

CARSON RIVER ADVISORY COMMITTEE

Minutes of the July 10, 2000 Meeting

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A joint meeting of the Carson River Advisory Committee ("CRAC") and the Carson City Open Space Advisory Committee ("OSAC") was held at the Cooperative Extension Conference Room, 2621 Northgate Lane, Suite 12, Carson City, Nevada.

CARSON RIVER

ADVISORY COMMITTEE: Chairperson Charles Zimmerman
Vice Chairperson Claire Clift
Tom Hall
David Johnson
Paul Pettersen
Barbara Wright

OPEN SPACE

ADVISORY COMMITTEE: Chairperson Steve Hartman
Vice Chairperson Deborah Merrill
Michael Fischer
Dan Jacquet
Bruce Scott

CARSON CITY STAFF: Steve Kastens, Parks and Recreation Director
Vern Krahm, Parks Planner
Juan Guzman, Senior Planner, Community Development
Katherine McLaughlin, Recording Secretary
(OSAC/CRAC 07/10/00; Tape 1-0001)

NOTE: Unless indicated otherwise, each item was introduced by OSAC Chairperson Hartman. 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.

A. ROLL CALL AND DETERMINATION OF A QUORUM (1-0010) - Chairperson Hartman reconvened the meeting at 7:55 p.m. A quorum of both committees was present. Open Space Advisory Committee Members Pacheco and Quilici were absent. Alternate Members Anderson and Robinson were present. Carson River Advisory Committee Member Walsh was absent.

B. PUBLIC COMMENT (1-0023) - None.

C. DISCLOSURES (1-0033) - None.

D. MODIFICATIONS TO THE AGENDA (1-0054) - Chairperson Hartman modified the agenda to address item E-4 prior to item E-1.

E. PUBLIC MEETING

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E-1. DISTRIBUTION OF JEFF WINSTON'S FINAL DOCUMENT OF THE CARSON CITY OPEN SPACE PLAN TO COMMITTEE MEMBERS (1-1525) - Mr. Krahn distributed the final master plan element. He briefly reviewed some of the revisions, including the addition of hand sketches, charts, Larry Taylor's photographs, and improvements to the maps. In response to a question, Mr. Krahn advised that Mr. Winston has been paid, under the original contract, for all the work done to date. Additionally, a bill has been submitted and paid for additional work done by Mr. Ingbar at Mr. Winston's request. There will be no additional billing from Mr. Winston on the open space master plan element. Member Scott suggested drafting a letter thanking Mr. Winston for his assistance in leading the Committee through this unique and interesting process.

E-2. DISCUSSION AND ACTION REGARDING KEY LAND CONSERVATION EASEMENTS OR LAND ACQUISITIONS ALONG THE CARSON RIVER WHICH WOULD ACCOMPLISH GOALS OF THE CARSON RIVER MASTER PLAN AND THE OPEN SPACE ELEMENT OF THE MASTER PLAN (1-1729) - Mr. Krahn referred to recommendation 14 of the Open Space Master Plan element, and advised that the reason for agendaizing this item was to provide the Committees the opportunity for discussion. He acknowledged that the needed action had been covered under item E-4. Vice Chairperson Merrill suggested providing a copy of the OSAC evaluation matrix to the CRAC. Mr. Guzman and Member Scott described the evaluation matrix and its purpose.

Mr. Guzman suggested that the CRAC describe some of its projects for the benefit of the OSAC. Chairperson Zimmerman discussed the Carson River Park project and the projects done along the River in cooperation with the conservation groups. He introduced Paul Pugsley, Watershed Coordinator for the Upper Carson River Coordinated Resources Management Plan ("CRMP"), and advised that Carson City is now included in the CRMP's area of responsibility. Chairperson Zimmerman discussed various watershed protection and stream bank stabilization projects. He advised that a field wildlife and habitat survey has been requested through the CRMP. With regard to recreation, an additional portage area for rafting and canoeing, and a footbridge from the Empire Ranch Trail over to the Ambrose-Carson River Natural Area, are being considered. Mr. Kastens advised that a feasibility study conducted on the footbridge project estimates the cost at \$250,000. Mr. Krahn advised that an additional feasibility study was conducted for a footbridge at the Silver Saddle Ranch with an estimated cost of \$500,000. Member Johnson and Mr. Kastens described the location of the Ambrose-Carson River Natural Area.

