## City of Carson City Agenda Report

Date Submitted: January 26, 2010 Agenda Date Requested: February 4, 2010

Time Requested: Consent

To: Mayor and Supervisors

From: Parks and Recreation Department - Open Space Division

**Subject Title:** Action to appoint the Parks and Recreation Director and or his designee as Carson City's representative to the Southern Nevada Public Land Management Act, Parks, Trails, and Natural Areas Subgroup.

Staff Summary: The Omnibus Public Lands Act of 2009 (PL 111-11) made amendments to the Southern Nevada Public Land Management Act that provide for Carson City to "be eligible to nominate for expenditure amounts to acquire land or an interest in land for parks or natural areas and for conservation initiatives - (A) adjacent to the Carson River, or (B) within the flood plain of the Carson River." The Parks, Trails, and Natural Areas has a "subgroup" and adopted guidelines for the purpose of evaluating and making recommendations to the partners working group for the nominated projects. This action will designate the Carson City representatives to the subgroup.

Does This Action Require A Business Im	pact Statement:	(_	_) Yes	( <u>X</u> ) No
() Resolution (_X) Formal Action/Motion	() Ordinance () Other (Spec	ify)		
Type of Action Requested: (check one)				

**Recommended Board Action:** Move to appoint the Parks and Recreation Director and or his designee as Carson City's representative to the Southern Nevada Public Land Management Act, Parks, Trails, and Natural Areas Subgroup.

**Explanation for Recommended Board Action:** The operating guidelines for the subgroup call for representatives of jurisdictions that are allowed to participate in the evaluation of the program and nominations. The representative is expected to "have authority to vote and make decisions on behalf of the governmental entity they represent." The Parks and Recreation Director and his staff are familiar with projects and regulations that may benefit from this grant funding source and are therefore the logical choice to represent Carson City as part of the subgroup.

#### Applicable Statute, Code, Policy, Rule or Regulation:

- PL 111-11 Omnibus Public Lands Act of 2009
- · Southern Nevada Public Land Management Act

**Fiscal Impact:** Approximately \$300 per meeting for one person to attend.

**Explanation of Impact:** The meetings are held in Southern Nevada. The cost to send one person is estimated at \$300 including air fare, per diem, and a one-night stay.

Funding Source: Open Space account

#### Alternatives:

- Not to appoint
- To appoint some other position

# **Supporting Material:**

- SNPLMA Parks, Trails and Natural Areas operating guidelines
- SNPLMA Round 11 Overview
- Ranking of Parks, Trails, and Natural Areas nominations, Round 11
- Bently nomination submitted by Carson City

Prepared By:	Juan P. Guzman, Open Space Manager	Date: 1 /22/10
Reviewed By:		Date: <u>    26   10</u>
	Larry Werner, City Manager	Date:/126-1/0
	Melano Bocketta  District Attorney's Office	Date: 1 / Q (d ) O
	Finance Department	Date:     26   0
Board Action	Γaken:	
Motion:	1:	Aye/Nay
	2:	
(Vote R	ecorded By)	

# Southern Nevada Public Lands Management Act (SNPLMA) Park, Trail, and Natural Area Subgroup Operating Guidelines

#### Purpose:

In accordance with the SNPLMA Implementation Agreement reissued October 22, 2007, the purpose of the Parks, Trails and Natural Areas Subgroup is to apply the ranking criteria in order to evaluate, score and rank proposals and forward recommendations to the Partners Working Group for projects to develop parks, trails and natural areas in Clark, Lincoln and White Pine Counties and Washoe County (Subject to paragraph 4 of PL 109-432), Nevada (pursuant to the Bureau of Land Management having a current cooperative agreement with the local or regional governmental entity to receive the funding).

The Subgroup also contributes to the SNPLMA implementing policy by participating in the development of and/or amendments to strategic goals, ranking criteria, ranking factors, and other work as requested by the Working Group or Executive Committee. The Subgroup shares responsibility with many other entities for ensuring the integrity of the SNPLMA Program. No member represents the Subgroup as a whole to external entities.

#### **PTNA Strategic Goals:**

- Provide new or improved existing park, trail, or natural areas to meet the demands and changing demographics of residents and visitors.
- Protect or improve the integrity of environmental, cultural, historical, scientific, and open space resources.
- Connect parks, trails, and natural areas to form a more unified system.
- Ensure that the cost and value of investment is considered, well stated, and reasonable.
- Encourage partnerships and collaboration between project advocates, nonprofit groups, state government, and other local governments to enhance both financial and programmatic opportunities.

# Membership:

- Associate District Manager, Bureau of Land Management, Southern Nevada District (Clark County), Chair (Non-Voting Member)
- Representative of Bureau of Land Management, Ely Field Office (Lincoln/White Pine County)
- Representative of National Park Service, Lake Mead National Recreation Area
- Representative of USDA Forest Service, Humboldt-Toiyabe National Forest
- Representative of U.S. Fish and Wildlife Service, Desert National Wildlife Refuge Complex
- Representative of Clark County
- Representative of the City of Las Vegas
- Representative of the City of North Las Vegas
- Representative of the City of Henderson

- Representative of Lincoln County
- Representative of the Southern Nevada Water Authority (SNWA)
- Representative of the Clark County Regional Flood Control District
- Representative of the Clark County Water Reclamation District
- Representative of White Pine County
- Program Manager, Park, Trail and Natural Area, Bureau of Land Management, Southern Nevada District Office (non-voting Advisor)

#### **Roles and Responsibilities:**

Each Subgroup member must have full authority to vote and make decisions on behalf of the governmental entity s/he represents.

It is critical that members come to meetings prepared to fully participate in discussions, reach informed decisions, and complete assignments.

When ranking projects, members will be objective and keep the Parks, Trails and Natural Areas Strategic Goals, as identified in the Implementation Agreement, in mind.

If a member is not able to attend a meeting, a substitute must be provided with full authority to make decisions.

#### **Working Group Member Appointment:**

The Parks, Trails and Natural Area Subgroup will appoint two of its non-federal members to serve as the Local Government Representative on the Partners Working Group, one member will act as the lead and another will act as an alternate. Typically, acceptance of this position requires a two- year commitment, which may be extended or reduced based upon the specific business needs of the Subgroup. The first year of a representative's term will be spent as an alternate or "shadow" to the lead representative. During this year, the alternate will attend all PWG meetings, learn the PWG's processes, and come up to speed with the SNPLMA organization. The lead representative will be the only member with a vote in the PWG, unless the alternate has been authorized to act in the absence of the lead. Following one year, the alternate member will transition into the role of the lead, while another alternate will be selected by the Subgroup. Terms will run from approximately June to June and will be reviewed by the Subgroup annually.

As established by the Subgroup at the end of Round 4, the Subgroup's representative to the Working Group will be a rotating position so that each entity has an opportunity to represent the Subgroup at the Working Group level. The suggested rotation is as follows: City of Las Vegas; City of North Las Vegas; Southern Nevada Water Authority; Clark County Water Reclamation District; Clark County Regional Flood Control; Lincoln County; Clark County; the City of Henderson, and White Pine County. Any voting member becoming eligible for SNPLMA funding will be added to the end of this list.

#### **Working Group Member Responsibilities:**

Once appointed the PTNA Subgroup Member serving on the Working Group will:

- Serve as a liaison between the Local Government Entities and the Working Group.
- Provide accurate briefs to the Working Group, representing the standpoint and opinion of the PTNA Subgroup regarding specific issues and concerns.
- Coordinate with and include the PTNA Subgroup Members in the development of strategic decisions.
- Update the PTNA Subgroup Members on the outcome of Working Group meetings.
- With the assistance of the PTNA Program Manager, when required, coordinate with project experts to provide sufficient information regarding the context of requests forwarded to the Working Group for review.

