate. He referred to earlier suggestions of the SNPLMA and the Marlette-Hobart area. Chairperson Hartman added land and water conservation and wetland enhancement to the list, and Vice Chairperson Jacquet added the Question #1 funding. Member Scott suggested requesting input from the lobbyists as well. Chairperson Hartman called for public comment and, when none was forthcoming, called for a vote on the pending motion. **Motion carried 6-0.**

CARSON CITY OPEN SPACE ADVISORY COMMITTEE

Minutes of the March 24, 2003 Meeting

Page 3

3-B. ACTION TO ENDORSE THE STRATEGY TO COMPLETE THE MANAGEMENT PLAN FOR THE CARSON CITY OPEN SPACE WETLANDS, LOCATED AT LOMPA LANE AND NORTHRIDGE DRIVE (1-0440) - Mr. Guzman provided background information on this item, and reviewed the staff report. He referred to an aerial photograph and pointed out the subject wetlands, the freeway alignment, and a water source which will be truncated to a remaining portion of the land. He advised that the wetlands enhancement project is not going well, and that he has corresponded with Dwight Millard requesting improvement of the project in order that Mr. Millard's obligations to the City will be fulfilled. Mr. Guzman responded to questions regarding ownership of the property and the owners' obligations.

Member Scott expressed appreciation for the ideas and the initiative of the volunteer group. He agreed that truncation may be necessary initially. He expressed concern regarding the Stanton Park portion until it is made more sustainable as a wetland. He suggested integrating the Boys and Girls Club facility, freeway landscaping, proposed access across or under the freeway, etc., and commented on the many interesting, related, peripheral uses. He discussed the importance of considering the big picture even though Carson City only represents a small portion of the area at this time. Discussion took place regarding the site work needed for the Boys and Girls Club facility and the work to be done by Stanton Park. Vice Chairperson Jacquet suggested the possibility of the Open Space Program contributing to the Boys and Girls Club by managing the Stanton Park wetlands.

(1-0638) Ann Macquarie discussed the meeting with Mr. Guzman, and relayed details of discussions with Ed Skudlarek regarding how to organize a group to help manage the wetlands. She discussed the necessity of considering the entire parcel and expressed a preference for overall management of the entire wetlands, including enhancement, restoration, access, and how a volunteer group would fit into the management plan. She advised of having briefly researched available grant funding and that there were two or three specific sources for community-based projects having to do with wetland restoration.

(1-0670) Ed Skudlarek commented that successful volunteer management will depend, to a large extent, upon the core group. He hopes to involve qualified, professional environmental scientists, ornithologists, wetland ecologists, etc. He noted that the project would be outside the scope of his work as an employee of the State Department of Conservation and Natural Resources Natural Heritage Program. He advised of a variety of grant funding opportunities for planning and hard improvements. He commented that the site has a lot of potential and a variety of bird species. He advised that motorized bike use is increasing, and suggested installing signage or temporary fencing to prohibit this activity.

Member Riedl offered to volunteer and get support from his neighbors. He advised that residents of the Northridge subdivision and adjacent neighborhoods have expressed concerns regarding connectivity between neighborhoods and open spaces. He expressed the hope that the management plan would consider access from the neighborhoods to the wetlands area. Mr. Skudlarek suggested there may be more appropriate uses for the triangular piece of property on the west side of the freeway, closer to the neighborhood. He advised that preliminary discussions have focused on including the GROW organization, neighborhood representatives, St. Teresa's Catholic Church representatives, and educators.

