



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 include Federal Lands Bill Map Reference 4 in the 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 to 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. This item provides additional information on Federal Lands Bill Map Reference Number 4.

Agenda Action: Formal Action/Motion

Time Requested: 30 minutes

Proposed Motion

I move to include Federal Lands Bill Map Reference 4 in 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 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.

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. The following public comments have been received:

-Twenty-five property owners indicated they were in opposition of the proposal regarding the four parcels along Bennett Avenue.

- 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.
- Concerns regarding whether the site contained a historic land fill/dump site and other cultural resources.
- Concerns that residential development would negatively affect property values, the environmental and wild/life habitat, the beauty and tranquility of the area.
- Question as to whether a conservation easement applied to these parcels.
- Correction to staff report that there is no OHV use or illegal dumping on these parcels, specifically the two northern parcels.
- Concerns about the municipal well on APN 010-252-02 and what effect residential development would have on the well, the 2 year capture zone and the wellhead protection plan.
- Concerns regarding impacts on viewsheds.
- Concerns about nitrate contamination in the area due to very permeable soils.
- Concerns regarding stormwater runoff and whether the parcels should be retained for flood control/drainage facilities.
- Concern that parcels would be developed at a higher density than Single Family 1 Acre.
- Recommendation for the Parks Department to retain these parcels for dispersed recreation.

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. These items have been researched by staff and responded to (see attached Federal Lands Bill Map Reference Number 4 packet).

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 include Federal Lands Bill Map Reference Number 4 in the 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) _____ Aye/Nay
 2) _____

(Vote Recorded By)