Mr. Kastens advised that the land exchange which took place between the City and the Empire Ranch Golf Course afforded the City the property which makes up the Empire Ranch Trail. He described the boundaries of the trail, and the location of the parcel between the golf course and the River. Member Jacquet acknowledged that the BLM has finalized the project at the mine and that the area will soon be reopened to the public. He commented that the mill site is nearly cleaned up, and he anticipates that the area will be recontoured and reseeded by the fall. Some limited public access will be allowed onto the reclaimed area, and another forty acres will be added to the River access on the east side. Member Jacquet acknowledged that the area is contiguous to the Ambrose-Carson River Natural Area.

Mr. Guzman advised that the CRAC had additionally participated in finalizing the plan for management of the Silver Saddle Ranch and the Ambrose Ponds. Member Johnson commented that when the Silver

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Saddle Ranch management plan was first proposed, the two areas were not combined. At the urging of the Committee, the BLM agreed to manage it as a unit. Discussion took place regarding the recently abandoned vehicles near Lloyd's Bridge.

In response to a question, Chairperson Zimmerman advised that the work proposed by the Nevada Department of Transportation ("NDOT") at Deer Run Bridge has been discussed by the Committee; however, the NDOT representative has yet to do a formal presentation. Chairperson Zimmerman advised that an additional proposed project is recreational access along the V&T alignment.

Member Scott inquired as to Mr. Pugsley's ability to secure funding for cultural resource surveys, appraisals, etc. which may need to be done to facilitate the acquisition process. Mr. Pugsley indicated that he is not aware of any available funding source for surveys or for bridge building. Vice Chairperson Clift discussed the CRAC's research into federal funding for the bridges. Discussion took place regarding the possibility of land acquisition from Deer Run Bridge toward Dayton relating to the V&T Trail.

Mr. Kastens discussed the CRAC's discussions with State Prison representatives regarding the possibility of public access onto State Prison-owned lands near the River. Further discussions have taken place regarding concerns about the overgrazing which occurs on the property. Mr. Pugsley advised of discussions between State Prison representatives and the Natural Resources Conservation Service regarding a project to fence the portion of Clear Creek which runs through State Prison property and to establish a full grazing management plan for the entire area outside of the tillage fields.

(1-2540) Jean Talbot advised that Placer County is developing an open space plan through the Placer Legacy Program. A summary for the plan is located on their website with a listing of criteria for evaluating properties. She suggested that other communities could utilize the summary.

E-3. DISCUSSION AND ACTION REGARDING THE CONSIDERATION OF RIVER PROPERTIES FOR INCORPORATION INTO THE OPEN SPACE PLAN (1-2620) - Chairperson Zimmerman advised that the CRAC will agendize an item for the next meeting to provide the recommendations requested by the OSAC.

E-4. DISCUSSION AND ACTION REGARDING THE DEVELOPMENT OF A LAND TRADE STRATEGY WITH THE BUREAU OF LAND MANAGEMENT TO ACCOMPLISH OBJECTIVES IN THE CARSON RIVER AND OPEN SPACE MASTER PLANS WHILE MEETING THE INTENT OF THE CARSON CITY URBAN INTERFACE PLAN (1-0070) - Mr. Guzman thanked the Committee members for participating in the tour. He indicated that the OSAC does not have enough funding available to purchase all the desirable properties. Instead, discussions have taken place regarding how best to maximize the available funding and get the "biggest bang for the buck." This is where partnership with the Bureau of Land Management ("BLM") would help immensely.

Mr. Guzman indicated that from conversations with Chuck Pope and Dan Jacquet, of the BLM, it has become evident that the BLM does not have the resources to consider each of the subject properties individually. The evaluation process which includes reports on environmental analyses, cultural resources

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inventories, biological descriptions of the land, and determinations of the land's ecological value, takes a considerable amount of staff time and effort and is required at the beginning of the process. Mr. Guzman explained that the BLM and Carson City have identified lands for trade; however, there is a very limited amount of acreage which can be used to trade. Out-of-county trades are a possibility where BLM will assume land, most likely in Clark County, in exchange for lands being made public in the Eagle Valley or on the River. Mr. Guzman suggested that the OSAC could facilitate the evaluation processes so that the BLM can continue with a land exchange. He distributed a memorandum dated July 10, 2000, and reviewed the same. He displayed a map depicting the subject properties and pointed out the Andersen Ranch, the Foerschler property, the Silver Saddle Ranch, and Prison Hill. He advised that some of the properties are contiguous to other BLM land and have river frontage as well.

