

CARSON CITY OPEN SPACE ADVISORY COMMITTEE

Minutes of the August 18, 2003 Meeting

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A regular meeting of the Carson City Open Space Advisory Committee was scheduled for 6:00 p.m. on Monday, August 18, 2003 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Acting Chairperson Bruce Scott
Laura Bird
Michael Fischer
Howard Riedl
Margaret Robinson

STAFF: Steve Kastens, Parks and Recreation Director
Juan Guzman, Open Space Manager
Vern Krahn, Parks Planner
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 during regular business hours.

CALL TO ORDER AND ROLL CALL (1-0007) - Acting Chairperson Scott called the meeting to order at 6:00 p.m. Roll was called; a quorum was present. Chairperson Hartman and Vice Chairperson Jacquet were absent.

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

1. ACTION ON APPROVAL OF MINUTES - July 21, 2003 (1-0030) - Member Fischer moved to approve the minutes. Member Riedl noted a correction to item 3-D. Member Fischer amended his motion to approve the minutes, as corrected. Member Riedl seconded the motion. Motion carried 5-0.

2. CHANGES TO THE AGENDA (1-0022) - None.

3. AGENDA ITEMS:

3-A. DISCUSSION ONLY REGARDING THE U.S. FOREST SERVICE LANDSCAPE ANALYSIS FOR THE CLEAR CREEK, VOLTAIRE, AND KINGS CANYON AREAS TO IDENTIFY ISSUES OF CONCERN, DETERMINE THE DESIRED FUTURE CONDITIONS AND MAKE RECOMMENDATIONS FOR FUTURE ACTIONS IN THESE WATERSHED AREAS (1-0051) - Mr. Guzman introduced Hydrologist Sally Champion, Recreation Specialist Paddy Hardy, and Supervisory Forester Larry Randall, of the U.S. Forest Service ("USFS"), and reviewed the staff report. Ms. Champion, the project manager, explained the opportunity for the USFS to consider a larger area in developing a vision which includes existing and desired future conditions for all concerned resources, and to develop a strategy. Ms. Champion clarified that the landscape analysis is not a "decision document" but will result in a list of recommendations for presentation to and input from the public. She referred to a displayed map depicting the analysis area: Clear Creek Watershed, Kings Canyon, and Voltaire Canyon.

Ms. Champion discussed the process to identify issues and concerns, the collaboration with City staff, and preliminary considerations for trails/roads, day-use facilities, vegetation treatment, watershed issues at

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Clear Creek, cultural resources issues in Kings Canyon, scenery management, wildlife issues, etc. An additional consideration is integration of USFS plans with Carson City and neighboring counties. Ms. Champion requested input from the Committee members.

Member Riedl advised of having attended one of the public meetings, and commended the USFS representatives on the information provided. He commented on the recreational and open space values in Kings Canyon, and expressed support for considering the cultural resources. He recommended conducting a cultural resources study of the road, and developing an operations and maintenance plan to preserve the historic and recreational value of the road. He advised of having provided these comments at the public meeting and discussed plans for a recreational trail from Carson City to Lake Tahoe. Member Robinson discussed the importance of increasing recreational opportunities without reducing scenic values and creating wildlife and fire safety issues. She suggested education and additional enforcement as possible solutions. She advised that deer kill in the area has increased this year. Mr. Randall agreed that there are always impacts associated with using an area, and that the Kings Canyon area is very popular for recreational uses. The strategy is to find the right mix of recreation opportunities and to provide them in a way that is well managed. A determination needs to be made regarding locations for motorized and non-motorized uses, group use areas, etc. Mr. Randall expressed the opinion that once this is accomplished, the resources will be better off in the long run.

Acting Chairperson Scott commented on the fires which have occurred in all three drainages this summer, and the associated issues of fire prevention and fuels management in addition to revegetation, slope stabilization, etc. He discussed the need to integrate and yet be respectful of private properties in the area. He commented on the importance of communication and suggested that the landscape analysis may be a good project on which Carson City and Douglas County can work together with the USFS. He noted that the Committee is very concerned about Clear Creek as a major watershed for Carson City as well as for Douglas County. Member Bird expressed appreciation for Mr. Randall's comments regarding access management issues. She expressed support for staging areas because of the advantage in monitoring use and controlling access points. Member Fischer inquired as to public input regarding use of the forest at some of the meetings sponsored by the USFS. Ms. Champion referred to a meeting which was mainly attended by Kings Canyon residents, who were supportive of the process to solicit input and develop a plan prior to beginning any projects. She discussed concerns of Kings Canyon residents regarding law enforcement, the need for improved management, and "a better [USFS] presence." She noted that the residents' concerns did not seem to be focused upon restricting access. She advised that once the first draft of the analysis is complete, it will be submitted for public review.

