CARSON RIVER ADVISORY COMMITTEE

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A regular meeting of the Carson River Advisory Committee was scheduled for 5:30 p.m. on Wednesday, August 3, 2005 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Vice Chairperson Paul Pugsley

Tom Farrer Randy Pahl Keith Wills

STAFF: Juan Guzman, Open Space Manager

Vern Krahn, Park Planner

Robb Fellows, Chief Storm Water Engineer

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) - Vice Chairperson Pugsley called the meeting to order at 5:38 p.m. Roll was called; a quorum was present. Chairperson Zimmerman and Members Greytak and McCubbin were absent.

CITIZEN COMMENTS ON NON-AGENDIZED ITEMS (1-0011) - None.

- **1. ACTION ON APPROVAL OF MINUTES June 1, 2005** (1-0019) Member Farrer moved to accept the minutes. Member Pahl seconded the motion. Motion carried 4-0.
- **2. CHANGES TO THE AGENDA** (1-0029; 0538) At Mr. Krahn's request, Vice Chairperson Pugsley modified the agenda to address item 3-D following item 3-A.

3. AGENDA ITEMS:

3-A. DISCUSSION ONLY REGARDING CARSON CITY'S FLOOD DAMAGE PREVENTION ORDINANCE, CHAPTER 12.09 OF THE CARSON CITY MUNICIPAL CODE, RELATED TO DEVELOPMENT ALONG THE CARSON RIVER AND WITHIN THE CARSON RIVER FLOOD PLAIN (1-0031) - Mr. Fellows reviewed a map of the flood plain which was displayed in the meeting room, and portions of the ordinance which was included in the agenda materials. In response to a question with regard to building in the flood way, Mr. Fellows explained the requirement to prove no rise in the base flood elevation. In response to a further question, he pointed out the 100-year flood plain on the displayed map. He advised that construction is allowed within "the fringe" with the requirement that the base flood elevation not be cumulatively raised more than one foot. In response to a question with regard to measuring cumulative impacts, Mr. Fellows explained the function of the hydraulic model developed by the Army Corps of Engineers. In response to a further question, he advised that the defined flood plain is not revised as impervious surface is added to the watershed. He explained that the maps are only periodically revised. He advised that a conditional letter of map revision ("CLOMR") was done for the Heritage Park subdivision. A remapping project is planned in 3-5 years which would consider new data and make necessary adjustments.

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Mr. Fellows acknowledged that construction would be limited once a cumulative one-foot increase in the base flood elevation within "the fringe" was reached. The City is responsible for tracking increases in the base flood elevation. Mr. Fellows advised that although the ordinance provides for variances, none has been granted. He suggested that new information may provide for additional construction opportunities. Mr. Guzman suggested considering the displayed maps as "pre-development conditions." Any construction project would propose a post-development condition, which the developer would be required to model. If the model showed that the construction would raise the base flood elevation more than one foot, revisions to the proposed development would be required to meet the criteria. Such revisions may include detention basins, storm water facilities, etc. If the development were to create "drastic" change, the City Engineer would send it to FEMA for review and concurrence. Mr. Fellows discussed future hazard mapping. Mr. Guzman explained the benefits of the FEMA Community Rating System Program. The more activities done by a community to prevent or alleviate flooding, the lower the flood insurance rating.

In response to a question, Mr. Fellows explained the method by which FEMA maps are periodically updated and revised. Mr. Guzman advised that flood ways are adopted by local ordinance and carry the weight of local law in addition to the FEMA program. In response to a question regarding possible development of the Anderson and Jarrard properties, Mr. Guzman explained requirements associated with construction in the 500-year and 100-year flood zones. He acknowledged that the ordinance provides protection for the River corridor and River health, and explained the process for obtaining a building permit. He clarified that the ordinance does not provide "bullet-proof, 100% protection" from construction in the River corridor. He explained this is one reason for the Open Space Program purchasing lands within the flood way and flood zones. Mr. Fellows explained the provisions of a CLOMR done for a flood way in the area of Goni Road and College Parkway. Improvements to provide for the flood way are in the process of being completed. Once this is done, the area will be re-modeled and FEMA will revise the map accordingly. Mr. Guzman discussed the example of the University Heights subdivision, which is adjacent to a flood zone, and advised that the property owners are required to carry flood insurance. Mr. Fellows explained how flood insurance premiums are calculated.