#### **Chair Responsibilities:**

The Chair of the PTNA Subgroup is the *Associate District Manager*, Bureau of Land Management, Las Vegas Field Office. The Chair is responsible for developing meeting agendas; arranging meeting logistics; ensuring minutes are taken, and meeting facilitation. The Chair is responsible for forwarding any correspondence to the Working Group and/or Executive Committee and for communicating strategic direction to/from the Working Group/Executive Committee.

#### **Meeting Operations:**

Each meeting will follow an agenda developed by the Chair in coordination with the other members and the SNPLMA Parks, Trails and Natural Areas Program Manager. Agendas will be finalized prior to the meeting and will follow the attached format.

The Chair will be responsible for ensuring that minutes are taken of each meeting. Because of the nature of the Program, minutes cannot wait until the next meeting for approval. Accordingly, draft meeting minutes will be e-mailed to all members for review and comment, then finalized.

Decisions regarding the policies, procedures and recommendations of the PTNA Subgroup will be reached by consensus.

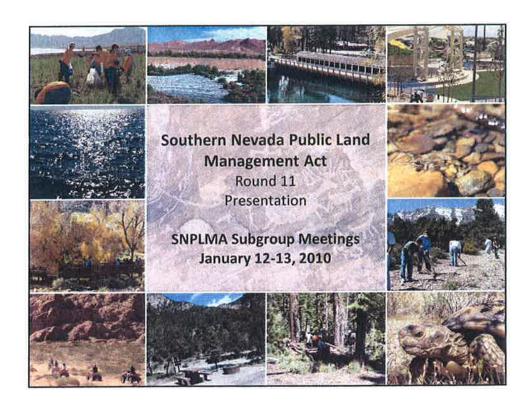
Ranking projects will be performed on an individual basis and summed at the end of the meeting to determine ranking order. Members will not rank projects submitted by the entity they represent.

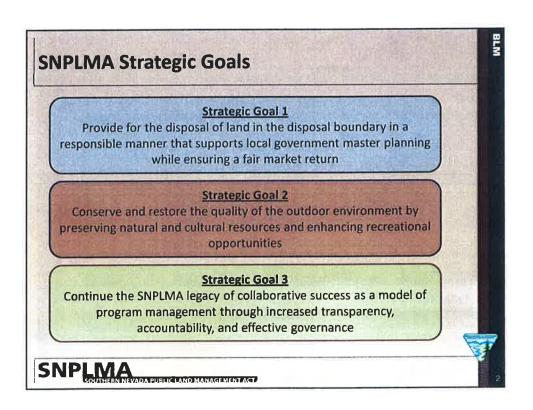
#### **Revisions:**

The Operating Guidelines will be reviewed as needed and revised by the consensus decision of the Subgroup.

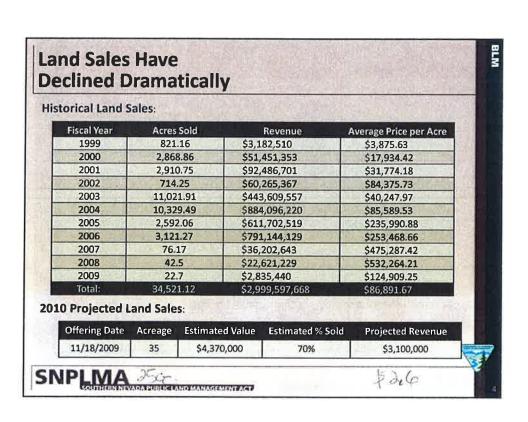
By signing below the PTNA Subgroup Chair verifies that approved by the Park, Trail, and Natural Area Subgroup.	_
Associate District Manager,	Date
Bureau of Land Management, Southern Nevada District, Chair	

Approval:



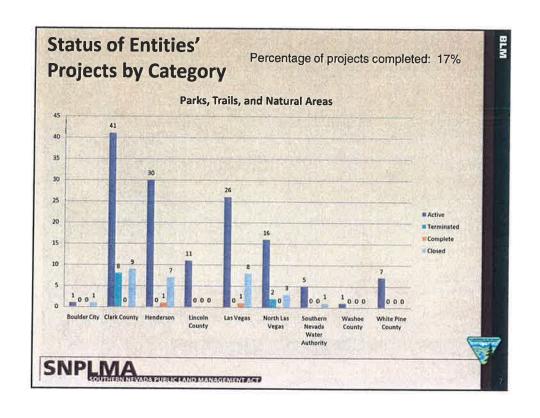


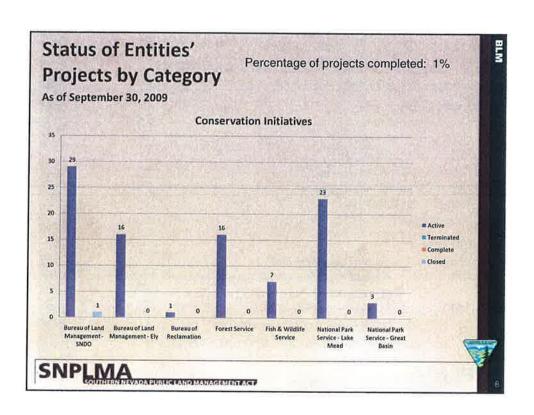


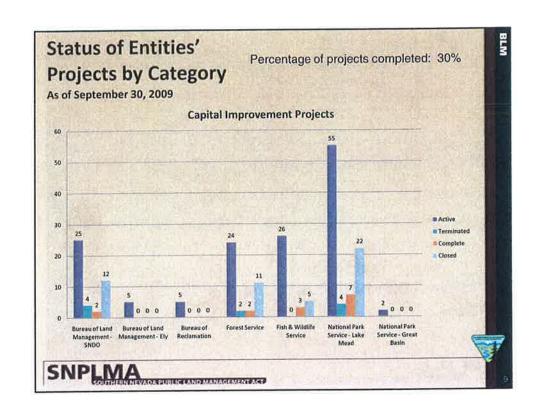


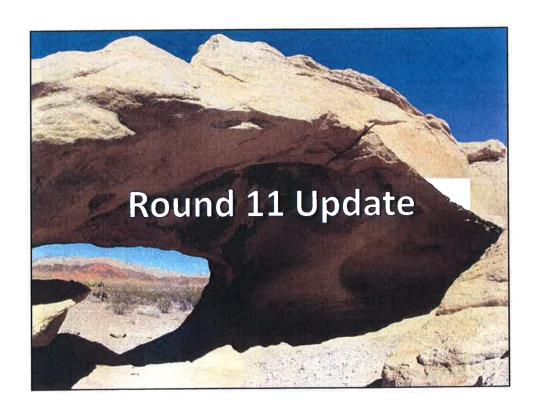
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112	53 100%
16	82 66%
34 1	33 54%
8 1	51 31%
23 2	279 22%
2	87 5%
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			NO.
rojects Clo	sed:		
Land Acq	uisitions	10	
Capital In	provements		
	osal Planning	5	
	ils & Natural Areas	15	
	urton Land Acquisition	1	
Lake Taho	e Restoration	<u>20</u>	
Total Proj	ects:	52	
Highlights			
2,195	Acres of Land Acquired		
93	Acres of Parks/Trailheads Developed		
5.25	Miles of Trail Constructed		
14		Studies/Plans Completed	
4		leted (Bridge, Channel,	
	Solar Lighting, Historia	Structure Stabilization)	