Acting Chairperson Scott opened the meeting for public comment; however, none was provided. He commented on the benefit of considering a concept without it being project driven, and suggested that the Committee may be able to assist with the process. He referred to the recently-acquired open space property in Kings Canyon, and discussed the need for consideration of the meadow as it continues to grow and react to not having active grazing or the other types of uses it had for so many years. He suggested working together with the City's Utilities Department staff to consider upper and lower watershed issues, and that this may be facilitated through a plan such as the landscape analysis. Mr. Guzman advised that the staff report includes information regarding the areas in which Carson City is considering projects in light of the interests of parks and recreation, wildlife, etc. He suggested that perhaps the time has come for Carson City to begin seriously introducing the possibility of assisting with land management and/or cooperating on projects with the USFS.

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(1-0377) Bill Schultz, a property owner in the Clear Creek area, inquired as to whether a fuels management plan will be part of the landscape analysis. Ms. Champion acknowledged that it would be and advised that District Fire Officer Kelly Martin is interested in implementing a fuels management plan at Clear Creek next year. She discussed a meeting and field trip with the landscape analysis consultants and with a representative of the Fire Safe Council. The Fire Safe Council has hired Dynamac Corporation and information has been provided to USFS representatives, who will be considering a plan for Forest Service lands to reduce the risk of fire in the watershed. In response to a further question, Mr. Guzman pointed out the land owned by the Schultz family on the displayed map. Mr. Schultz advised that the study done by Dynamac only addressed the area south and west of Highway 50. He expressed a concern regarding the area west of Clear Creek, and advised that there were 60 acres of his family's property burned in the fire which occurred north of Highway 50. In response to a comment, Ms. Champion advised that the landscape analysis will consider the entire watershed, including appropriate locations for vegetation treatments to reduce fire risk. Access will be a constraint, but the analysis will not be limited just to the Clear Creek subdivision.

Acting Chairperson Scott suggested that the landscape analysis may represent an opportunity for the Committee to assist with interfacing between the USFS and private property owners. He expressed appreciation for the opportunity to participate in the planning process. Mr. Randall thanked the Committee members for their input and requested them to consider providing additional input as the analysis moves forward. He advised that the projected time table for the draft analysis is spring 2004. He discussed the Peavine Mountain Recreation and Trails Strategy planning process, maintenance issues associated with new projects, and USFS partnerships with local governments. Acting Chairperson Scott thanked the USFS representatives for their presentation.

3-B. ACTION TO RECOMMEND TO THE BOARD OF SUPERVISORS THE ADOPTION OF A MEMORANDUM OF UNDERSTANDING BETWEEN CARSON CITY PARKS AND RECREATION DEPARTMENT OPEN SPACE PROGRAM; THE U.S. DEPARTMENT OF AGRICULTURE, FOREST SERVICE, HUMBOLDT/TOIYABE NATIONAL FOREST, CARSON RANGER DISTRICT; AND THE NATURE CONSERVANCY TO ESTABLISH A COOPERATIVE WORKING RELATIONSHIP FOR THE ACQUISITION AND CONSERVATION EASEMENT OF THE HORSE CREEK RANCH, A PROPERTY WHICH CONTAINS APPROXIMATELY 610 ACRES AND IS LOCATED AT KINGS CANYON ROAD, INCLUDING APNs 7-051-01, 7-051-11, 7-051-57, 7-051-07, AND 7-031-22 (1-0561) - Mr. Guzman reviewed the staff report, pointed out the subject property on a displayed map, and described its qualities. He introduced Laura Crane, of The Nature Conservancy, and invited her to the meeting table. In response to a question, Mr. Guzman advised there is no drawback to the Memorandum of Understanding ("MOU"); only opportunities. Ms. Crane provided an overview of the draft MOU which was included in the agenda materials. **Member Fischer moved to accept the MOU. Member Bird seconded the motion.**

Member Riedl discussed the historic values and recreational potential of Kings Canyon Road. Ms. Crane provided an overview of the "Commitments and Responsibility" section of the draft MOU (page 3). Acting Chairperson Scott inquired as to why the property owners are not part of the MOU. Mr. Guzman advised that details have been specified with the Fagens in the form of a letter of intent. The Nature Conservancy ("TNC") representatives have been very active in discussing this project with the property owners, and the Fagens have subsequently agreed to having Carson City present a plan to purchase the land. Mr. Guzman advised that the City has offered to hire a tax expert to assist the Fagens with the aim of lowering the price