Vice Chairperson Pugsley called for public comment and, when none was forthcoming, thanked Mr. Fellows and Mr. Guzman for their presentation. Vice Chairperson Pugsley discussed the nature of the flood way in the area of Eagle Valley Creek.

- 3-B. DISCUSSION ONLY REGARDING THE FUTURE MEETING SCHEDULE FOR THE PREFERRED COMPREHENSIVE LAND USE MASTER PLAN AND THE PARKS, RECREATION, AND TRAILS MASTER PLAN (1-1014) Mr. Krahn reviewed the staff report and the master plan adoption schedule, which was distributed to the committee members and staff during the meeting. He advised that the Citywide survey results would be provided to the committee members for review. He responded to questions regarding the survey process and the Unified Trails Master Plan.
- 3-C. DISCUSSION ONLY REGARDING CARSON CITY'S POLICY ON COMMUNICATIONS FROM ADVISORY BOARDS, COMMISSIONS, AND COMMITTEES PROVIDED TO OUTSIDE AGENCIES, ENTITIES, OR THE GENERAL PUBLIC ON MATTERS THAT RELATE TO CITY POLICIES OR POSITIONS (1-1255) Mr. Krahn provided background information on this item, and read into the record portions of the Board Policy included in the agenda materials. Vice Chairperson Pugsley expressed support for the Board Policy.

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3-D. ACTION TO RECOMMEND TO THE BOARD OF SUPERVISORS THE NOMINATION OF APPROXIMATELY 500 ACRES OWNED BY JOHN SERPA AND LOCATED EAST OF DEER RUN ROAD (APNs 8-531-39 AND -40, 10-011-26 AND -27, AND 10-021-55) AS A LAND ACQUISITION PROJECT IN ROUND 3 OF THE STATE BALLOT QUESTION #1 GRANT PROCESS (1-0549) - Mr. Guzman reviewed the staff report and pointed out the subject parcels on a displayed map. He explained issues and costs associated with any development proposed for the mercury-contaminated sites. He advised that only portions of the subject parcels are contaminated; those areas which are not could be developed in the future. He discussed the development appeal and potential of the subject parcels. He noted that lands purchased with open space funds are designated for passive recreation. He reiterated that mercury-contaminated areas will be avoided once they have been identified.

Vice Chairperson Pugsley suggested that the lands would be ideally managed by the Bureau of Land Management. Mr. Guzman advised of having discussed this possibility with BLM representatives, who have expressed an interest. The BLM is prohibited from purchasing lands which have been designated as Superfund sites. BLM representatives have indicated a willingness to enter into conservation easement on the uncontaminated lands. The City would own, fee title, the contaminated lands and the State claims to own the lands which are the most contaminated up to the high water mark.

In response to a question, Mr. Guzman advised there would be no expectation to keep people from recreating in the contaminated areas with the present information. The regulatory process would prohibit the Parks Department from developing recreation facilities in contaminated areas. Mr. Guzman explained two concerns associated with mercury contamination: ingestion and metabolized, airborne mercury. He advised that, to a certain degree, the mercury-contaminated areas have been covered with soil and vegetation. Provided those areas remain undisturbed, the risk is minimal. Member Farrer expressed concerns with regard to fishing in the area. Mr. Guzman advised that the Nevada Department of Wildlife publishes a brochure warning against eating more than three fish per week from the Carson River. Member Farrer expressed the opinion that the entire area is a "tremendous recreation resource," and recalled taking his family to the area when his children were young.

Vice Chairperson Pugsley inquired as to whether the City will be in a position to manage long-term use of the lands. Mr. Guzman advised of having rafted the river approximately a month ago, and discussed the amount of debris, trash, abandoned cars, pieces of mechanical equipment, etc. He acknowledged the "big problem," and advised of the requirement to develop a management plan for each open space property. He further advised that the City presently has two park rangers, and discussions have taken place regarding potential agreements with other enforcement agencies. He advised that the subject parcels have become camping spots for otherwise homeless people. He explained the process by which the property owner is required to have trespassers removed. He acknowledged that a portion of the Open Space Program budget will be dedicated to management of the lands. He advised that if the BLM cannot be involved, the Open Space Advisory Committee is willing to allocate Open Space Program funds.