Member Scott pointed out the need to recognize the possibility of investing in limited, specific professional expertise to complement the volunteer effort. **Member Scott moved to endorse the strategy, to thank the volunteers, and to have Mr. Guzman continue to work with them and keep the Committee**

CARSON CITY OPEN SPACE ADVISORY COMMITTEE

Minutes of the March 24, 2003 Meeting

Page 4

informed. Member Riedl seconded the motion. Vice Chairperson Jacquet suggested that Mr. Skudlarek contact Walt Devaurs, of the Bureau of Land Management, as he had volunteered to assist in developing a management plan at the time the wetlands was acquired from The Nature Conservancy. Member Riedl volunteered to assist as well. Chairperson Hartman called for a vote on the pending motion; **motion carried 6-0.**

3-C. ACTION TO APPROVE THE CONCEPTUAL SCOPE OF WORK FOR THE REHABILITATION OF THE EAGLE VALLEY CREEK, INCLUDING ITS PORTION WITHIN THE MOFFAT OPEN SPACE PROPERTY AND EXTENDING TO ITS CONFLUENCE WITH THE CARSON RIVER (1-0838) - Mr. Guzman pointed out the Wastewater Treatment Facility, the Moffat Property, and the Eagle Valley Creek and its route to the Carson River on a displayed topographic map. He advised of Mr. Pugsley's interest in a project which would involve the Moffat property portion of Eagle Valley Creek, and reviewed the staff report.

(1-0915) Paul Pugsley, of the Carson Valley Conservation District and the Carson River Advisory Committee ("CRAC"), advised that the CRAC recently designated the Eagle Valley Creek rehabilitation "on a modest scale" in its list of projects. Mr. Pugsley reviewed grant funding sources, including \$15,000 from the Carson Water Subconservancy District ("CWSD") and \$15,000 from the Nevada Division of Forestry ("NDF"). He advised that the NDF funding is specifically oriented toward private property owners. There are two significant private properties on the Creek: a parcel owned by Michael Bell, who was present at this meeting, and a parcel owned by Mrs. Ferguson. Mr. Pugsley advised that his intent for the NDF funding was to deal with the noxious weeds and begin to establish vegetation through the whole stretch. He further advised that representatives of the Army Corps of Engineers were in the area on March 22nd to view the \$5 million restoration effort along the entire Carson River. The Army Corps representatives decided a similar project should be done on Eagle Valley Creek which Mr. Pugsley indicated is "very doable" but will require much more community support and time. He indicated that this project could not be considered for 18 months to two years. Mr. Pugsley pointed out the historic and existing routes of the creek which runs through a flood way, and explained that no work can be done to impede the flood way. The potential Army Corps of Engineers-funded project requires a 35% match for whatever amount of funding may be needed, which would be an additional \$1.3-\$1.4 million. A primary consideration is that Carson City would be required to own all the lands within the project area.

Mr. Pugsley advised that Michael Bell had made previous indications to Parks and Recreation Department Director Steve Kastens that he would be open to discussing purchase of his land by the Open Space Program. Mrs. Ferguson may also be open to discussion. Mr. Pugsley proposed that the Army Corps project begin at Butti Way and extend all the way to the River. The focus would be to gain some meander back in the channelized portion. In response to a question, Mr. Pugsley advised that the 1997 flood would have "overwhelmed any sense of what there may have been in a meander pattern." He explained that Eagle Creek drains the entire Eagle Valley, and advised that a reduction in the 11,000-12,000 cfs is supposed to take place at the conclusion of freeway construction.

Mr. Pugsley discussed the project goals to re-establish some sense of general vegetation, deal with noxious weeds, and reduce sediment load to the River. He advised of the City's desire to connect the Moffat property to the path that currently connects to the straight stretch of the Eagle Valley Creek, and that the Carson River Advisory Committee has designated, as a future project, construction of a pedestrian bridge to the Ambrose-Carson River Natural Area.