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of the easement and providing information necessary to the transaction. Mr. Guzman confirmed that the Fagens are willing sellers who want to cooperate on the project. He explained that the MOU establishes the three entities which will work together to accomplish the sale and ultimately own the land, i.e., the USFS, the City's Open Space Program, and The Nature Conservancy. The Fagens are not part of the MOU because the three partnering entities will be presenting a proposal for their consideration. Ms. Crane explained that the Fagens want to ensure the parties are serious about moving forward with the project; the MOU accomplishes this. At the same time, a letter of intent is being pursued with the Fagens acknowledging their understanding that the project will move forward.

In response to a question regarding Paragraph B of the Commitments and Responsibility section, Ms. Crane advised that the USFS will be responsible for the fee title acquisitions of the steeper parcels and Carson City will be responsible for the conservation easement on the lower portion. Carson City would manage the meadow and the USFS would manage the parcels acquired in fee title. In response to a further question, Ms. Crane advised that TNC is interested in the property for its wildlife and biological/ecological values. TNC representatives will assist in drafting the conservation easement and providing all technical information available on wildlife and biological/ecological values of the land as part of the Question #1 or SNPLMA proposal. TNC will also assist the USFS in writing its SNPLMA proposal. In response to a further question, Ms. Crane advised that once the letter of intent is signed, TNC will work with the property owners to define the conservation easement.

In response to a question, Mr. Guzman advised that there is no cost involved in the MOU; it does commit City staff to work with TNC staff. He further advised that this project is listed as the first priority on the Question #1 project matrix. The City will enter into an agreement with the tax advisor who presided over the conservation easement seminar. Mr. Guzman explained that the tax advisor will need a release from the property owners acknowledging that he will be working for the City but providing tax advice to the them. He advised that the tax advisor's fees will be allocated from the open space budget consulting account. Ms. Crane acknowledged that TNC will handle biological surveys and work together with the other parties regarding the same.

On behalf of Chairperson Hartman and Vice Chairperson Jacquet, Acting Chairperson Scott inquired as to the time table for taking action on the MOU. Mr. Guzman advised that once the Committee's approval is obtained, staff will move forward to the Board of Supervisors with the recommendation. Chairperson Hartman and Vice Chairperson Jacquet have not reviewed the MOU but Mr. Guzman advised they have been very supportive of the Fagen project. In response to a further question, Mr. Guzman advised that the MOU will most likely be agendized for the second meeting of the Board of Supervisors in September. Member Robinson suggested allowing Chairperson Hartman and Vice Chairperson Jacquet to review the MOU in the meantime.

(1-0880) Bill Schultz advised of previous conversations with Mr. Fagen regarding the nature of the conservation easement. In response to a question, Mr. Guzman explained the purpose and function of the conservation easement. He advised that the Fagens have expressed the desire for two building sites and to continue using the meadow for irrigated pasture. The Fagens have no desire to allow mining, dumping, or any other kind of use the City would object to, and they have expressed opposition to any kind of public access. Ms. Crane clarified that "management" would entail the City ensuring that the terms of the conservation easement are met. Mr. Schultz advised that his family would be interested in reviewing the agreement.

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Acting Chairperson Scott called for additional public and Committee comments and, when none were forthcoming, a vote on the pending motion; **motion carried 5-0**. He thanked Ms. Crane for her presentation. Mr. Guzman acknowledged that he would provide the MOU for review by the Chairman and Vice Chairman.

3-C. ACTION TO RECOMMEND TO THE CARSON CITY PLANNING COMMISSION AND BOARD OF SUPERVISORS THE ADOPTION OF AN ORDINANCE FOR THE DESIGNATION OF AN OPEN SPACE ZONING DISTRICT PROVIDING FOR THE PURPOSES, PERMITTED USES, AND OTHER MATTERS RELATED TO LANDS PURCHASED WITH QUALITY OF LIFE OPEN SPACE PROGRAM FUNDS (1-0952) - Mr. Guzman reviewed the staff report and the draft ordinance included in the agenda materials. He advised of suggestions received from Jeff Winston at approximately 5:45 p.m. today, and briefly reviewed the same. He requested the Committee to defer this item to the next meeting in order that Mr. Winston's suggestions can be incorporated into the draft. **Member Fischer moved to postpone action on this item to the September Committee meeting. Member Robinson seconded the motion. Motion carried 5-0.**