In response to a question, Mr. Guzman advised that the V&T is its own organization, and would have to find a way to mitigate any mercury contaminated lands upon which they wish to construct the railroad. He advised that Mr. Krahn had informed him any Parks Department improvements would involve the addition of soil, not removal. He further advised that the V&T Railway Commission is very aware of the contamination issues. Vice Chairperson Pugsley advised there are certain accesses which are very constrained by rock walls. Mr. Guzman pointed out possible pedestrian, motorized vehicle, and V&T

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railway access up to the pedestrian bridge site on the displayed map. The City's trails plan calls for pedestrian and motorized vehicle access along one of the routes of the V&T. The V&T Railway Commission assumed the responsibility for said access in the environmental document. Mr. Guzman advised that the Open Space Advisory Committee considers the project important enough to have expressed a willingness to assume responsibility for finding ways to accommodate pedestrians and motorized vehicles separate from the railway bed. He noted that management of the lands includes ensuring patrol, regulation, and function.

In response to a question, Mr. Guzman reviewed the status of the first six Question #1 priorities, as follows: the Horse Creek Ranch, Bently, Bulin-Hollingsworth, Jarrard/Anderson, Joost, and the Masonic Lodge properties. He acknowledged that Question #1 funding and Open Space funds would be used to purchase the subject property. He explained the funding mechanisms in response to a question. In response to a further question, he discussed the appraisal requirement and the anticipated cost. Member Farrer moved to recommend the nomination of approximately 372.8 acres owned by Mr. Serpa for acquisition and recreation purposes. Member Pahl seconded the motion. Motion carried 4-0.

4. NON-ACTION ITEMS:

STATUS REPORTS, COMMENTS, AND CONCERNS FROM COMMITTEE MEMBERS

(1-1353) - In response to a question, Mr. Krahn provided background information and a status report on construction, in conjunction with NDOT, of a pedestrian and vehicle bridge at Brunswick Canyon. He offered to check further into the status and provide an update at a future committee meeting. At Vice Chairperson Pugsley's request, Member Pahl provided a status report on NDEP activities at the Carson River. He advised that a total maximum daily load ("TMDL") report for phosphorous was recently released for comment. The intent was to summarize information on phosphorous loading to the River and what the allowable loads in the River should be to meet water quality standards. The federal EPA is pressuring states to develop the TMDL documents. The comment period closed last Friday, July 29th. NDEP staff will be working to summarize the comments received and finalize the document. In response to a question, Member Pahl expressed the opinion that nitrogen is more of a problem. It leads to algae growth which causes dissolved oxygen problems. Discussion followed regarding the effects of both nitrogen and phosphorous on water quality standards. Vice Chairperson Pugsley suggested agendizing a presentation on the relationship between nitrogen and phosphorous leading to problems of algae growth and dissolved oxygen issues, and the subsequent effects on aquatic health of the River. Vice Chairperson Pugsley advised that the Carson River is classified for total suspended solids, turbidity, and temperature. Member Farrer expressed concern regarding storm water drainage to the River through Eagle Creek. Member Pahl agreed to work with Mr. Krahn on the agenda item.

(1-1610) In response to a question, Mr. Krahn provided a status report on the Sierra Pacific Power Company's Electric Master Plan. He advised that the Electric Master Plan is scheduled to be completed within six months of the City's comprehensive master plan being completed. He advised that a draft Electric Master Plan will be submitted to pertinent advisory committees prior to being forwarded to the Planning Commission.

STATUS REPORTS AND COMMENTS FROM STAFF (1-1684) - Mr. Krahn advised that the next committee meeting would be scheduled for Wednesday, September 7th. He suggested canceling the October 5th committee meeting as it conflicts with the Master Plan Adoption Schedule. The committee

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members agreed, and Vice Chairperson Pugsley requested Mr. Krahn to notice the October 5th meeting for a possible quorum. In response to a question, Mr. Krahn advised that a meeting would be scheduled on November 2nd. He invited the committee members to participate in the meetings scheduled for the comprehensive land use and parks, recreation, and trails master plans.

FUTURE AGENDA ITEMS FROM COMMITTEE MEMBERS (1-1585) - Vice Chairperson Pugsley requested a status report on the City's plan for long-term effluent water disposal.

FUTURE AGENDA ITEMS FROM STAFF - Previously covered.

5. ACTION ON ADJOURNMENT (1-1802) - Member Farrer moved to adjourn the meeting at 7:21 p.m. Member Pahl seconded the motion. Motion carried 4-0.

The Minutes of the August 3, 2005 meeting of the Carson River Advisory Committee are so approved this 1st day of February, 2006.

CHARLES ZIMMERMAN, Chair