CARSON CITY OPEN SPACE ADVISORY COMMITTEE

Minutes of the March 24, 2003 Meeting

Page 5

Member Scott suggested that a public/private partnership may be worth considering. (1-1138) Michael Bell advised that his parcel is 66 acres, and described the acreage of adjacent parcels. He further advised of a discussion with Mr. Kastens regarding the City's trail system and the possibility of a trail along Eagle Creek. Mr. Bell indicated his preference was to not split his property with a path, and instead proposed a trail along the Mexican Ditch to the property line between his property and Mrs. Ferguson's. Mr. Bell expressed support for Mr. Pugsley's project to restore the banks of Eagle Creek, and discussed the erosion which occurs each time there is any water flow. In response to a question, Mr. Bell referred to a triangular portion of land on the west side of Eagle Creek that would present itself for the possibility of conservation easement. He advised that any easement on the east side of the Creek would "have to be fairly small." In response to a further question, Mr. Bell advised that less flooding occurs on the west side of the Creek than at the basin and on the east side. He indicated he would be open to further discussion regarding conservation easement.

Mr. Guzman advised of his main purpose to get the weeds at the Moffat property under control and to consider other components with the Army Corps of Engineers, fluvial geomorphology, etc. He discussed available grants for revegetation, and advised that a small amount of seed money is needed to plan the project. He reminded the Committee that the Parks and Recreation Department owns the most linear portion of the trail, the corporate yard, and the Moffat property. He reviewed the recommended action included in the staff report.

Vice Chairperson Jacquet advised of previous work done on Eagle Creek by the City's Utilities Department. He inquired as to Mr. Pugsley's plans to accommodate the storm drainage features as well as natural features with meanders and riparian vegetation. Mr. Pugsley indicated that the two issues should not be in conflict with more riparian vegetation. He discussed the goals of NDF to have trees planted, and advised that because of the gabion work previously done, much of channel would not respond to the project. He discussed the potential wildlife situation at the bottom of the Creek, the work needed on the sediment pond, and advised that this stage of the project is very formative. He expressed a preference to involve the private property owners in managing the weed problem. In response to a question, Mr. Bell indicated that many of the private property owners would most likely be willing to participate.

Member Scott agreed with addressing the weed situation as soon as possible. Member Riedl reviewed the Committee's direction. Member Robinson expressed a concern regarding the City's liability in modifying the existing channelization, and Mr. Guzman advised that the project will not move forward unless the City Engineer approves it. Member Scott suggested conceptually approving the project, and noted that Question #1 includes specifically earmarked funds for the Carson River. He suggested that the project represents opportunities for the Committee to enter into public/private partnerships together with the Carson River Advisory Committee. He pointed out that Utilities, Parks and Recreation, and the Open Space Program should be considered from the City's perspective with regard to this project.

(1-1448) Mr. Bell expressed a concern with regard to the area between Edmonds Drive and the aqueduct which was straightened and channelized. He suggested there may be potential liability with respect to the aqueduct.

Member Scott clarified that the City inherited the channel and commented on the potential of the subject area. Mr. Pugsley commended the Committee on purchase of the Moffat property. **Member Riedl moved to approve the conceptual scope of work for the rehabilitation of Eagle Valley Creek, including a**

CARSON CITY OPEN SPACE ADVISORY COMMITTEE

Minutes of the March 24, 2003 Meeting

Page 6

portion within the Moffat Open Space Property and extending to its confluence with the Carson River; and that the Committee consider other opportunities to improve the geomorphology of the area and bring it back for consideration when some study has taken place. Member Fischer seconded the motion. Motion carried 6-0. The Committee members thanked Mr. Pugsley and Mr. Bell.

3-D. ACTION TO PROVIDE A WRITTEN EXPRESSION OF INTEREST AND WILLINGNESS TO EXPLORE OPTIONS FOR THE CONSERVATION OF THE HORSE CREEK RANCH, CONSISTING OF APPROXIMATELY 606 ACRES AND LOCATED AT KINGS CANYON ROAD, UPPER MEADOW, APNs 7-051-01, 7-031-22, 7-051-11, AND 7-051-57 (1-1535) - Mr. Guzman pointed out the subject property on a displayed map, and reviewed the staff report and the March 13, 2003 letter from Michael Fagen. Mr. Guzman advised of a visit to the site scheduled for Thursday, April 3rd with Mr. Fagen and Ame Hellman of The Nature Conservancy. Mr. Fagen has expressed an interest in showing Ms. Hellman the List Ranch where he presently resides. Mr. Guzman reviewed staff's recommended action.