Chuck Pope, of the BLM, discussed options for acquiring lands along the Carson River, including Southern Nevada Public Lands Management Act ("SNPLMA") acquisitions and land exchange. He commented that land exchange is a time-consuming process which could take up to two years. He verified that combining properties is the most efficient means for acquiring properties. Feasibility reports are required to be developed and, if the land is valued in excess of \$500,000, the report has to be reviewed in Washington. Once it is approved, it is returned to Nevada and the exchange process can begin. Environmental site assessments/analyses are required, which include cultural resources clearances. A public process is also required for land exchanges, and Mr. Pope described the same.

Chairperson Zimmerman referred to the last joint meeting of the OSAC and the CRAC to discuss the SNPLMA and the possibility of designating the Andersen Ranch as a priority acquisition. He inquired as to the BLM's intentions with regard to the Andersen Ranch. Mr. Pope advised that the prime consideration for the SNPLMA is a willing seller and a justifiable reason for acquiring the land. Public benefit and interest must be demonstrated. In addition, the SNPLMA involves competition with other designations. Mr. Guzman explained that representatives of the Andersen Family Trust wish to consider the idea of selling the property; however, one representative does not. The piece of property identified is very important to the BLM and to the open space program. Member Jacquet advised that the BLM is not pursuing any land where there is not a willing seller.

In response to a question, Mr. Guzman advised that the possibility of conservation easements has not yet been explored with any of the property owners. He acknowledged that the property owners have indicated, either orally or in writing, the possibility of making their properties available. Mr. Guzman indicated that his research regarding conservation easements has revealed that the market often changes. In Colorado, the conservation easement is currently about 80% of the value of the land. In Arizona, it is considerably lower, about 65%. There is no clear idea of how to begin to establish a market for conservation easements in Nevada. He advised that one of the problems facing the OSAC is developing a process to teach appraisers to establish a value. To that end, Chairperson Hartman and Mr. Kastens spent time at the Lincoln Land Institute to learn about conservation easements.

Chairperson Hartman confirmed that education will be needed for the appraisal community and for the county assessors. The issue is to be able to arrive at a fair value of the "development right" whatever that may be. It will be different on every piece of property but it's a challenge which has been dealt with in

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other jurisdictions. Chairperson Hartman expressed the opinion that conservation easement is an option which needs to be further explored because it provides a better alternative. Mr. Guzman commented that it seems to be more efficient to first talk with a property owner's accountant because they usually know if conservation easement is even within the realm of possibility. He acknowledged that he has received written confirmation from the property owners of the parcels listed in the agenda that they are interested in selling their properties.

Chairperson Hartman discussed two types of tax advantages - one is a current deduction under the Internal Revenue Code and the other is available for post-mortem estate planning purposes. He indicated that each property should be submitted to the OSAC matrix first, however. Mr. Guzman acknowledged that action on this item would facilitate the process to assist the BLM with a multiple acquisition. He further acknowledged that the Committee would help facilitate environmental studies, fee appraisals, and negotiations with property owners. He pointed out that the BLM usually seeks endorsement from the City prior to proceeding with consideration of properties for exchange. Mr. Guzman did not know how much the Committee's participation may cost.

Vice Chairperson Merrill expressed a concern that funds would be tied up in the process for one to two years. Mr. Pope commented that the appraisal is always the trickiest part of the exchange process and, ideally, would be done first. He indicated that the properties being considered by the BLM for disposal are 80 acres off of Goni and several isolated tracts off of Deer Run Road. A preliminary appraisal would need to be done on the properties being considered for bundling and on the pieces being offered by the BLM for disposal to determine the values. Otherwise, there is no basis for conducting the exchange.