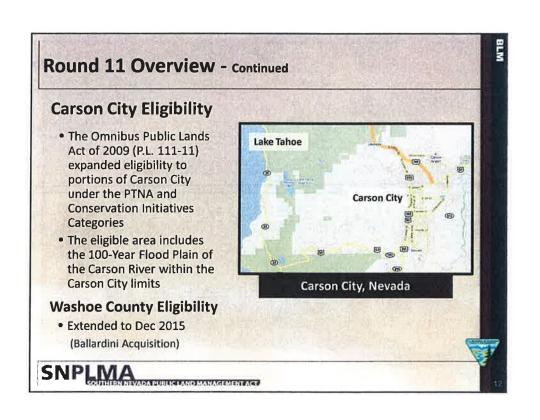








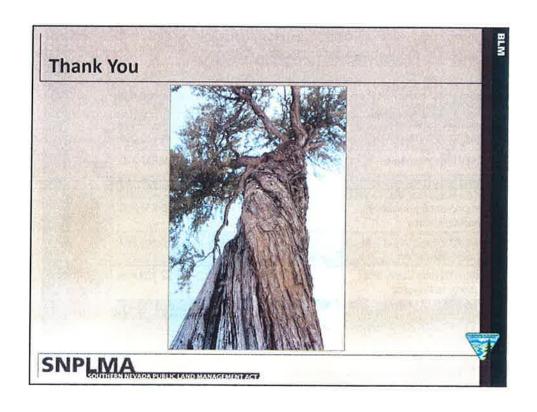
# Round 11 Overview Lower Land Sale – Lower Interest Rates = Less Money Six categories to share approximately \$15 million Two Nominations per Entity per Category No Funding Targets set at the Category Level Goal is to select the best projects across categories No guarantee that all categories will receive funding Entities are expected to respond with high priority, projects that are reasonably scaled



ound 11 Budget:	
Projected Beginning Balance	\$ 53,286,637
Projected FY2010 Land Sales	\$3,100,000
Projected FY2010 Interest on Special Account	\$3,600,000
Total Projected Round 11 Revenue	\$59,986,637
SNPLMA Operations Reserve	(\$7,000,000)
Targeted Allocation for Round 11	(\$15,000,000)
Lake Tahoe Set-Aside	(\$8,153,100)
Total Projected Round 11 Expenditures	(\$30,153,100)
Projected Ending Balance after Round 11	\$29,833,537

CATEGORY	NUMBER OF NOMINATIONS	AMOUNT REQUESTED
arks, Trails and Natural Areas	13	\$8,465,880
apital Improvements	6	\$18,797,320
Conservation Initiatives	7	\$7,297,197
nvironmentally Sensitive and Acquisitions	4	\$10,837,400
lazardous Fuels Reduction and Vildfire Prevention	8	\$10,703,927
astern Nevada Landscape estoration Projects	5	\$2,109,608
otal	43	\$58,211,332

DATE	ACTION
November 6, 2009	Nomination period ends
January 12-21, 2010	Subgroups review and rank nominations
February 25-26, 2010	Partners Working Group develops preliminary recommendation
March 15 – April 28, 2010	Public Comment Period/RAC meetings
May 20-21, 2010	Executive Committee develops final recommendation
August 13, 2010	Secretary of the Interior approves Round 11



Total \$ 8,465,880.00 \$ 846,588.00 \$ 9,312,468.00

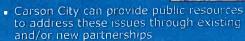


#### Provides a new park, trail or natural area

- This purchase would provide the first public property in the Carson River Canyon
- The Aquatic Trail Plan/UPMP and the Oper Space Master Plan identify acquisition of the Bently property
- Acquisition will provide legal public access for recreational trail users
- Located mid-point between two river access trailheads

# Addresses Safety Concerns

- Current concerns:
  - Abandoned cars
  - Camping and related trash
  - Desert dumping
  - Durin trafficking
  - Shooting





# Resource Protection Significant site characteristics: environmental, historical, open space Urgent action needed to protect all resources Ohlys create milliple trails, damage, vegetation, and create crosion Historical mining artifacts being destroyed Scenic impact Future priases will provide for trail system planning, trailitead development and interpretive signage

# Connectivity

- Carson River corridor public land ownership
  - Current approx 5.5 miles
  - Future/Goal approx 4.5 miles, additional
  - Provides for a recreation corridor
- Unified Pathways Master Plan (UPMP)
   "Missing Links"
  - Mid-point of the Aquatic Trail
  - Future construction of land-based trails

# Regional or Local Plans

- Carson River Master Plan
- Open Space Master Plan
- Parks and Recreation— Master Plan
- Unified Pathways
   Master Plan / Carsor
   River Aquatic Trail
- Federal Lands Bill



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#### Phase of a SNPLMA Project

- Critical purchase in a series of acquisitions along the Carson River corridor
- Previous transactions:
  - 4 acquisitions by Carson City
  - 7 acquisitions by BLM (through SNPLMA)
- Not a direct phase of an approved SNPLMA project

# Cost and Value of Investment

Appraised Value (2007): \$1,640,500

SNPLMA request: \$1.394,425

■ Carson City contribution: \$ 246,075

- Other lands within the Carson River corridor have cost \$12,000/acre
- Bently, estimated value \$3,490 acre

#### Public Demand vs. Investment

- Regional significance with the Nevada Commission on Tourism's strategy for water-based recreation (tourism) in Northern Nevada
- Public ownership will provide for legal public access and recreation use for Carson City and Lyon County residents
- Investment of public funds and ownership guarantees continuation of existing multiple recreation uses

# Design / Approach

- Carson City Master Plan and ordinance require maintenance of public-owned lands
- Parks and Rec. / UPMP Master Plans identify improvements for natural areas with trails and passive recreation
- A management plan will be developed for the property

# Partnerships and Contributions

- Bureau of Land Management
- Carson River Regional Recreational Steerings Committee
- Carson Water Subconservancy District
- Kiwanis
- Lyon County
- Nevada Commission on Tourism
- Nevada Land Conservancy
- Nevada State Lands
- The Nature Conservancy
- The Pinenut Trails Association
- Nevada National Guard
- Virginia and Truckee Railroad Commission

# Summary - Project Merits

- 1st acquisition Carson River Canyon
- · Provides for resource protection
- Carson City's vision Facilitates implementation of multiple master plans by providing connectivity and guarantying existing recreation uses
- Consistent with SNPLMA mission and purpose Outstanding Public

Investment

Thank you.
 We look forward to seeing



# **Carson City Parks and Recreation Department**



# **Bentley Property Acquisition Project**

# SNPLMA Round 11 Parks, Trails, and Natural Areas Development

Amount Requested: \$1,394,425 which equals 85% of the estimated acquisition cost. Carson City will match the remainder estimated 15% of the cost.

Contact:
Juan Guzman
Open Space Manager
Phone 775-887-2262 ext 30341
Fax 775-887-2145
Jguzman@ci.carson-city.nv.us

# 1 Executive Summary

The Bentley Property Acquisition Project consists of a fee title acquisition of two Assessor Parcel Numbers, 10-011-24 and 10-011-25 in Carson City, Nevada, totaling 470 acres. The Bentley Property is located in the Carson River Canyon in northeastern Carson City, Nevada. These unique parcels include hillsides and riparian zones within the Carson River Canyon with two miles of the Carson River and 35 acres of gallery cottonwood forest along the canyon bottomlands. The river also includes habitat for fish, amphibian, and aquatic invertebrates. In addition there are scenic rock outcrops, sweeping vistas, and one and one-half miles of the historic Virginia & Truckee Railroad grade and associated features.

The Carson River Canyon is an extremely unique resource for its scenic, biologic, and cultural resources. Less than two percent of the eight miles of the Carson River through the Carson River Canyon is within public land and access to these public parcels requires trespass on private lands. The Bentley Acquisition Project would allow legal, managed public access to the Carson River and the shady cottonwood groves along its banks for birders, hikers, bicyclists, and horseback riders. In addition the land will provide a resting location for river users such as rafters or kayakers who currently have no public land in the canyon to get out of their boats to stretch, rest, eat, or warm up.