Member Scott expressed support for a conservation easement and suggested that it may be an asset to have someone living there who has an interest in the property. Mr. Guzman advised that the property is presently leased to the Schulzes, who manage the meadow. Member Riedl expressed a concern regarding how a conservation easement would fit in with the prescriptive rights of Kings Canyon Road. He agreed that this area should be a priority, but commented that the appraisal will be interesting because of the road. In response to a question, he clarified that the road is a positive aspect of the property; the concern is having to purchase the easement for the road. Mr. Guzman advised that Kings Canyon Road was declared a public right-of-way several years ago, although the width was not defined at that time. Mr. Guzman advised of the existence of historic structures in the area which Senator Mark Amodei is interested in preserving. **Member Fischer moved to direct Mr. Guzman to move forward. Member Scott seconded the motion.** Mr. Guzman responded to questions regarding present management of the property. Discussion took place regarding concerns over public access and subdivision development. Chairperson Hartman called for a vote on the pending motion; **motion carried 6-0.**

3-E. STATUS REPORT ONLY REGARDING THE ACQUISITION OF THE GILBERT PROPERTY, CONSISTING OF 40 ACRES LOCATED SOUTH OF THE TERMINUS OF KINGS CANYON ROAD, APNs 7-061-72 THROUGH -75 (1-1776) - Mr. Guzman advised that as of 3:00 p.m. today, escrow closed on the Gilbert property. He referred to the materials from Northern Nevada Title Company which were distributed prior to the start of the meeting. Member Scott inquired as to fire management plans and discussion took place regarding sheep grazing. In response to a further question, Mr. Guzman advised that the \$126.65 from Northern Nevada Title will be returned to the Open Space fund.

3-F. STATUS REPORT ONLY REGARDING THE RULE MAKING PROCESS FOR STATEWIDE BALLOT QUESTION #1 (1-1837) - Mr. Guzman advised he had no new information to report. He is awaiting a return phone call from Pam Wilcox, Division of State Lands Administrator. He advised of a workshop scheduled by the CWSD over the next two days to determine how to utilize Question #1 funding along the Carson River. In response to a question, Mr. Guzman advised that he will be developing a matrix from the "wish lists" of all involved advisory committees.

CARSON CITY OPEN SPACE ADVISORY COMMITTEE

Minutes of the March 24, 2003 Meeting

Page 7

3-G. REVIEW OF CONSERVATION EASEMENT SEMINAR HELD ON MARCH 7, 2003

(1-1925) - Mr. Guzman advised of receiving positive feedback thus far and noted that Mr. Fagen's offer was a direct result of the seminar. Chairperson Hartman complimented Mr. Guzman on his efforts in developing the seminar. Chairperson Hartman suggested establishing a time for the next seminar, sometime in the spring or winter of next year. He expressed an interest in a panel format with a raised podium and more than one speaker at a time to provide for more give and take. He advised of receiving many compliments from many people on the seminar, and commented that it was very well done.

4. NON-ACTION ITEMS:

STATUS REPORTS AND COMMENTS FROM COMMITTEE MEMBERS (1-2199) -

Member Riedl advised of attending the U.S. Forest Service landscape analysis public meeting, and discussed concerns expressed by Kings Canyon residents regarding land management responsibility. He suggested that the Committee consider developing a management plan for this area. (1-2391) Member Scott suggested scheduling a joint meeting with the Advisory Board to Manage Wildlife to discuss Question #1 projects. Vice Chairperson Jacquet provided background information on, and an overview of, the March 10, 2003 letter from Mr. and Mrs. Desormier which was distributed prior to the start of the meeting. He and Mr. Guzman have scheduled a meeting with Mr. Desormier on Friday, March 28th.