Chairperson Hartman suggested that staff and BLM representatives draft an agreement to delineate the protocol and then attempt to develop a package. He pointed out that the goals of the two Committees are very similar, and the concept is clearly needed to do as much as possible in a cooperative effort. Vice Chairperson Merrill commented that she does not have the historic background or knowledge in terms of developing the Carson River Master Plan element and would like to hear more from the CRAC regarding the subject parcels. Vice Chairperson Clift suggested that the parcels should be further explored as to how they fit into the Carson River Master Plan element. Member Johnson commented that priorities need to be established first. Mr. Guzman noted that the River is considered a priority and inquired as to whether the concept is acceptable.

Member Fischer expressed a concern over the BLM's time frame if the properties were "bundled". He inquired as to whether the properties which have been offered are developable under the City's rules and regulations, and commented that a time table is needed for both Committees so that a determination can be made as to needed action. Mr. Guzman referred to a similar field trip taken five years ago and noted that there were approximately fifty percent fewer homes in the area. He advised that the current regulation for the area is one house per five acres.

Member Scott commented that he is very interested in the CRAC's priorities, and suggested that the CRAC discuss the same. In the meantime, he requested additional information on BLM's process in terms of whether the OSAC would be paying for the appraisal, cultural clearances, mineral surveys, etc. Mr. Pope

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acknowledged that these are the types of analyses which the BLM needs to have done in order to get the process started. He advised that the BLM has staff geologists to perform mineral surveys. The appraisal and the environmental site assessments can be done by an outside contractor. He suggested that fifty percent of the analyses be done by the City and fifty percent by the BLM, and that a time frame and an agreement be worked out to accomplish the assessments.

Member Fischer expressed an additional concern over the Committee investing capital with the possibility of failing to acquire a property. He inquired as to how often a possible acquisition falls through. Mr. Guzman suggested that a potential for maximizing the investment is to get the cooperation of Mike Ford, of the Conservation Fund, or another group which has approached the Committee and offered services.

Member Scott commented that a large part of his personal consideration is whether the CRAC indicates a serious interest in a parcel. That will provide the OSAC a sense of potential. Early contact with property owners will then need to be made to determine whether or not the concept of a trade is worth pursuing. If the CRAC only sees all or a portion of one parcel as a possibility, the OSAC would take a different approach such as going and talking to a property owner. He indicated that the CRAC's input is a critical next step. Chairperson Hartman commented on the need to continue moving forward, and Member Scott agreed. He indicated that part of the protocol will be some kind of agreement where the properties can be tied up in order to have enough time to go through the process. Mr. Pope noted that land exchanges are time consuming, complex processes; however, Carson City has an advantage over other areas because planning is in place and partnerships have been established. Chairperson Zimmerman inquired as to how informative and detailed the recommendations need to be. Member Scott indicated that extreme detail isn't necessary but some explanation would be helpful.

Member Jacquet pointed out some of the virtues of the partnership with the BLM: One is that the City will benefit largely by being able to execute the urban interface plan. Public lands for disposal have already been identified and the process which has been discussed will help narrow down which lands to acquire. The citizens of Carson City will get to make those choices at a relatively limited cost. The cost is City staff time, and open space funds to pay for appraisals or reports. He commented that some risk is involved and compared the OSAC, in a small way, to the American Land Conservancy and The Nature Conservancy. He pointed out that the OSAC also has the ability to direct the deal because the work will be done by local people who know the land. He commented that the arrangement will be a win-win both for the BLM and Carson City because the exchanges can be done and, at the same time, both the Carson River and the Open Space Master Plan elements get implemented.

Member Scott moved that the Open Space Advisory Committee formally request the Carson River Advisory Committee to provide their recommendations regarding the parcels along the River and, further, that the Open Space Advisory Committee request staff and the BLM to provide additional information and detail regarding the general process and the way in which the Open Space Advisory Committee might work on the proposed plan with more detail so that progress can be made while the Carson River Advisory Committee is considering the parcels which have been offered. Vice Chairperson Merrill seconded the motion. Motion carried 5-0-2-0.

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F. ADJOURNMENT (1-2642) - Member Fischer moved to adjourn the OSAC meeting. Member Scott seconded the motion. Motion carried 5-0. Member Johnson moved to adjourn the CRAC meeting. Vice Chairperson Clift seconded the motion. Motion carried 6-0.

The Minutes of the July 10, 2000 joint meeting of the Carson River Advisory Committee and the Carson City Open Space Advisory Committee are so approved this _____ day of October, 2000.

CHARLES ZIMMERMAN, Chairperson