Currently the cultural and biological resources, including mill sites, historic rock walls, wetland and riparian vegetation, on the property have been damaged and continue to be threatened by trampling, compaction, trash dumping, and erosion from uncontrolled and indiscriminate OHV use. A cursory review of the area shows that the parcels are very heavily used for recreation and very poorly managed at the present time.

While access is currently un-controlled, the topography is steep and rocky where the access roads are located. Carson City will control motorized access by strategic placement of road barriers, and the establishment of an official presence in the area through staff and volunteers.

This project is a critical component to Carson City's vision for the Carson River corridor. Acquisition of parcels with river frontage in the Carson River Canyon is identified as a goal in the Carson City Open Space Plan, the Carson River Aquatic Trail Plan, and the Carson River Master Plan.

# 2 Expanded Project Description

The property includes:

- > Hillsides and bottom land within the Carson River Canyon
- The historic Virginia & Truckee Railroad grade and associated features—note there is no current easement for the V&T across these parcels. However, the V&T Commission is pursuing an easement through the property as part of their project to extend the V&T from Virginia City to Carson City.
- > Scenic rock outcrops and vistas
- > Multiple roads and trails for passive recreation
- > Carson River floodplain
  - Riparian zone
  - Wetlands
  - River access

The land is currently accessed by existing roads from the south in Carson City and the north in Lyon County. The access is unrestricted although the road from the north requires high clearance and four-wheel drive. The main road is also the future V&T railroad track and will be closed to motorized use. The area is currently subjected to abuses such as illegal dumping and off-road driving into sensitive areas such as wetlands and riparian areas. The parcels include portions of the Carson River superfund site associated with mercury contamination from the numerous mills that were located along the river.

Adjacent lands to the west and east include public land used by Carson City for public purposes and is administered by the BLM. The Serpa property is to the north and south. Across the river to the south, the BLM is the only adjacent landowner.

Carson City intends to protect the existing cultural and biological resources by limiting vehicular access. Future uses include passive recreation within the existing trail and road network. Minor new trails may be developed to minimize impacts to existing resources. Extensive efforts are required to extract trash from the area. Carson City also anticipates providing non-motorized access in the form of existing trails and rehabilitation of redundant social trails. Provisions have been made with the V&T Commission staff towards the provision of emergency and administrative motorized access from properties to the north, which are managed by BLM and Carson City.

# 3 Project Location

The Bentley Property is located in the Carson River Canyon in northeastern Carson City, Nevada just southwest of the Lyon County line and approximately 2.5 miles east of Deer Run Road Bridge.

GIS Coordinates and shape files are included on the CD with this package.

# 4 Coordination

Coordination with Dan Jacquet Assistant Field Office Manager for the BLM Carson City Field Office occurred on October 28, 2009. During our consultation meeting, no significant issues involving the BLM were identified that would require further action. Carson City will comply with Section 106 of the Historic Preservation Act. Please see the enclosed letter from Linda Kelly, Field Manager for the BLM.

The project lands are adjacent to lands managed by the BLM. This acquisition is compatible with the BLM Consolidated Resource Management Plan (2001) and the Carson City Lands Bill formally called the "Carson City Vital Community Act of 2008".

# 5 Project Cost Estimates

Not applicable, this project consists of land acquisition.

# 6 Acquisition Cost Estimates

The cost estimate is based on a 2007 property appraisal document prepared by Lyn Norberg, MAI. Additional expenses were estimated in consultation with Northern Nevada Title Company, Lumos & Associates, Gnomon Incorporated, and Resource Concepts, Inc., staff.

Estimated Value	\$1,600,000
Appraisal Fee	8,000
Phase 1 Environmental Assessment	10,000
Historic Reports	18,000
Escrow & Title	<u>4,500</u>

Estimated Cost: \$1,640,500

# 7 Previous Project Phasing

This nomination is **not** a phased component of a previously approved SNPLMA Project.

Carson City and the Bureau of Land Management have collaborated towards the acquisition and management of properties within the Carson River as outlined below. The acquisition of lands along the river has been a common goal, and includes other partners such as The Nature Conservancy, the Nevada Land Conservancy, the State of Nevada Question-1 Program, the Carson River Subconservancy, the Friends of Silver Saddle Ranch and the Audubon Society. This parcel constitutes one more important part of the total picture.

A. To date, the following parcels have been acquired under the Carson City Open Space Program:

Property Name	Size in Acres	<b>Funding Source*</b>
1-Desormier 2-Andersen 3-Mexican Dam 4-Carson River Park 5-Riverview Park	19 86 64 40 <u>109</u>	Q-1 & Q-18 Q-1 & Q-18 Q-18 Carson City General Fund Carson City General Fund
Total:	318 Acres	

B. Bureau of Land Management - Completed Acquisitions

Property Name	Size in Acres	<b>Funding Source</b>		
Howard	52	SNPLMA		
Dombrowski	67	**		
Foerschler	35	146		
Crosby	47	**		
Rikalo	10	**		
Bernhard	62	<b>(46</b>		
Silver Saddle Ranch	<u>703</u>	Exchange		
Total:	976 Acres			

\*Note: Q18 is the Carson City Open Space Program and Q1 is the State of Nevada Environmentally Sensitive Lands Conservation Program

# 8 Future Project Phasing

While this project is not part of a particular phase, it is a part of a vision and objective of Carson City to manage as open space areas surrounding the urban development. The objective is the result of an extensive public participation process and collaboration between Carson City, federal agencies, and various interest groups. The city used its two-year master plan update process, "Envision Carson City," beginning in 2004 to solicit public comments on how growth should occur and how the community envisions the future of surrounding public lands. The resulting master plan calls for compact city growth and preserving the surrounding areas from future development. This allows for anticipated future growth within the city while protecting environmentally sensitive areas such as the lands surrounding the Carson River.

A. Future Transactions	Acres	Funding Source
Hells Bells "Red" Ranch	37	Donation to Carson City by Vidler Water Company
Jarrard Ranch	395	Q-1 Awarded / Q-18
Serpa Property	405	Q-1 Awarded / Q-18

#### B. Carson City Vital Community Act of 2008 - Signed into law in January of 2009

Transfer from BLM to Carson City subject to a conservation easement to be held by the BLM: Prison Hill, Ambrose and Silver Saddle - Approximately 3,000 acres

# 9 Operations and Maintenance

It is the intention of the Carson City Open Space Program to manage this land for the preservation of open space and passive recreational use in perpetuity. The Carson City Open Space Program is funded by a one-quarter cent sales tax. The Open Space Program has a maintenance account for this purpose. There is currently \$300,000 in this fund. This is a minimum that is kept in this account and it is increased as needed to fulfill the open space operations and maintenance obligations.

There are many dynamic factors affecting this property such as the V&T Railroad project and the Carson City and BLM trade of lands in accordance with the Lands Bill. Carson City is keenly aware of the need to protect natural and cultural resources on property immediately and therefore will develop a management plan as soon as there is some degree of assurance that Carson City will obtain ownership.

Carson City expects that the initial costs to develop and implement access, fuel, trash, and weed management plans and transient/homeless camp abatement strategies may range from \$60,000 to \$100,000 depending on the level of service and integration with adjacent projects. This cost will be adjusted as needed in order to fulfill maintenance obligations. The Parks and Recreation Department maintenance crews will be responsible for daily operations. Presently Carson City

has two ranger positions responsible for parks and open space security. Volunteers will be added to this effort.