3-D. ACTION TO CONSIDER AND PRIORITIZE POTENTIAL CITY-WIDE ACQUISITIONS AND/OR CONSERVATION EASEMENTS AND POTENTIAL MATCHING FUNDING SOURCES FOR THE PURPOSE OF APPLYING FOR GRANTS FROM STATE BALLOT INITIATIVE QUESTION #1 (1-1001) - Mr. Guzman provided background information on this item and the July 23rd subcommittee meeting. Mr. Krahn commended the Committee on the suggestion to consider the Question #1 priorities from a land mass standpoint associated with the projects. He and Mr. Guzman provided an overview of the Question #1 Opportunities map and the project and funding matrices. Mr. Guzman reviewed changes to the project matrix, and responded to questions regarding the Carson River Land Acquisitions (priority 7). He acknowledged that the owners of properties listed on the priority matrix are aware of the potential acquisition of their properties. In response to a question, Member Bird explained the process for designating the priority land acquisitions. In light of the access restriction, she explained the significance of the Fagen property and its value to the Open Space Program. Acting Chairperson Scott discussed the importance of consensus among the committees which participated in the joint subcommittee meeting. Mr. Kastens advised that the Advisory Board to Manage Wildlife approved the project matrix as presented at the joint subcommittee meeting. Acting Chairperson Scott called for additional comments and questions and, when none were forthcoming, entertained a motion. **Member Riedl moved to approve the joint recommendation from the subcommittee of the Parks and Recreation Commission, the Open Space Advisory Committee, the Carson River Advisory Committee, and the Advisory Board to Manage Wildlife, as presented. Member Fischer seconded the motion. Motion carried 5-0.**

3-E. ACTION TO DETERMINE MEMBERS OF THE COMMITTEE WHO ARE INTERESTED IN ATTENDING THE LAND TRUST ALLIANCE RALLY 2003 CONFERENCE IN SACRAMENTO, CALIFORNIA FROM THURSDAY, OCTOBER 16 TO SUNDAY OCTOBER 19, 2003 (1-1320) - Mr. Guzman reviewed the staff report. He advised that Members Bird and Riedl are enrolled in the conference and have selected their courses. Chairperson Hartman plans to attend a seminar on advanced conservation easements. Mr. Guzman and Mr. Krahn will also be attending the seminar. He requested any other interested Committee members to advise him, and indicated that there are sufficient funds to cover the expense. No formal action was taken.

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4. NON-ACTION ITEMS:

STATUS REPORTS AND COMMENTS FROM COMMITTEE MEMBERS (1-1377) - In response to a question, Mr. Guzman advised that he would check into the report of an abandoned vehicle on the Gilbert property.

STATUS REPORTS AND COMMENTS FROM STAFF (1-1404) - Mr. Guzman provided an overview of the August 8, 2003 letter from Carl Cavolick, which was included in the agenda materials. He announced the Lompa Wetlands cleanup scheduled for Saturday, August 23rd as part of an Eagle Scout project. He discussed a recent meeting with Karen Joost and Carson City Utilities staff to discuss matters of mutual interest. He advised of attending one tri-county meeting wherein all projects were discussed; a field trip with the USFS representatives followed. He advised that many of the funds from the SNPLMA are being committed to Lake Tahoe so there may be less and less available for Carson City and neighboring counties. Mr. Guzman reported on discussions during a recent staff meeting regarding the Northridge multi-use trail. Staff is attempting to clarify ownership of the adjacent wetlands, the relationship to the Boys and Girls Club project, and potential Regional Transportation Commission projects scheduled for Lompa Lane. He reported on a meeting with Stanton Park and Community Development staff to discuss the development plan which is moving forward. He reported meetings with Don Quilici to discuss open space, with City Manager Linda Ritter and Silver Oak representatives to discuss open space concerns, with Supervisor Livermore to discuss the draft open space ordinance. Mr. Guzman advised of upcoming meetings, as follows: The Parks and Recreation Commission meeting on August 19th and the Carson Water Subconservancy District meeting on August 20th, wherein discussion will take place regarding the Carson River and the Eagle Valley Creek adjacent to the hospital.

FUTURE AGENDA ITEMS FROM COMMITTEE MEMBERS - Previously covered.

5. ACTION ON ADJOURNMENT (1-1548) - Member Fischer moved to adjourn the meeting at 7:29 p.m. Member Bird seconded the motion. Motion carried 5-0.

The Minutes of the August 18, 2003 meeting of the Carson City Open Space Advisory Committee are so approved this 15th day of September, 2003.

STEPHEN D. HARTMAN, Chair