



STAFF REPORT

Report To: Board of Supervisors

Meeting Date: November 15, 2018

Staff Contact: Jennifer Budge, Parks, Recreation & Open Space Director
Stephanie Hicks, Real Property Manager

Agenda Title: For Possible Action: To adopt a Resolution expressing support of the proposed technical corrections to the Carson City Lands Bill currently being developed for congressional approval. (Adriana Fralick, AFralick@carson.org; Jennifer Budge, JBudge@carson.org and Stephanie Hicks, SHicks@carson.org)

Staff Summary: The Omnibus Public Land Management Act of 2009 (OPLMA) provided for the disposition of more than 8,000 acres of federal lands within Carson City, including the sale of approximately 150 acres of federal land by the Bureau of Land Management (BLM). City Staff has since identified and is proposing several technical corrections be made by Congress. On October 22, 2018, the Open Space Advisory Committee and Parks and Recreation Commission approved a recommendation to the Board of Supervisors for the proposed technical map corrections to the Carson City Lands Bill with the exception of Federal Lands Bill Map Reference Number 4 for which no action was taken. Instead, staff was instructed to conduct additional research based on public comment received. Federal Lands Bill Map Reference Number 4 will be heard as a separate item.

Agenda Action: Resolution **Time Requested:** 30 minutes

Proposed Motion

I move to adopt Resolution No. 2018-R-____, expressing support of the proposed technical corrections to the Carson City Lands Bill currently being developed for congressional approval.

Board's Strategic Goal

Efficient Government

Previous Action

January 4, 2007 - Discussion regarding a Carson City Federal Lands Bill Map to identify a preferred alternative to be used as the basis to create a Federal Lands Bill for Carson City consisting of proposed legislation to be considered by U.S. Congress to allow for the exchange and/or transfer in ownership of lands owned by the federal Government in Carson City.

January 18, 2007 - Board approval of Carson City Federal Lands Bill Map to identify the preferred alternative that would be used as the basis to create a Federal Lands Bill for Carson City consisting of proposed legislation to be considered by U.S. Congress to allow for the exchange and/or transfer in ownership of lands owned by the federal government in Carson City.

August 16, 2007 - City Manager provided an update on the proposed Carson City Federal Lands Bill.

September 6, 2007 - Board authorized the Mayor to sign a letter directed to the Federal Delegation clarifying the Board of Supervisors' position regarding the Federal Lands Bill request.

August 21, 2008 - Board endorsed the "Carson City Vital Community Act of 2008," a bill introduced in the U.S. Senate providing for the transfer and sale of certain federal lands within Carson City.

July 16, 2009 - Presentation and discussion only regarding the Omnibus Public Lands Management Act of 2009 as it relates to the disposition of federal properties within Carson City.

December 3, 2009 - Board provided recommendation to BLM regarding the sale of certain BLM properties identified for disposal in the Omnibus Public Land Management Act of 2009.

April 21, 2011 - Board authorized the Mayor to execute deeds of correction necessary for the implementation of transfers of lands with the U.S. Forest Service, as authorized by the Omnibus Public Lands Management Act of 2009.

August 4, 2011 - Board authorized the Mayor and City Manager to sign a letter to convey Carson City lands located at the upper reaches of Ash Canyon within the Carson Range to the United States as provided for in Subtitle G, Section 2601, of the Omnibus Public Land Management Act of 2009.

May 17, 2012 - Board authorized staff to execute a programmatic agreement between the Sierra Front Field Office of the Carson City BLM and the Nevada State Preservation Office regarding the conveyance to Carson City of the 5,482 acres of public lands as mandated by the Omnibus Public Lands Management Act of 2009 and 489 acres of private property.

August 15, 2013 - Board authorized the deposit of approximately \$375,000 into the BLM's Silver Saddle Stewardship Account for the oversight and enforcement of the conservation easement, and the transfer of approximately 3,604 acres of federal land to Carson City, as approved by the Carson City Community Vitality Act of 2009.

April 16, 2015 - Board authorized mayor to sign a letter addressed to the BLM providing comments on the Carson City District Draft Resource Management Plan and Environmental Impact Statement.

Background/Issues & Analysis

On January 6, 2009, OPLMA was enacted by Congress to determine the desired future uses of Federal properties surrounding Carson City. This bill was the result of three years of collaboration between City officials, interest groups and Congressional delegates with technical input from Federal agencies.

OPLMA provided for the disposition of more than 8,000 acres of Federal lands within Carson City, including the sale of approximately 150 acres of Federal land by BLM. The purpose of the bill was to improve land management throughout Carson City and help fulfill the community's long-term plan for growth and conservation.

Since the land transfers were completed, Staff has identified several desired technical corrections including property the City wishes to acquire, property where the City requests the reversionary interests be removed, and property the City suggests should be disposed of for economic development. Additionally, the City proposes several text corrections for clarification.

On October 22, 2018, a joint Open Space Advisory Committee and Parks and Recreation Commission Meeting was held to provide input to the Board of Supervisors on this proposal. After lengthy discussion, the Open Space Advisory Committee and Parks and Recreation Commission approved a recommendation for the technical map corrections to the Carson City Lands Bill with the exception of Federal Lands Bill Map Reference Number 4 for which no action was taken due to pending questions regarding use of this property for flood mitigation, cost-benefit information for retaining versus returning to BLM, confirmation of zoning prior to the City acquiring from BLM, and the City's obligation under Section 106 for historic and cultural resources.

Several comments were made by the public that the process for the technical map corrections was moving too quickly and there should be more opportunity for public comment. Staff explained that the joint meeting as well as the upcoming Board of Supervisors meeting would provide the opportunity for public input.

Below is a summary of the additional comments received by the public for Federal Lands Bill Map Reference Numbers 1 through 3 and 5 through 8. Due to public comments received and additional research to be completed by Staff, Federal Lands Bill Map Reference Number 4 (Bennett Properties) will be heard separately under its own agenda item.

Map Reference Number 1: Request that once acquired, this parcel be made part of the Silver Saddle and East Silver Saddle Ranch.

Map Reference Number 2: Carson City Airport Authority expressed support. Public statement that there is negligible use of APN 008-128-02 and no OHV use or dumping occurring on this parcel. Question regarding other potential future economic development uses for this site that would be allowed with removal of the reversionary interest.

Map Reference Number 3: No Comments

Map Reference Number 5: Concerns whether dispersed recreation and access to trails would still be allowed on parcel. Concerns over who will maintain the property and how OHV use will be regulated.

Map Reference Number 6: Concerns whether dispersed recreation and access to trails would still be allowed on parcels. Concerns regarding retaining fire access road. Concerns over who will maintain the property and how OHV use will be regulated.

Map Reference Number 7: Carson City School District expressed support. Public question as to why Montessori was not interested in this parcel for a school site. Comment recommending this parcel being utilized for dispersed recreation if not needed for school.

Map Reference Number 8: No comments

Applicable Statute, Code, Policy, Rule or Regulation

Omnibus Public Lands Management Act of 2009 (OPLMA)

Financial Information

Is there a fiscal impact? Yes No

If yes, account name/number:

Is it currently budgeted? Yes No

Explanation of Fiscal Impact:

Alternatives

Do not adopt a resolution expressing support of the proposed technical corrections to the Carson City Lands Bill as it is currently being developed for congressional approval.

Propose modified motion.

Board Action Taken:

Motion: _____

1) _____

2) _____

Aye/Nay

(Vote Recorded By)