#### **Project Income** 10

It is not anticipated that there will be any entrance or usage fees for this property.

#### **Matching** 11

Carson City is offering 15% voluntary match for the project acquisition costs in order to advance the ranking of this nomination.

Carson City Match

\$246,075 (15%)

**SNPLMA** 

\$1,394,425 (85%)

Total Estimated Cost: \$1,640,500

## Factors / Criteria for the use of PTNA Subgroup to 12 rank projects

# A. Demand

Provides a new of improves an existing park, trail, or natural area to meet the demands and changing demographics of residents and visitors.

1. The project meets an unfilled demand or deficiency for parks, trails, or natural areas.

The Carson River flows for 15 miles through Carson City. There is limited access to the river on public land spread out over 9 miles of the river upstream of the Carson River Canyon. Public access to the river through the Carson River Canyon however is essentially non-existent. The Carson River Canyon is a scenic, dramatic 7.9 mile-long canyon between Carson City and Dayton, Nevada. Less than two percent of the river through the canyon is within public land. Along the Carson River Canyon length, 5.7 miles are within Carson City and 2.7 miles within Lyon County. Within Carson City only 600 feet of the river is within public lands. In Lyon County, only several hundred feet are within public lands. Access to these public land parcels requires trespass on private property. The user-friendly broad river floodplains within the canyon are all privately held.

Despite the lack of public lands, the river corridor through Carson River Canyon is heavily utilized by campers, hikers, bikers, horse riders, rafters, kayakers and four-wheel drive vehicles. All of these users are in trespass on private property.

The project would bring two miles of river with adjacent broad river access out of private ownership and into the Carson City Open Space lands for public use. Access to and along the river was identified as a need in the Carson River Aquatic Trail Plan (2006).

2. Describe how the facility meets the need(s) of the target demographic.

The target demographic is active residents of Carson City including birders, hikers, bikers, and horse riders. In addition the land will provide a resting location for river users such as rafters or kayakers who currently have no good public land to get out of their boats and rest, eat, or warm up.

More specifically, the Parks and Recreation Master Plan notes that this facility will serve Neighborhood Areas 25 and 27 which are underserved by developed parks. The implementation strategy is to continue development of the Carson River Park. These neighborhoods rely on the BLM public lands for recreation. Through the Master Planning process, Carson City residence expressed a preference for natural parks and trail networks over developed traditional parks.

This property is a key piece of the acquisition strategy for the establishment of a nature park open space with regional significance along the portion of the Carson River, meandering through Carson City.

3. The project is unique and/or significant to the region it is or will be established in.

The Carson River is one of three major rivers in Northern Nevada. The Carson River Canyon is an extremely unique resource for its scenic, biologic, and cultural resources. It is the only canyon of its kind in Nevada. Year-round water in swimming holes, shady cottonwood trees, outstanding rock outcroppings, and the unique history surrounding the V&T railroad are extremely rare in Nevada and should be made available to the public to enjoy.

The project includes 35 acres of gallery cottonwood forest along the canyon bottomlands. There are three broad low-lying floodplain areas adjacent to the river that host diverse age classes of cottonwood in addition to willow and other riparian species, providing habitat for wildlife. As the land backs away from the river, the topography gets steeper and the vegetation quickly transforms into sagebrush and dry seasonal grasses more characteristic of the desert environment. Much of the Carson River corridor provides excellent winter range for mule deer as well as suitable habitat for a variety of other species. The river also includes habitat for fish, amphibian, and aquatic invertebrates.

The area hosts potential habitat for Lavin eggvetch, Astragalus oophorus var. lavinii and the Carson Valley wood nymph, Cercyonis pegala carsonensis, both Nevada BLM Sensitive Species, and the northwestern pond turtle, Actinemys marmorata marmorata, a US Forest Service (Region 5) sensitive species.

4. Addresses, remedies or improves a safety concern(s).

The Carson City Sheriff and Fire departments have met with Carson City officials on numerous occasions expressing concern over illegal or dangerous activities currently taking place in the remote areas of Carson River Canyon. These issues are also being addressed through the V&T railroad project that will go through the Carson River Canyon. Carson City ownership of the parcels will improve the safety in the Carson River Canyon because access will be controlled and the land will be managed. Currently uncontrolled access allows for illegal dumping which poses hazards for water quality. Uncontrolled, unmonitored OHV use has resulted in damage to cultural and biological resources.

While access is currently un-controlled, the topography is steep and rocky where the access roads are located. Motorized access can be controlled by strategic placement of road barriers, and the establishment of an official presence in the area through staff and volunteers.

# B. Resource Protection

Protects or improves the integrity of environmental, cultural, historical, scientific, and open space resources.

1. Significance of environmental, cultural, historical, scientific, or open space resources.

The Carson River provides a municipal and agricultural water supply to the downstream communities in Lyon and Churchill Counties. Protection of the stream banks and watershed is vital to water quality protection. Currently uncontrolled dumping is a threat to downstream water quality.

The project area encompasses 2 miles of the historic Virginia and Truckee Railroad (V&T RR) which was in use between Carson City and Virginia City in 1869. There are several old railroad trestles and rock walls in the property.

In addition, there are several mill sites within the project area where gold was extracted from the rock. Within the project area, the Santiago and Vivian mills were located along the north side of the river. Portions of these mill sites are still visible along the banks of the river.

Because of the use of mercury at the mills, the entire Carson River flood plain below Empire (at the upstream end of the canyon) was added to the National Priorities List in August 1990 by the EPA. Carson City has formally accepted a study addressing the responsibility of ownership within a Super Fund site. The study was conducted by Resource Concepts, Inc. and reviewed by the Open Space Advisory Committee, the Carson River Advisory Commission, the Parks and Recreation Commission and adopted by the Board of Supervisors.

2. Nature of any threat to the resource, urgency for action, and/or desired outcomes.

Currently the vegetation and water quality on the property is threatened by vegetation trampling, compaction, and erosion from uncontrolled and indiscriminate OHV use. The erosion from random roads has the potential to reexpose buried mercury laden soils and re-mobilize the mercury in the river. The illegal dumping has numerous ramifications including damaging impacts to water quality, poisoning wildlife and killing vegetation in addition to the rubbage being an eye-sore and potentially hazardous to hikers.

3. The project seeks to protect or minimize impact to environmental, cultural, historical, scientific, and/or open space resources.

Carson City would immediately implement physical controls to manage vehicular traffic on the property and to protect the riparian and wetland areas and cultural and historic resources. The area would be patrolled at regular intervals and illegally dumped garbage would be cleaned up.

4. Provides educational value related to resource protection.

The property has excellent educational potential in the form of interpretive signage and trails along with the resource protection.

# C. Connectivity

Will connect parks, trails, and natural areas to form a more unified system.

1. Provides connectivity to a regional/local park, trail, or natural area, and/or federal lands.

As open space, the shady riparian sand bars are a haven to people and wildlife alike. This project provides general public connectivity to the Carson River. It also offers the unique opportunity to provide connectivity between the V&T Railroad tourists and the Carson River. The ultimate goal is to also procure public access along the entire stretch of the Carson River through the Carson River Canyon. This parcel is the first step.

2. The park, trail, or natural area is part of an approved regional or local plan.

Acquisition of parcels with river frontage in the Carson River Canyon is identified as a goal in the Carson City Open Space Plan, the Carson River Aquatic Trail Plan, and the Carson River Master Plan.

The V&T railroad project will result in motorized access in Carson River Canyon being severely restricted in the future. This project offers the opportunity to provide for alternative safe access from upland areas into the riverbanks without private property trespass.