STATUS REPORTS AND COMMENTS FROM STAFF (1-1987) -

Mr. Guzman advised that the seminar packet was provided to Supervisor Staub who was meeting earlier in the day with James Jerard regarding the Carson River property. Mr. Guzman pointed out Mr. Jerard's property on a displayed map, and advised that the property is very important because of its many wetlands. Mr. Guzman advised of attending a meeting regarding Question #1 with Nevada Division of Wildlife staff. He observed that in order to develop a project with NDOW, quite a bit of expertise will be needed. He advised that many NDOW staff live in Carson City and are interested in developing a project here. Vice Chairperson Jacquet advised that Ducks Unlimited has considered projects at the Silver Saddle Ranch and the Andersen Ranch. Mr. Guzman advised of receiving many contacts from conservation organizations regarding Question #1 projects. He acknowledged that Supervisor Staub would be providing a report on his meeting with Mr. Jerard.

Mr. Guzman advised of a meeting with Anita Cook, of NDOW, who expressed an interest in wetlands and in developing a project using the NDOW portion of Question #1. He acknowledged that the City still owns the wetlands on the east side of the Lompa property near Butti Way. Mr. Guzman advised of a conversation with Mae Gustin, an expert on mercury contamination, who is seeking graduate students to work on a project to determine the location of contaminated lands near the BLM office in order to develop a more comprehensive SNPLMA application. Mr. Guzman advised of attending a Sierra Business Council seminar on gateway communities. He reported that the U. S. Forest Service is conducting a study on landscape analysis, emphasizing Clear Creek, Kings Canyon and Voltaire Canyon. The purpose of the study is to develop an informational document that will be used for a plan amendment and to describe the desired condition when considering the landscape in general. The discussion centered around grazing management, scenic value, etc., and it will be presented to the Committee in April. Mr. Guzman advised of attending a recent CWSD meeting, wherein BLM representatives presented the Story of the Carson River. Acting City Manager Andy Burnham has been actively pursuing the \$1 million from the BLM for the Bernhard property. Mr. Guzman advised that the Bernhard property was not included in the SNPLMA Round 4 nominations. The Howard/Dombrowski properties were nominated, however, in addition to a

CARSON CITY OPEN SPACE ADVISORY COMMITTEE

Minutes of the March 24, 2003 Meeting

Page 8

USFS property near Clear Creek which Mr. Guzman pointed out on a displayed map. Mr. Guzman advised of a conversation with a representative from the City of Roseville, California, who indicated they are looking for an open space plan. The CWSD will hold workshops on Question #1 on March 25 and 26 at the Utilities District in Dayton, one on the general question and one regarding the Carson River. On March 27th, Carson City will host the tri-county meeting wherein work will continue on demonstrating to Senator Ensign the reasons lands in Northern Nevada are sensitive in relation to access and to Lake Tahoe. Mr. Guzman advised that he will accompany Mr. Fagen and Ame Hellman to tour Mr. Fagen's properties on April 3rd. On April 4th, he will accompany Mr. Burnham to Las Vegas to testify at the Resource Area Advisory Council regarding the Bernhard property and other SNPLMA nominations.

FUTURE AGENDA ITEMS FROM COMMITTEE MEMBERS - Previously covered.

INTERNAL COMMUNICATIONS AND ADMINISTRATIVE MATTERS - None.

ACTION ON ADJOURNMENT (1-2546) - Member Fischer moved to adjourn the meeting at 7:58 p.m. Member Scott seconded the motion. Motion carried 6-0.

The Minutes of the March 24, 2003 meeting of the Carson City Open Space Advisory Committee are so approved this 21st day of April, 2003.

STEPHEN D. HARTMAN, Chair