3. Is a direct phase of a previously approved SNPLMA project.

Although this project is not a direct phase of a previously approved SNPLMA project, it is a critical component to Carson City's vision for the Carson River. As listed in Sections 7 and 8 of this nomination, Carson City and partners have been successful in obtaining numerous grants toward protection of Carson River properties.

# D. Cost and Value of Investment

1. The projected budget, associated costs, and phasing considerations of the proposal are stated and justified.

An appraisal and consultation with resource management specialists were used in developing the proposed acquisition budget and to obtain the most accurate information possible. As a land acquisition project, this project is very straightforward in scope. No phasing is anticipated. Carson City is prepared to pay for any expenditure not included in the budget necessary to complete the transaction.

2. Evaluation of public demand/use vs. investment required (i.e., service area/radius, community benefitted).

The project benefits are a regional scale. Carson City residents believe that Open Space surrounding the urban core is so important that they obligated themselves with a tax (Q-18 Quality of Life Initiative in 1986) to provide for acquisition and management of properties with strategic significance such as the Bentley property. A cursory review of the area shows that the canyon is very heavily used for recreation and very poorly managed at the present time.

3. Design or approach of project minimizes future maintenance and/or replacement costs to the extent possible for the type of project.

This project consists of acquiring property, the management and future maintenance issues are discussed earlier in this nomination package.

4. Partnerships and value of contribution to the project (i.e., financial, volunteerism).

The Carson River through Carson River Canyon has teemed with volunteerism for years. The Kiwanis Club organizes an annual Carson River clean up day in the fall of each year.

The Carson River Steering Committee is an ad hoc committee comprised of the Nevada Commission on Tourism, the Carson River Subconservancy District, Carson City Parks and Recreation, Nevada State Lands, and Lyon County Parks and Recreation. This group meets regularly to strategize on forwarding river access and safety improvements to the Carson River. This group coordinated the assistance of the Nevada National Guard to haul car bodies out of the canyon. A total of 20 cars were removed in a single afternoon in September 2009.

The federal government through the Carson City Vital Community Act acknowledged the value of facilitating the transfer of lands to accomplish the vision of managing the Carson River in an integrated fashion for public use and open space.

Through the National Park Service the Friends of Silver Saddle, a non-profit organization, was successful in creating a charrette process that resulted in a common vision for the passive recreation management of the Carson River Corridor. This strategy was adopted by Open Space Advisory Committee, the Carson River Advisory Commission, the Parks and Recreation Commission, the Carson City Planning Commission, and adopted by the Board of Supervisors.

#### Appendix B-4

# PARKS, TRAILS, AND NATURAL AREAS ACQUISITION PROPOSAL (LAND AND INTERESTS IN LAND INCLUDING EASEMENT OR RIGHT OF WAY) ESTIMATED NECESSARY EXPENSES

Project Name:	<b>Bentley Property Acquistion</b>	Entity:	Carson City Parks & Recreation Department				
Project#:	1	Priority #	1				
Prepared by:	Juan Guzman	Phone: (775)	887-22	262 x30341 Date:	November 5,	2009	
ocal/regional governmen specified below:	otal entity agrees to furnish the necessary equi	oment, materials, f	acilities, s	services, personnel and	d other costs excep	t	
	ice (Not to exceed fair market value)		\$	1,600,000	97.53	%	
<ol> <li>Appraisal Costs (n Appraisal Practices (Ud.</li> <li>Land Boundary St</li> </ol>	nust be consistent with Uniform Appraisal Standa SPAP) and Uniform Appraisal Standards for Fed Tryey Costs	rds for Professional eral Acquisitions)	<sub>2</sub> —	8,000	0.49	%	
•	e Assessment and NEPA Costs		\$ —	NA 10.000	0.61	%	
	—Endangered Species Act		\$	10,000	0.61	%	
6. Title and Escrow I			-	4,500	0.27	%	
7. Recording Fees			\$		0.21		
8. Pro-rata Share of any pre-paid property taxes or assessments		\$ <u> </u>	0		% %		
9. Other Miscellaneo	9. Other Miscellaneous Closing Costs		\$	18,000	1.10	%	
<ul> <li>10. Penalty Costs and Other Charges for prepayment of pre-existing recorded mortgage, deeds of trust or other security instrument that encumber the real property</li> <li>11. Relocation Payments to Eligible Displaced Persons</li> </ul>		s			%		
acquisition and/or to re such as title records ma legal description verifi appraisals, ESA, water	contracted Labor Costs: For activities necessary ach a decision as to whether or not the acquisition anagement; review of title documents (land, water cation; preparation and review of technical reportights, mineral rights analyses for title purposes, for preliminary and final title opinion, preparation of closing instructions; negotiating/resolution of rues	n can be completed r, mineral, etc.), is such as surveys; on of conveyance		NA NA		_ % _	
		au namannal	\$	NA		- %	
to perform case manag	per diem, when official travel status is required for ement (e.g., experts to review contracted appraisa	als, etc.)		NA		_ %	
14. Official Vehicle U out case management)	se (pro rata cost for use of Official Vehicles whe	n required to carry	\$	NA NA		- %	
15. Other Necessary	Expenses (See Appendix B-11)					_	
			s			%	
		TOTAL*	: \$,	1,640,500	100	- %	
*Total dollar amount for	the nomination package should not include any	contingency.					
COMMENTS:	tem #10 calling for \$18,000 is budge	eted to comply	with th	ne Historic Preser	vation Act.		



# United States Department of the Interior



BUREAU OF LAND MANAGEMENT
Carson City District - Sierra Front Field Office
5665 Morgan Mill Road
Carson City, Nevada 89701-1448
http://www.blm.gov/nv/st/en/fo/carson\_city\_field.html

In Reply Refer To: 2130 (NVC0200)

NOV 2 2009

Juan Guzman
Open Space Manager
Carson City Parks and Recreation Department
3303 Butti Way, Building #9
Carson City, Nevada 89701

#### Dear Juan:

We appreciate your interest and participation in the Southern Nevada Public Lands Management Act Parks, Trails, and Natural Areas (PTNA) program. To follow up our October 28, 2009 consultation meeting, this letter confirms that Carson City has met the requirements to consult with the Bureau of Land Management (BLM) concerning PTNA Round 11 project nominations.

During our meeting it was determined that your project would not have any direct or indirect impacts to public lands. No other significant issues involving BLM were identified that would require further action on the part of Carson City.

You indicated that the City intends to purchase two private parcels totaling 470 acres in fee. These lands are adjacent to public lands managed by the BLM. It is our understanding that these lands will be managed by Carson City within the framework of the Carson City Open Space Program. Further, you stated that the Carson City Open Space Program serves to protect open space for passive recreation uses while preserving cultural and biological resources within the City. This acquisition would be compatible with the current land use for adjacent public lands as identified in the BLM-Carson City District Consolidated Resource Management Plan (2001). The acquisition would also be compatible with future public land transfers directed by the Omnibus Public Land Management Act of 2009.

Based on our consultation, BLM has determined that there are no actions on, or impacts to, Federal land from this project which require compliance with the National Environmental Policy Act (NEPA). However, the City should consult with its attorneys and follow state and local policy regarding the need for NEPA related to actions on City-owned land. Because federal funds will be granted under the PTNA program, your compliance with the National Historic Preservation Act will be required.

If you have any questions or comments regarding this consultation please contact our Community Liaison, Daniel L. Jacquet, at (775) 885-6116 or at the address above.

Sincerely

Pield Manager

Sierra Front Field Office

#### Attachment IV

Mr. Juan F. Guzman Open Space Manager Carson City Parks and Recreation Department 3303 Butti Way, Building #9 Carson City, NV 89701

Dear Mr. Guzman,

I, Donald Bently, am the legal owner of the approximately 470 acres of real property known as Assessor Parcel Numbers 10-011-24 and 10-011-25, located east of Deer Run Road Bridge in Carson City, Nevada, as shown in the attached map.

I understand that the property is being nominated for acquisition by Carson City for use as a Park, Trail, or Natural Area through the Southern Nevada Public Land Management Act (SNPLMA).

I understand that if Carson City's nomination to acquire the property is approved for funding, that acquisition of the property by Carson City would require that the price paid would be determined by an independent, professional appraisal meeting the Uniform Standards of Professional Appraisal Practices (USPAP) and Federal appraisal standards. I understand that I have the right to accept or reject the value established by that appraisal.

I am willing to consider sale of the above property to Carson City through the SNPLMA process if acceptable terms and conditions can be mutually agreed upon.

My signature below indicates a willingness to consider sale of the subject property, but in no way creates an obligation to sell. I understand that I have the right to remove the property from consideration for purchase at any time, and agree to notify Carson City in a timely manner if I decide to do so.

Donald Bently C/O Scott Brooks, Attorney at Law 1590 Fourth Street, Suite 100 Minden, NV 89423 775-782-7171

Signature

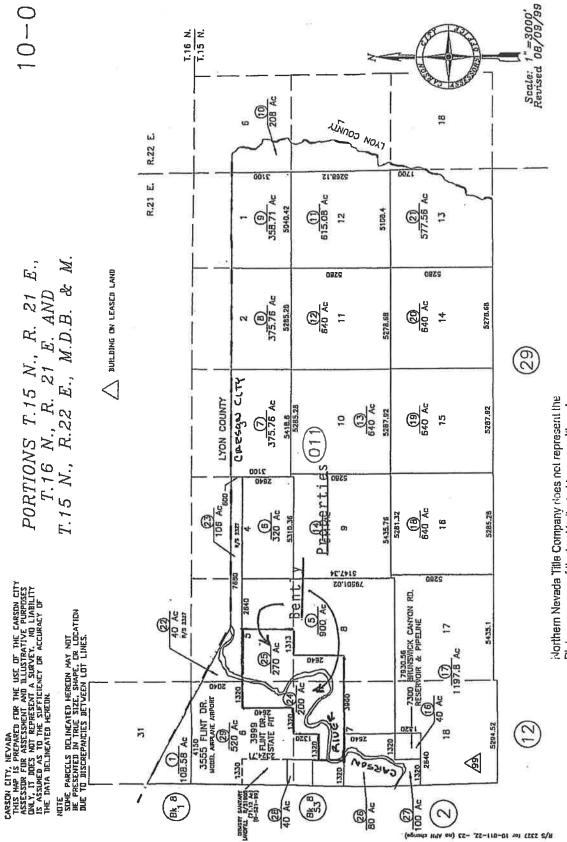
Now 09

Carson City Parks and Recreation

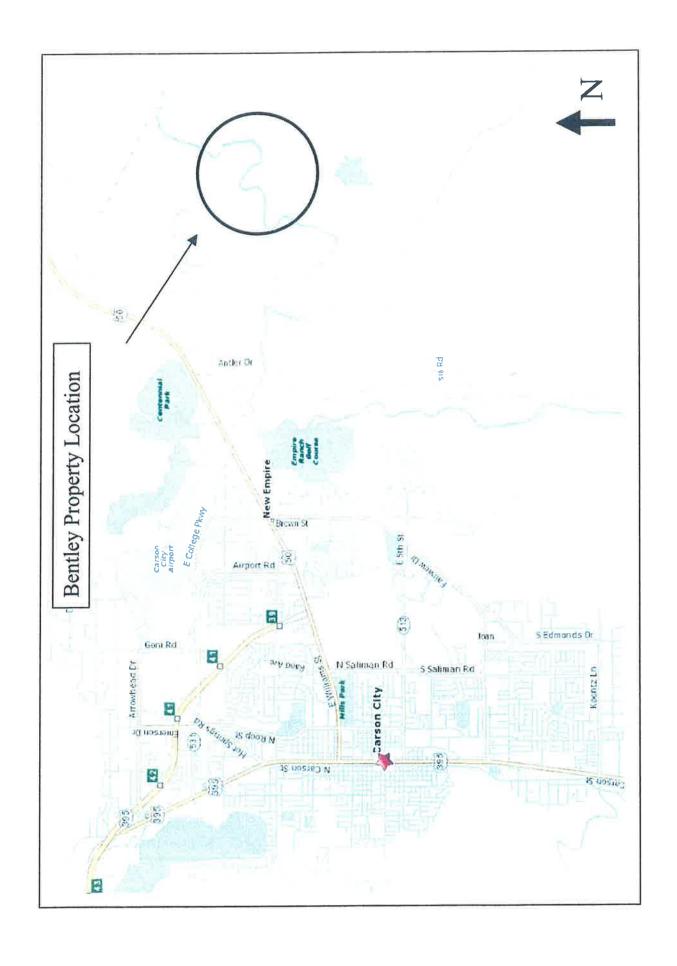
RESOURCE CONCEPTS, INC. 0.5

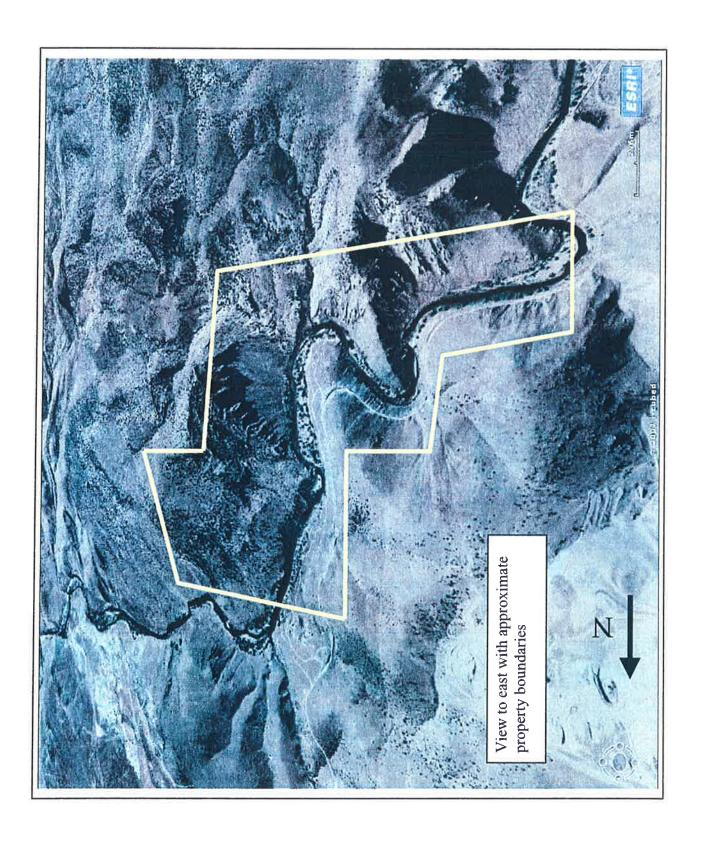
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R:\projects\Carson\_Ctly\_Parks\_Rec\06\_191\_2\MXDs\location\_map Prepared: 11/2/2009 / 09-618



Plat as a survey of the land indicated hereon, although believed to be correct, no liability is assumed as to the accuracy thereof.





# **Bentley Property Acquisition Photos**

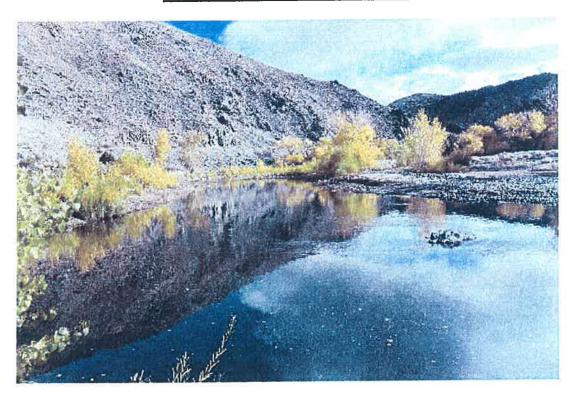


Photo 1- View from the western portion of the property looking east

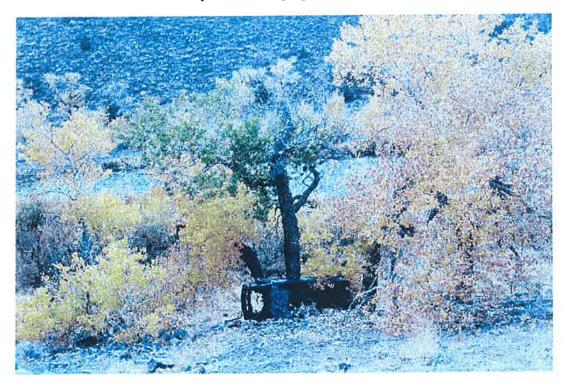


Photo 2 - Dumped car along the road access near the central portion of the property



Photo 3 – View up river from central portion of the property. Note historic wall on right side of photo



Photo 4 - View of the large riparian area in the central portion of the property



Photo 5 - A dozen barrels were recently dumped on the northeastern end of the property near the river.



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To: Mr. Jeff Wilbanks
Parks Trails & Natural Areas Program Manager
Southern Nevada Public Land Management Act
Bureau of Land Management
Southern Nevada District Office
4701 N. Torrey Pines Drive
Las Vegas, NV 89130

Re: Addendum for the nomination of the Bently property acquisition project; SNPLMA Round 11; Parks, Trails, and Natural Areas development category; submitted by Carson City, Nevada. The information relates to Nomination Packet, Tab No. 13 addressing Section 12C

Connectivity: Will connect parks, trails, and natural areas to form a more unified system

1. Provides connectivity to a regional/local park, trail, or natural area, and/or federal lands.

At the present time, there is one official trail within the vicinity of the Bently property - the Carson River Aquatic Trail. This trail (the river) bisects the property. Along the Carson River Aquatic Trail, there are three developed trailheads – two located upriver in Carson City and one located downriver in Lyon County. The Morgan Mill Road River Access Area is located approximately two miles upriver. In Fall 2009, Carson City completed improvements to this site including a paved parking area, boat ramp, restroom facilities, and land-based trail connections. Carson River Park, located approximately five miles upriver, and Rancho Santa Maria Ranch Park, located approximately 4.6 miles downriver, provide similar facilities. The geographic location of the Bently property is strategic. It is at the mid-point of the Aquatic Trail from the Morgan Mill facility to the Rancho Santa Maria Ranch facility – a river rafting distance approximating 6.6 miles. In addition, this purchase would provide the first public-owned property in the Carson River Canyon.

The property is also accessed from the west through an existing high-clearance vehicle road and from Dayton in Lyon County through some primitive "social" trails and roads. The trails on the north bank were developed through the use of 4-wheel drive vehicles and OHVs. These trails are also used by fishermen, equestrians, and bicyclists. Due to the relatively long walking distance from residential areas, the site is not frequently accessed by hikers for casual use.

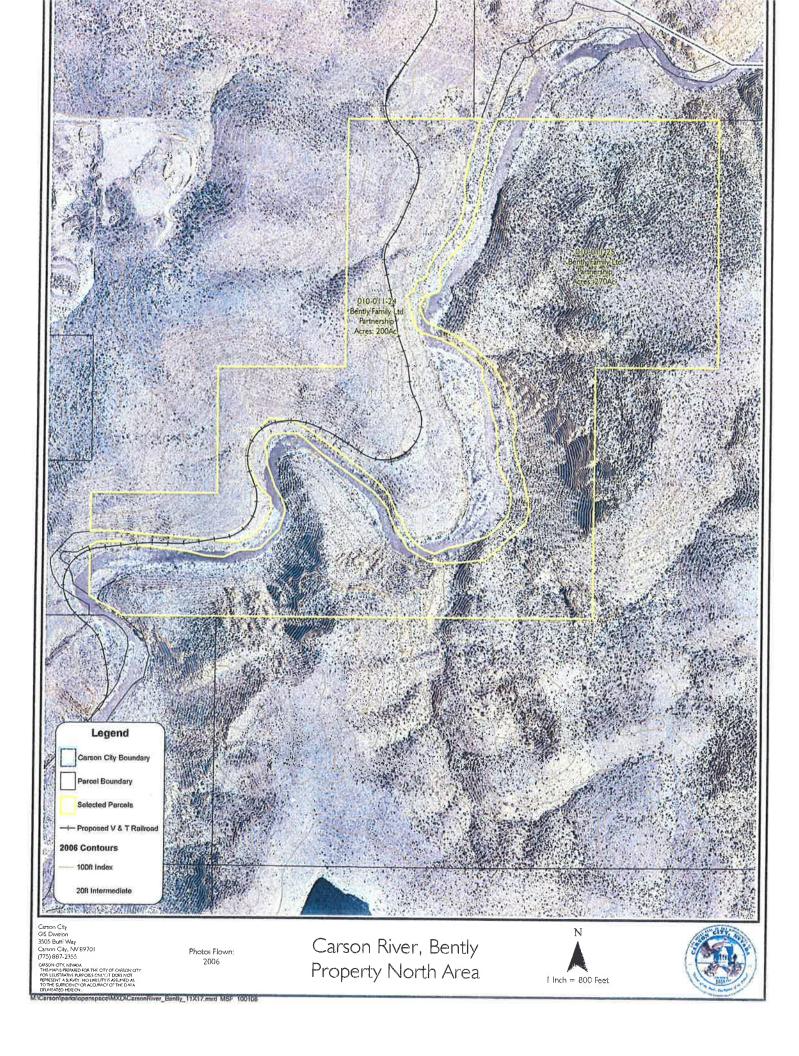
The south river shore is topographically challenging and, at the present time, there are no motorized or social trails within or near the property. The adjacent lands to the south are managed by the Bureau of Land Management.

Future improvements for the Bently property will include signage indicating river access, personal safety, general information, and private vs. public lands location along the river. Sites near the public riverbed are well-suited for interpretation of the natural, historic and cultural resources. Other site

improvements may include defined parking areas, additional river access areas, trash cans, and restrooms. On the south parcel, there may be very limited improvements, perhaps a primitive trail leading to viewpoints providing a scenic panorama of the area.

For several years, Carson City has engaged in a coordinated river clean-up effort with local civic organizations and the U.S. Army National Guard. There has been public outreach for safety and education through the distribution of the Aquatic Trail Map, Unified Pathways Master Plan, the Carson River Master Plan, , and the Open Space Plan. Additionally, Carson City has engaged in discussion regarding risk management for the river corridor and adjacent areas and coordination with the adjacent jurisdictions and public safety agencies including the Fire Department and Sherriff's Office. We presently have two full-time ranger positions available for the regular patrolling of our facilities.

Carson City anticipates future SNPLMA grants and Carson City Question-18 funding to plan, design, and improve access along the north shore of the river through the construction of improvements called for in the Aquatic Trail Plan. Carson City is presently under negotiations for acquisition of the adjacent Serpa property (397 acres). With the acquisition of both properties — Bently and Serpa — approximately ten miles of lands adjacent to the Carson River will be connected under public ownership.





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Carson River, Bently Property North Regional Area I Inch = 1,200 Feet Photos Flown:

