

**Carson City Board of Supervisors
Agenda Report**

Date Submitted: January 20, 2012

Agenda Date Requested: February 2, 2012

Time Requested: 15 minutes

To: Mayor and Supervisors

From: Public Works

Subject Title: For Possible Action: To direct staff to proceed with fundraising and project design for a new Carson City Animal Services Facility to be located in the Carson City Corporate Yard Complex on Airport Road (formerly Butti Way) in accordance with the findings of the Site Feasibility Study conducted by BDA Architecture and Bowling Mamola Group. (*Dave Gasser, BDA/Douglas Buck, BMG*)

Staff Summary: Carson City is in the process of locating a site for a new Carson City Animal Services Facility. Once a site is selected the consults can continue with their contract of building and site design and provide input with fundraising for the new facility.

Type of Action Requested: (check one)

Resolution Ordinance
 Formal Action/Motion Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Recommended Board Action: I move to accept the findings in the Carson City Animal Services Facility Site Feasibility Study and direct staff to proceed under their current contract with design for a new Carson City Animal Services Facility on the Airport Road/Butti Way Corporation Yard site.

Explanation for Recommended Board Action: On June 23, 2011, Carson City entered into Contract No.1011-178 with BDA Architecture, P.C. to provide Professional Design Services for the Carson City Animal Services Facility. Preliminary project programming was completed in 2011 to determine the minimum site and facility requirements. BDA Architecture and Bowling Mamola Group have completed a Site Feasibility Study (Study) examining the existing site and three additional sites short listed by Carson City staff as potential locations for a the new facility The Study incorporated an analysis of the existing facility site on Butti Way; an undeveloped site on the southwest corner of Fifth Street and Carson River Road; a site consisting of a portion of Ross Gold Park, and; a site consisting of a portion of the Carson City Corporation Yard on Butti Way (now Airport Road).

The findings of the Study indicate that site most suitable for the Carson City Animal Services Facility is the Airport Road/Butti Way Corporation Yard site. The other sites reviewed have major obstacles for development. If the Board takes the Recommended Board Action, the Airport Road/Butti Way Corporation Yard site will be selected for the new facility and staff and project consultants will proceed with site and facility design and fundraising input.

Applicable Statute, Code, Policy, Rule or Regulation: N/A

Fiscal Impact: N/A


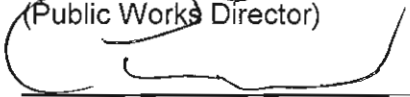

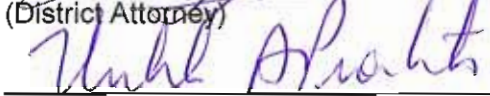
Explanation of Impact: On June 23, 2011, Carson City entered into Contract No.1011-178 with BDA Architecture, P.C. to provide Professional Design Services for the Carson City Animal Services Facility. The Contract includes design services following site selection. No additional fiscal impact will be incurred at this time.

Funding Source: Capital Projects - Animal Control Facility Account 210-0000-413-7850.

Alternatives: Provide other direction for site selection.


Supporting Material: Carson City Animal Services Facility Site Feasibility Study

Prepared By: Robert Fellows

Reviewed By:  _____ Date: 1/24/12
(Public Works Director)
 _____ Date: 1/24/12
(City Manager)
 _____ Date: 1/24/12
(District Attorney)
 _____ Date: 1/24/12
(Finance Director)

Board Action Taken:		Aye/Nay
Motion: _____	1) _____	_____
	2) _____	_____
	3) _____	_____
	4) _____	_____
	5) _____	_____

(Vote Recorded By)



Carson City Animal Services
Facility

Site Feasibility Study

January 11, 2012

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Introduction

Carson City currently operates an Animal Services Facility located at 3770 Butti Way. The facility, constructed in the 1960's, is obsolete and does not provide an appropriate environment for the staff or animals in its care. Carson City has contracted with BDA Architecture to design a new Animal Services Facility that meets the existing and future needs of the community. BDA Architecture is a firm specializing in animal care facilities around the United States and the world. Bowling Mamola Group, as part of BDA's design team, is providing civil engineering site design services and is authoring this study.

One of the first steps in designing a project is to investigate potential sites to determine the best location for the facility. The intent of this feasibility study is to investigate the potential of several properties with respect to their suitability for use as the location for the new Carson City Animal Services Facility.

Stakeholders

This report is prepared for the benefit of the numerous stakeholders of the project, including: Carson City residents, the Carson City Animal Advisory Board, the Carson City Board of Supervisors, Carson City Animal Services, Carson City Health and Human Services Department, Carson City Public Works Department, and Carson City Parks and Recreation. This report should to provide the stakeholders with a basis for selecting a site for the new facility.

Site Selection

To begin the design process, the design team met with Carson City staff to establish the goals and objectives for the new facility. Carson City team staff also completed a programming questionnaire to provide additional information to the design team. The information gathered from Carson City staff, together with standard design and cost considerations, were utilized as the factors to determine the feasibility of potential sites. A copy of the evaluation criteria is included in Appendix D.

To establish a short list of sites, Carson City personnel considered available properties in the region. Initially, seven properties were identified as potential sites. City staff then performed an initial review of the properties and presented a short list of three properties for analysis in this study. The three properties are as follows:

- **Ross Gold Park Site:** A partially developed, partially undeveloped portion of the Carson City park near Snyder Way.
- **Fifth Street Site:** An undeveloped area consisting of BLM property and Carson City right-of-way on the southwest corner of Fifth Street and Carson River Road.
- **Butti Way - Corporation Yard Site:** An underdeveloped area of the Carson City Corporation Yard on Butti Way/Airport Road.

In addition to the three properties listed above, this study also provides a brief analysis of the existing facility site for comparison and consideration with the three short listed sites.

Existing Animal Services Facility



Site APN & Address

- APN: 010-037-02
- Address: 3770 Butti Way

Existing Site and Facility Information

This existing Carson City Animal Services Facility is located at 3770 Butti Way on a portion of a larger 5.25 acre parcel. The Animal Services Facility is on the northwest corner of Fairview Drive and Butti Way. Reference the vicinity photo below.



Existing Carson City Animal Services Facility - Vicinity Map

The portion of the parcel dedicated to the Animal Services Facility is approximately 1.9 acres. Adjacent to the facility is a pet cemetery that is no longer available for new burials as well as an outdoor fenced aviary or large animal pen that is used on occasion. The southwestern portion of the parcel is developed with a public overflow parking area for the public works office across the street.

The existing Animal Services Facility is owned by Carson City and operated by Carson City Animal Services, a division of Carson City Health and Human Services. The primary building, utilized for administrative services, staff offices, main facilities, and feline housing was originally constructed in the 1960's. There is an additional building on the rear of the site containing indoor/outdoor dog kennels. The site contains a parking lot in front of the facility for public parking and a fenced lot to the side/rear of the facility for secure employee parking. This lot is also utilized for the parking or storage of Health Department vehicles and trailers. A temporary office trailer is located onsite in the secure area that houses animal control officers and provides additional space for facility personnel.

The existing facility is currently outdated and does not provide adequate sanitation or ventilation for animals or staff. Issues such as these were documented in the recent Shelter Evaluation completed by the Humane Society of the United States. In the last year, parts of the facility have undergone some renovation including new office areas to meet the immediate concerns outlined in the evaluation. Additionally, the Parks and Recreation Department is currently investigating potential landscaping improvements for the facility.

As part of the preliminary site selection process, Carson City staff included the existing facility site as a potential location for the proposed facility. A discussion of the features relative to the existing site follows.

Location

Zoning and master plan designations on the site are currently consistent with the existing use as the Animal Services Facility. The existing zoning designation is PR-Public Regional. The Public Regional designation is consistent with the existing and proposed use. The existing master plan designation for the site is Public/Quasi Public and is consistent with the existing and proposed use. Adjacent properties are zoned PR-Public Regional to the south and west of the parcel. A small area to the north is zoned for neighborhood business and to the east a small area is zoned for general industrial.

To the south of the site is the Carson City corporation yard including offices for Carson City Public Works and Parks and Recreation. A portion of the parcel to the west of the existing facility and pet cemetery is developed with an overflow parking area for the Public Works building.

Northwest from the site and northeast from the site across Fairview Drive are residential areas zoned SF6 - Single Family, 6,000 square foot lots. The nearest residences are on Desatoya Drive with the closest home approximately 240 feet from the existing dog kennels building. Residences in the vicinity of the project have experienced noise from the existing facility for as long as they have coexisted as neighbors. There may be concerns from existing neighbors regarding the reconstruction of the Animal Services Facility in the same location; however, they may also understand the benefit of constructing a new facility and the potential for noise reduction associated with improved technologies and intentional construction. Construction measures for noise reduction add to project costs, so the further the structure

can be from residential dwellings, the lower the construction cost. Utilizing the existing location for the new facility provides the benefit of direct frontage on Fairview Drive.

Cost

This site is currently developed with the existing facility and is owned by Carson City; therefore, there would be no site acquisition costs. Development costs are expected to be above average for this site since the existing facilities would require some accommodation during construction, construction of temporary facilities would be required, and the existing facilities would require demolition. Temporary facilities necessary during construction would likely be extensive and costly due to the limited available areas for building locations and construction on the site. Butti Way was recently reconstructed eliminating the need for any street repairs except that needed for frontage improvements and utilities (see below) and potentially for realigned driveway approaches. Required grading for the site would be minimal.

Utility services are in place for the existing facility. There are three utilities, sewer, water, and reclaimed water, which currently divide the existing site and run between the main structure and the canine building to the rear. These utilities appear to be located within the flood zone (see site features section). Due to the size of the utility lines and engineering limitations on the gravity sewer main, it would be cost prohibitive to relocate the utilities. It may be possible to keep the existing utilities in their current location and construct the new facility outside of the flood zone, setback from the existing utilities; however, there is limited space available outside of these constrictions for construction. There may be costs associated with new, larger services that may be required for the new Animal Services Facility; however, that may not be necessary for all services and most services would not require connection in the newly reconstructed street.

Access & Circulation

The site is directly accessed by Butti Way. The site is located east of Carson Street/US 395 on the northwest corner of Butti Way and Fairview Drive, just north of Fifth Street.

Existing circulation conditions in the secure parking area are somewhat restrictive for larger vehicles and trailers. There is limited potential to utilize underdeveloped areas of the parcel due to the existence of the pet cemetery. Circulation for large municipal vehicles and trailers would be limited in a redesigned site due to the building placement restrictions discussed under the Cost and Site Features headings.

Carson City Jump Around Carson (JAC) bus service is available in the vicinity on Routes 2A and 2B. The routes do not serve the site directly, however, they do loop around Airport Road, Desatoya, Drive and Monte Rosa Drive. The nearest stop is at Desatoya Drive and Monte Rosa Drive, approximately 1,600 feet from the site (0.30 mile). Bicycle access to the site is available on surface streets and is enhanced by several existing mapped bicycle routes on Fairview Drive and Butti Way as well as routes proposed in the Pathways Master Plan.

Site Features

The proposed project site area is approximately 1.9 acres and is limited to the portion of the property currently developed with the existing facility. This area excludes the adjacent undevelopable area occupied by the pet cemetery. No natural barriers exist onsite that would inhibit site development. Manmade barriers and obstructions include the existing utilities that run through the center of the site and the existing structures and pet cemetery. If the site was chosen for the project, the pet cemetery would remain in place undisturbed.

This site would have sufficient space for development of the primary project; however, the existing pet cemetery constrains the developable area on the site leaving little area for expansion and full buildout of all desired improvements. The site, with the circulation limitations described previously, would require buildings to be constructed to the rear of the parcel and secure vehicle parking areas within the flood area noted below. This is an undesirable location for the fenced parking area as it would front Butti Way and separate the site both visibly and physically from the pet cemetery. A positive feature of the site is its frontage on Fairview Drive which would be of benefit from a retail or commercial sense. This is an important consideration with respect to attracting people for potential adoptions.

It is not anticipated that the site would be subject to special conditions with respect to historical or cultural areas. With respect to environmental considerations, the site is partially within flood zones. The northern portion of the site is outside the floodplain in FEMA Zone X (unshaded), meaning that the site is outside of the 500 year flood zone. Portions of the site are also within the floodplain in FEMA Zone X (shaded) which are areas within the 500 year flood zone and within the 100 year flood zone but flood to a depth of less than one foot. The southernmost portion of the area being considered for development is within FEMA Zone AE, which means that it is within the 100 year flood zone and has a determined flood elevation level. Development in this area must be done without increasing flooding upstream or downstream of the site. The existing primary animal services structure and the temporary office trailer are both currently located within shaded Zone X. The front of the site, currently parking and landscaping is in Zone AE. The geotechnical investigation did not include an analysis of the existing facility.

Summary

The existing facility site has positive and negative features relative to the development of the property with the new Carson City Animal Services Facility. The primary positive features are the property's frontage on Fairview Drive and the adjacent pet cemetery. The primary negative features of this site are the proximity to residences, the presence of existing utilities that bisect the property and the presence of the flood zone on the front of the property.

Ross Gold Park



Site APN & Address

- APN: 009-166-01
- Address: 4549 Snyder Avenue

Site Information

This site is a portion of the 8.03 acre Ross Gold Park. Ross Gold Park is located east of Carson Street (US 395/US 50) and north of Snyder Avenue (NV 518). Reference the vicinity photo below. The majority of the site is currently developed as an improved community park. Existing site features include a recently re-excavated manmade pond, mature trees, walking paths, playground equipment, two tennis courts, a sand volleyball court, horseshoe pits, a covered barbeque pavilion and restrooms.



Ross Gold Park - Vicinity Map

The portion of the site under consideration for the Animal Services Facility is a relatively flat area of approximately 1.1 acres and consists of an undeveloped area, partially covered in sagebrush and native vegetation, and two tennis courts with landscaping. This portion of the park is fronted by Oak Street and East Overland Street.

The development of this site for the Animal Services Facility will require the removal and reconstruction of the tennis courts for residents of south Carson City. The tennis courts would likely be relocated to the southern portion of the park site adjacent to the parking lot. Adjacent to the park on the southwest corner of the block is the Carson City Emergency Dispatch Center and Fire Station #3.

Location

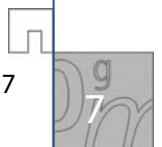
Zoning and master plan designations on the site are currently consistent with the existing use as a community park. The existing zoning designation is PC-Public Community. This designation is consistent with the proposed use. The site may require a master plan designation modification from Parks and Recreation to Public. Adjacent properties are zoned GC-General Commercial to the west, SF1A-Single Family Residential 1 Acre to the north, east and southeast, and MFD-Multi-Family Duplex to the southwest.

Performance Auto Care and Carson Mini Storage are immediately to the west. Several single family residences on large (1 acre +/-) parcels are north and west of the park. To the south of the park, Ross Park PUD has had applications approved for a Tentative Planned Unit Development and a zoning amendment (to MFA-Multi-Family Apartment). On the 1.24 acre site, 23 new units are proposed, however, the project has not proceeded and the site remains undeveloped. Multi-family residential units are developed to the southwest of the site across Snyder Way. Regional commercial centers are located further to the west on Carson Street and to the north on Clearview Drive.

The proximity of the site to existing commercial centers may benefit the facility in a retail sense; making it more attractive to visitors and those considering adoption. Overflow parking from employees or customers at Performance Auto Care is typically on the park side of Oak Street, adjacent to the tennis courts because no on-street parking exists in front of the auto center. No disruption to the existing business is anticipated from the Animal Services Facility, however some disruption during construction and special events could occur.

The mix of existing and proposed uses on and near the site makes this a unique location for the animal services facility. The nearest residential dwelling is approximately 100 feet from the project area. This proximity may be of concern with respect to potential or perceived noise levels from animals at the facility. The facility will be designed to minimize noise levels from barking dogs; however, experiences of residents near existing facilities that are inadequately designed to minimize noise spill from the site may have a significant negative impact on public perception for this location. A second residence is approximately 350 feet from the project area with multiple additional residences greater than 500 feet from the site. Proximity to residences also increases project costs due to noise reducing construction.

In addition to the residential properties, Fire Station #3 and the Carson City Emergency Dispatch Center are immediately adjacent to the south boundary of the proposed site. Pros and cons are associated with these facilities as neighbors. A positive benefit of having the fire station and dispatch center next door would be the increased security resulting from a neighboring facility that is staffed 24 hours a day, 7



days a week. This may result in fewer security issues at the animal services facility during non-operating hours, including the potential of having pet owners breaking into the facility at night to obtain possession of a pet. The negative impact of having the facilities as neighbors is the stress that fire engine sirens may cause to the animals, especially dogs. Not all dogs react the same to emergency sirens. Some dogs do become agitated and bark or howl when they hear sirens. This reaction may cause other dogs in the facility to bark or howl and may cause additional stress to animals in the facility. This is a very busy station and fire engines typically have their siren on when departing the station. Emergency vehicles leave the fire station directly onto Snyder Avenue; therefore, the noise from the siren is somewhat deflected by the fire station structure. The facility design will need to take into consideration the proximity to residences and the fire station with respect to noise concerns.

Cost

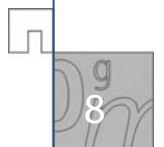
This site is currently owned by Carson City; therefore, there would be no site acquisition costs. Development costs are expected to be slightly above average for this site. The site is partially developed with tennis courts. The cost associated with the demolition and re-construction of the tennis courts is an additional cost for this site. The southern end of the park site, near the existing parking lot, is a likely location for tennis court relocation. The existing streets adjacent to the proposed site, Oak Street and East Overland Street, are in poor condition and may require reconstruction with the site development. Reconstruction of the streets would add to the development costs. Additionally, drainage in the vicinity is accommodated by surface flow. The existing roadside flow channels are minimal and the concrete valley gutters adjacent to the site may need to be replaced. Required grading for the site should be minimal.

Existing utilities, other than storm drain, are in place adjacent to the site. Overhead power and phone lines front the northern boundary of the site. A drop may be necessary from the existing pole east of the proposed site, in front of the existing park. Carson City Well #9 is located in the park, east of the proposed Animal Services Facility. An existing water line also runs along the south side of the proposed site. Utility infrastructure to serve the site is anticipated to consist of relatively short laterals to existing mainlines.

Access & Circulation

The site may be directly accessed by East Overland Street or Oak Street. Primary site access for visitors would likely be off of Oak Street with secondary gated access on East Overland Street. The site is located east of Carson Street/US 395 between Snyder Avenue to the south and East Clearview Drive to the north. Access to the site from Carson Street is available at both Snyder Avenue and East Clearview Drive in both the northbound and southbound directions. The intersection of Carson Street and East Clearview Drive is signalized. At the Carson Street and Snyder Avenue intersection, a dedicated left turn lane from southbound Carson Street east onto Snyder Avenue is present but unsignalized. Vehicles wishing to turn south onto Carson Street must first follow the frontage road south to Old Clear Creek Road, just south of the intersection of US 50 and US 395.

Snyder Avenue is currently designated as Nevada State Route 518 from Carson Street to Jacobson Way. As part of the I-580 freeway, an overpass will be constructed at Snyder Avenue. After the freeway extension is completed and is open to the public, NDOT will transfer ownership of Snyder Avenue to Carson City. Carson City currently has plans to realign the intersection of Carson Street and Snyder



Avenue. The new intersection is proposed to be located at Carson Street and the extension of Appion Way, one block south of the existing intersection. The timing of the Snyder Avenue intersection relocation project is unknown at this time. Relocation of the Carson Street/Snyder Avenue intersection would improve access to the proposed site.

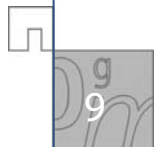
Carson City Jump Around Carson (JAC) bus service is available to the area on Route 3. JAC stops in the vicinity include locations on Clearview Drive at Oak Street 700 feet to the north as well as on Silver Sage Drive to the east. Additionally, the Tahoe Transportation District's Valley (Gardner/Minden/Carson City) and Lake (Stateline/Carson City) Express routes have stops near the site at Fuji Park (both routes) and Topsy Lane (Lake route only). Bicycle access to the site is available on surface streets and is enhanced by several existing and proposed officially mapped bicycle routes in the vicinity including East Appion Way, Snyder Avenue, and Silver Sage Drive.

Site Features

The proposed project site area is approximately 1.1 acres. No natural barriers exist onsite that would inhibit site development. Manmade barriers and obstructions include the existing water line along the south boundary of the site and the existing overhead power along the north boundary. This site, a rectangular portion of the parcel, should have sufficient space for development of the primary project. However, limited space is available for supplemental projects or future expansion. Enhanced dog run or play areas outside the facility may be limited in size due to the constrained size of the site. The site should be able to accommodate a limited amount of additional parking for Health Department trailers and larger vehicles.

The Ross Gold Park is a Land and Water Conservation Fund site (LWCF). As a LWCF site, matching grant funds from the federal LWCF program were utilized to acquire or develop the park site. LWCF sites are protected for preservation for public outdoor recreation use. Any change in use of any portion of the park site would be subject to approval by Nevada State Lands, the National Park Service, and the Secretary of the Department of the Interior. The Animal Services Facility is not an approved use for a LWCF site; therefore, a conversion of the site would be required prior to redevelopment. Conversion of the site would require an appraisal of the site and the replacement of protected outdoor recreational parkland of equal value in the LWCF system in a reasonably equivalent location and usefulness. The request for the conversion must be submitted by the State to the National Park Service. Approval of the conversion is at the discretion of the Secretary of the Department of the Interior. To do so, he must find the conversion consistent with the Nevada outdoor recreation plan. Although the LWCF designation is not a fatal flaw for the site, the process to remove the LWCF designation from the site would take longer than one year to accomplish and there is a possibility that the transfer could meet resistance at the local, state, or national level.

As the existing use of the site is a city park, the conversion of the use of this property will also require approval from the Carson City Parks and Recreation Commission. As previously stated, a portion of the proposed site is currently developed with tennis courts. New development will require relocation of the facilities to another portion of the park site. The adjacent park site contains walking paths that would be beneficial for leashed dog walks from the proposed animal services facility. At this time, the park is not designated as a "Dog Friendly Park"; therefore, pets are not currently allowed in the park. The Parks and Recreation Commission could modify the park designation to allow pets in the park. As part of the animal services facility project, pet waste stations could be located at key areas in the park.



It is not anticipated that the site would be subject to special conditions with respect to historical or cultural areas. With respect to environmental constraints, the site is located outside the floodplain in FEMA Zone X (unshaded), meaning that the site is outside of the 500 year flood zone. A feasibility level geotechnical analysis has been completed for the site. Two questionable faults have been mapped through or near the site. Based on other faults in the vicinity, these faults may be active. No visible evidence of the faults were apparent during site visits. Fault trenching would be required during a design level geotechnical investigation to determine if the faults are present and if they would have an effect on the design location of any structures. For additional information and discussion on the site soils and potential faults, please refer to Appendix A for a copy of the geotechnical report.

Summary

The proposed Ross Gold Park site has significant positive and negative features relative to the development of the property with the Carson City Animal Services Facility. The primary positive feature is the proximity to commercial shopping areas and Carson Street/US 395, both of which may serve to increase public access to the facility. The primary negative features of this site are the proximity to residences and the fire station (noise concerns) and the site's protected status as a Land and Water Conservation Fund site. These negative issues may be partially addressed with building design and entitlements, however, additional costs and time would be required to do so.

Fifth Street



Site APN & Address

- APN: 010-034-01
- Address: 3555 East Fifth Street

Site Information

The Fifth Street site is a 3.2 acre location with the northern portion of the site (40%) owned by Carson City as public right of way and the remainder owned by the Bureau of Land Management (BLM). This site is located on the southwest corner of East Fifth Street and Carson River Road, just east of the roundabout at Fifth Street and Fairview Drive. Reference the vicinity photo below.



Fifth Street - Vicinity Map

The majority of the site is currently undeveloped. Off-road trails and an apparent parking/staging area for off-road vehicles covers much of the site. An existing overhead powerline, underground telephone, and a utility access road are also located along the northern boundary of the site. The site under consideration for the Carson City Animal Services Facility is a moderately sloped (3%) area partially covered in sagebrush, and native and non-native vegetation. The BLM owned (southern) portion of the site is part of the 400-acre Prison Hills Recreation Complex.

Location

Zoning and master plan designations on the site are consistent with the existing use as a regional park. The existing zoning designation is PR-Public Regional. The public designation is consistent with the proposed use. The existing master plan designation for the site is Public Conservation and is not consistent with the proposed use. The site would require a master plan designation modification from Public Conservation to Public. Adjacent undeveloped properties are zoned P-Public to the north and west of the larger BLM parcel and PR,-Public Regional to the south on the adjacent BLM-Prison Hill Recreation Area parcel. To the east of the site is the P-Public zoned Eagle Valley Junior High School. Just northeast from the site is a planned unit development residential area zoned SF21-P.

The residential area to the northeast of the site is made up primarily of residences on lots of 14,000 square feet and larger. The nearest residence is 150 feet from the proposed site. This proximity may be of concern with respect to potential or perceived noise levels from animals at the facility. The facility will be designed to reduce noise levels from barking dogs. However, experiences of residents near existing facilities that are inadequately designed to reduce noise spill from the site may have significant negative perceptions for this location. Previous proposals for this area included a development planned for the parcel to the north across Fifth Street. The property owners in the vicinity adamantly opposed the development at public hearings. It should be anticipated that any development in the vicinity would receive some degree of opposition from the residential neighborhood.

As mentioned previously, across Carson River Road to the east of the site is the Eagle Valley Junior High School. The school is located approximately 1,000 feet east of Carson River Road. The school has recently installed a solar panel array near Carson River Road, south of the proposed animal services facility site. An unimproved student pick-up/drop-off road is located directly across from the proposed site. This is a very busy location during school start (7:50 am) and finish (2:15 pm typically) hours.

In addition to the vehicular activity at the student drop off/pickup area, the intersection of Carson River Road and Fifth Street is very busy during the same peak hours as the school. This would affect the access to the animal services site during these limited duration times. Traffic typically backs up in front of the proposed site during school rush hours. This is not a critical issue as the periods of disruption are minimal and the afternoon peak hour is not near typical traffic rush hours.

Cost

This site is partially owned by Carson City (the northern portion of the site is within the existing Fifth Street right-of-way). The remainder of the site is owned by the Bureau of Land Management (BLM). The BLM property, part of the Prison Hill Recreation Area, is encumbered by a perpetual conservation easement. The conservation easement was created on December 22, 2010 between Carson City and the BLM. This easement was completed as part of a planned land transfer from the BLM to Carson City. The actual land transfer has not taken place at this time; however, it may occur in the near future. The conservation easement protects the property in perpetuity to preserve and protect the conservation values of the property. A copy of the easement is included in Appendix C.

Use of the property for the Animal Services Facility would not be permitted under the conservation easement. It is also unlikely that the conservation easement would be transferrable to another property in exchange for the use of the encumbered BLM property. Any such transfer would be subject to approval of the BLM and the Secretary of the Interior, even following the transfer of ownership to Carson City from the BLM.

A use of the property that is specifically allowed under the terms of the easement is a trailhead facility. There may be an opportunity to utilize a portion of the BLM property for a shared parking lot if a trailhead were constructed concurrent with the property although that has not been confirmed by the BLM. This shared parking lot may serve both facilities based on alternating peak parking need during weekdays, however, on weekends both facilities may have concurrent peak demands. At a minimum, the utilization of shared parking areas could improve overall site circulation. This site layout would result in a smaller parcel than originally identified for the project, consisting primarily of land currently within the right-of-way adjacent to the overhead utility corridor. The resulting site would be relatively long and narrow and would have circulation limitations.

Any utilization of the BLM property would result in cost associated with trailhead improvements and a significant amount of time for coordination with the BLM. Additionally, the portion of the site within the Carson City right-of-way would need to be abandoned from the right-of-way and converted to a developable parcel.

Development costs are expected to be average for this site. The site is currently bound on the north and the northeast by existing curb, gutter, and sidewalk. Existing drainage facilities were installed in the area during the past five years and, should have sufficient capacity for projected stormwater flows. The existing streets adjacent to the proposed site, Fifth Street and Carson River Road, are in excellent condition and would not require reconstruction with the site development. Required grading for the site should be average to just above average for an undeveloped site. Minimal retaining structures may be necessary depending on the site layout

Existing utilities are in place adjacent to the site. Overhead power and underground phone lines front the northern boundary of the site. An existing sewer line is located on the north side of Fifth Street and existing water lines run along both Fifth Street and Carson River Road. New utility infrastructure to serve the site would consist of relatively short laterals to existing mainlines.

Access & Circulation

The majority of the traffic to the site would utilize Fairview Street and Fifth Street. Primary access to the site for visitors and staff would likely be off of Carson River Road. Access from Fifth Street would be difficult due to elevation differences between the street and the site. Fairview Drive, which is west of the site, is a heavily travelled street connecting with the new I-580 freeway and with William Street/US 50. The site's proximity to major arterials may be beneficial to the Animal Services Facility because of improved access and greater visibility to potential users. Fifth Street also directly ties into other major north-south routes in Carson City including Carson Street/US 395, Stewart Street, and Roop Street.

Carson City Jump Around Carson (JAC) bus service is available in the vicinity on Routes 2A and 2B. The routes do not serve the site or neighborhood directly, however they do loop around Airport Road, Desatoya Drive and Monte Rosa Drive in the neighborhood directly north of the City facilities on Butti Way. This would leave approximately a 1 mile walk or bike ride to the site. Bicycle access to the site is available on surface streets and is enhanced by several existing mapped bicycle routes on Fairview Drive and Carson River Road.

Site Features

The proposed project site area is approximately 3.2 acres, however, based on restrictions on the BLM property, only 1.2 to 1.4 acres may be developable. No natural barriers exist onsite that would inhibit site development. Manmade barriers and obstructions include the existing utility access road, overhead power line, and underground telephone lines along the north boundary of the site. This reduced site, a rectangular portion of the parcel, would have sufficient space for development of the primary project but limited space for the development of supplemental features and future expansion. The site may accommodate a limited amount additional parking for storage of Health Department trailers and larger vehicles.

A primary restriction on the site is the presence of the conservation easement on the BLM portion of the site. In addition to approval from the BLM and Secretary of the Interior for joint use of the BLM parcel for the shared parking area, approvals from the Carson City Parks and Recreation Commission would be required.

Special conditions, with respect to historical or cultural areas, are not anticipated. The site is within FEMA unshaded Flood Zone X, meaning it is outside the 500 year flood zone and designing for flood conditions is not necessary.

Because the property is currently undeveloped and is adjacent to significant amounts of undeveloped and protected open space, the development of the Fifth Street site will require an environmental assessment. This would include a study to determine the presence of endangered or threatened species or habitat with respect to birds, flowering plants, and insects. Specifically of concern in the Carson City area are the greater sage-grouse (*Centrocercus urophasianus*), the Tahoe yellow cress (*Rorippa subumbellata*), and the Carson wandering skipper (*Pseudocopa eodes eunus obscurus*).

A feasibility level geotechnical analysis has been completed for the site. One fault has been mapped by the Nevada Bureau of Mines and Geology as possibly crossing the west end of the site. The fault is not considered active, however, fault trenching would be required during a design level geotechnical investigation to make an accurate assessment of the site. Two other faults, one of which could be considered active, are located within one mile of the site. Additionally, based on mapping for the site, a liquefaction analysis should be performed during final geotechnical analysis. For additional information and discussion on the site soils and potential for liquefaction, please refer to Appendix A for a copy of the geotechnical report.

Summary

The proposed Fifth Street site has positive and negative features relative to the development of the property with the Carson City Animal Services Facility. The primary positive features are the close proximity to Fairview Drive and the adjacent open space and trail system. The primary negative features of this site are the closeness to residences and the conservation easement on the BLM property. Additional costs associated with the construction of a trailhead would be necessary for any improvements involving the BLM property. Given the neighborhood reaction to previously proposed developments in the area, opposition to the project is expected.

Butti Way - Corporation Yard



Site APN & Address

- APN: 010-031-04
- Address: 3303 Butti Way

Site Information

The Butti Way site is a 3.3 acre portion of the existing 52 acre Carson City Corporation Yard (reference the vicinity map below). The Carson City Corporation Yard is home to the Carson City Public Works and Carson City Parks and Recreation offices. Additionally, vehicles from other departments (Carson City Search and Rescue, etc.) are stored on this site.



Butti Way - Corporation Yard - Vicinity Map

The 52 acre site consists of some undevelopable area within a floodway. The remainder of the site is fully developed in some areas and partially developed in others. There is sufficient room remaining onsite for future expansion of the Animal Services Facility if desired. The portion of the site being considered for the Animal Services Facility is currently utilized for outdoor storage of equipment for parks and recreation, search and rescue, and public works as well as a nine bay parking shed/carport primarily utilized for the parking of search and rescue vehicles. The majority of this area is unpaved and surfaced with gravel or aggregate base.

This site is located on the east side of Butti Way, south of Airport Road and north of Fifth Street. Airport Road and Butti Way at this location were recently reconstructed. Now that this reconstruction is complete, the section of road fronting the proposed site is Airport Road. Airport Road and Butti Way now form a T intersection north of the proposed animal services facility site. Note that the vicinity map on the previous page shows the old alignment of the Butti Way and Airport Road intersection. A new aerial photo is not available at this time. Just south of the proposed site is an unimproved access road for the corporation yard.

The portion of the site identified as the location for the Animal Services Facility is a moderately sloped (3 - 4%) area of approximately 3.3 acres.

Location

Zoning and master plan designations on the site are currently consistent with the existing use as a corporation yard. The existing zoning designation is PR-Public Regional. The Public Regional designation is consistent with the proposed use. The existing master plan designation for the site is Public/Quasi Public and is consistent with the proposed use. Adjacent properties are zoned PR-Public Regional to the north, south and west of the larger corporation yard parcel.

To the south of the corporation yard is the wastewater reclamation facility, zoned PR-Public Regional. The wastewater reclamation facility, although a fitting neighbor for the corporation yard and the nearby state prison (south of Fifth Street), may not be attractive to visitors in the retail or commercial sense desired for an adoption center.

Between the wastewater reclamation facility and the corporation yard is a Kings Canyon Creek (also known as Lower Kings Canyon Creek and Eagle Canyon Creek) with an Open Space master plan designation. This drainage follows the alignment of the proposed extension of the Linear Park Trail. The Public Regional zoned areas west and north of the corporation yard are owned by Carson City and are undeveloped.

North of the site across Butti Way and beyond the 250 foot undeveloped parcel fronting Butti Way is a large residential area zoned SF6 - Single Family, 6,000 square foot lots. The nearest residences are on Desatoya Drive and back up to this strip of undeveloped land. The closest residence is approximately 950 feet from the portion of the site available for the Animal Services Facility. At this distance the noise level from barking dogs, even from an outdoor adoption kennel with minimal screening, would be significantly muted to the noise level of a normal conversation. Additionally, design elements will be utilized to minimize unwanted noise levels from barking dogs that will reduce neighborhood noise far below these levels.

Cost

This site is currently owned by Carson City; therefore, there would be no site acquisition costs. Development costs are expected to be about average for this site. The site is currently developed predominately with gravel surfaced parking and storage areas, a nine bay parking shed, and chain link security fencing. The majority of these improvements would need to be demolished to provide for the new improvements associated with the animal services center. The parking structure may require replacement onsite, depending on availability of other parking areas and necessity as determined by affected municipal departments. Both the demolition of existing improvements and the potential reconstruction of a parking structure may add costs to the development of this site.

This site does have several cost benefits with respect to the proposed development. Existing utilities are currently present on the site. Mainlines and service lines for utilities are available on the existing property. Additionally, reclaimed water is present on the site. Drainage from the site currently flows to Kings Canyon Creek, just south of the corporation yard. No infrastructure is located in Butti Way fronting the property, so utility lateral ties will be less costly than those located in the street provided that existing facilities have capacity. There is potential, depending on the site layout, for the requirement to relocate some existing utility infrastructure. Site design would be completed to minimize the disturbance as much as possible. Perhaps the largest cost benefit for this site is the presence of the corporation yard. The corporation yard will provide ample parking for vehicles and trailers for both the Animal Services Facility and the Health Department. This means that a secure parking lot does not need to be constructed for these vehicles as it already exists.

Required grading for the site should be minimal for this site; however, there may be additional costs associated with the removal and replacement of subsurface materials if unconsolidated fills or native materials or expansive clays are identified onsite during the design level geotechnical investigation. Reference the geotechnical investigation in Appendix A and the Site Features section of this report for additional discussion on this issue.

Access & Circulation

The majority of the traffic to the site would be from Fairview Drive and Fifth Street with additional traffic utilizing Airport Road and its connection to William Street/US 50. The site is located west of Fairview Drive. Fairview Drive is a heavily travelled street with direct access from the new I-580 freeway extension and William Street/US 50. This location just off of a heavily traveled arterial may be beneficial to the Animal Services Facility since it will allow ease of access and relatively high visibility. Fifth Street also directly ties into other major north-south routes in Carson City including Carson Street/US 395, Stewart Street, and Roop Street.

Primary site access for visitors and staff would be off of Butti Way (now Airport Road). Employees would use a secure parking area behind the facility within the fenced corporation yard, probably accessed through the public parking area for the facility. Official municipal vehicles would utilize the main corporation yard for parking and could utilize the existing corporation yard entrances as well as a new entrance constructed for employee parking. There is ample room within the corporation yard for large vehicle and trailer circulation, parking and storage for the Health Department.

Carson City Jump Around Carson (JAC) bus service is available in the vicinity on Routes 2A and 2B. The routes do not serve the site directly, however, they do loop around Airport Road, Desatoya, Drive and Monte Rosa Drive. The nearest stop is at Desatoya Drive and Airport Road, approximately 1,350 feet from the site (1/4 mile). Bicycle access to the site is available on surface streets and is enhanced by several existing mapped bicycle routes on Fairview Drive and Butti Way as well as routes proposed in the Pathways Master Plan.

Site Features

The proposed project site area is approximately 3.3 acres. No natural barriers exist onsite that would inhibit site development. Manmade barriers and obstructions include the existing parking structure and underground utilities. This site, an irregularly shaped portion of the parcel, should have ample space for development of the primary project as well as desired supplemental features and future expansion. There would be sufficient space for enhanced dog run or play areas outside the facility.

The proximity of the site to the other Carson City facilities and resources at the site will probably provide a slight benefit to the overall security of the site. The adjacent facilities are not staffed 24 hours per day.

It is not anticipated that the site will be subject to any special conditions with respect to historical or cultural areas. With respect to environmental considerations, the site is partially within flood zones and the Kings Canyon Creek floodway. The northern portion of the site is outside the floodplain in FEMA Zone X (unshaded), meaning that the site is outside of the 500 year flood zone. Portions of the site are also within the floodplain in FEMA Zone X (shaded) which are areas within the 500 year flood zone and within the 100 year flood zone but flood to a depth of less than one foot. The southernmost portion of the area being considered for development is within FEMA Zone AE, which means that it is within the 100 year flood zone and has a determined flood elevation level. Development in this area must be done without increasing flooding upstream or downstream of the site.

A feasibility level geotechnical analysis has been completed for the site. No faults have been mapped through the site although five faults have been mapped within one mile of the site. Three of the five faults are potentially active. The existing site appears to be constructed on fill material. Mapping from the National Resource Conservation Service identifies that underlying material may consist of silty clay loam. According to mapping completed by the Nevada Bureau of Mines and Geology, underlying soils are unconsolidated deposits with low rigidity and potentially severe liquefaction potential. Groundwater is known to be relative shallow in the vicinity of the site. A liquefaction boring and analysis would be required during a design level geotechnical investigation. Additional costs associated with soil over-excavation may be involved if geotechnical field investigations identify the presence of unconsolidated soils or expansive clays below proposed structures or paved surfaces. A solid screening wall was recently constructed south of the site around the wastewater treatment facility. The wall did require over-excavation of soils due to both previously placed fills and expansive clays; therefore, it should be anticipated that similar conditions may be encountered on this site. For additional information and discussion on the site soils and potential for liquefaction, please refer to Appendix A for a copy of the geotechnical report.

Summary

The proposed Butti Way - Corporation Yard site has significant positive and negative features relative to the development of the property with the Carson City Animal Services Facility. The primary positive features are the proximity to Fairview Drive, the ample size of the site, and the ability to utilize existing staff parking lots and secure municipal vehicle parking areas. The primary negative features of this site are the possible additional cost of over-excavation that may be necessary and the location of portions of the proposed site area within the floodway.

Evaluation

Based on the facility requirements expressed by Carson City staff as well as supplemental project goals and standard design, cost, and environmental considerations, a list of four evaluation categories with a total of twelve criteria or factors were compiled. These categories and criteria were assigned individual weights, or levels of importance. Figure 1 identifies the four categories and their total category weight. Each potential project site was individually evaluated and scored for each criteria on a scale of one to ten with one being the lowest score obtainable and ten being the highest.

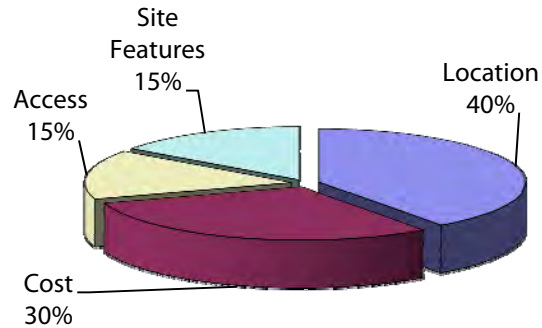


Figure 1. Evaluation Category Weights

Once the evaluation was completed, the scores were entered into a decision matrix utilizing the scoring system and weighting factors described above. The individual category weight and scores for each site are listed in the evaluation matrix shown in Table 1. A higher score for any criteria represents a more desirable site condition.

Table 1. Carson City Animal Services Facility Site Feasibility Study Evaluation Matrix	Category Weight	Criteria Weight	Existing Facility		Ross Gold Park		Butti Way Corp. Yard		Fifth Street	
			Score	Wt. Score	Score	Wt. Score	Score	Wt. Score	Score	Wt. Score
			Location	40		2.2		1.9		2.5
Proximity to Downtown Mixed Use Master Plan Area or Carson City Master Plan Hub		10	2	20	2	20	2	20	2	20
Location on Gateway or Arterial Streets		10	8	80	6	60	6	60	6	60
Distance from Residential Properties		10	4	40	4	40	8	80	4	40
Adjacent Land Uses		5	6	30	6	30	8	40	6	30
Master Plan and Zoning Conformance		5	10	50	8	40	10	50	4	20
Cost	30		2		2.4		2.4		2	
Ownership		10	10	100	10	100	10	100	6	60
Development Cost - Site Work		10	4	40	6	60	6	60	6	60
Development Cost - Utilities		10	6	60	8	80	8	80	8	80
Access	15		1.1		0.9		1.3		1.1	
Vehicular Access		10	8	80	6	60	8	80	8	80
On-Site Circulation		5	6	30	6	30	10	50	6	30
Site Features	15		0.7		1		1.2		0.9	
Site Suitability & Amenities		10	4	40	6	60	8	80	6	60
Environmental, Historical & Cultural Issues		5	6	30	8	40	8	40	6	30

Note: Each factor is scored on a scale of 1 to 10 with a score of 10 being the highest or most positive score.

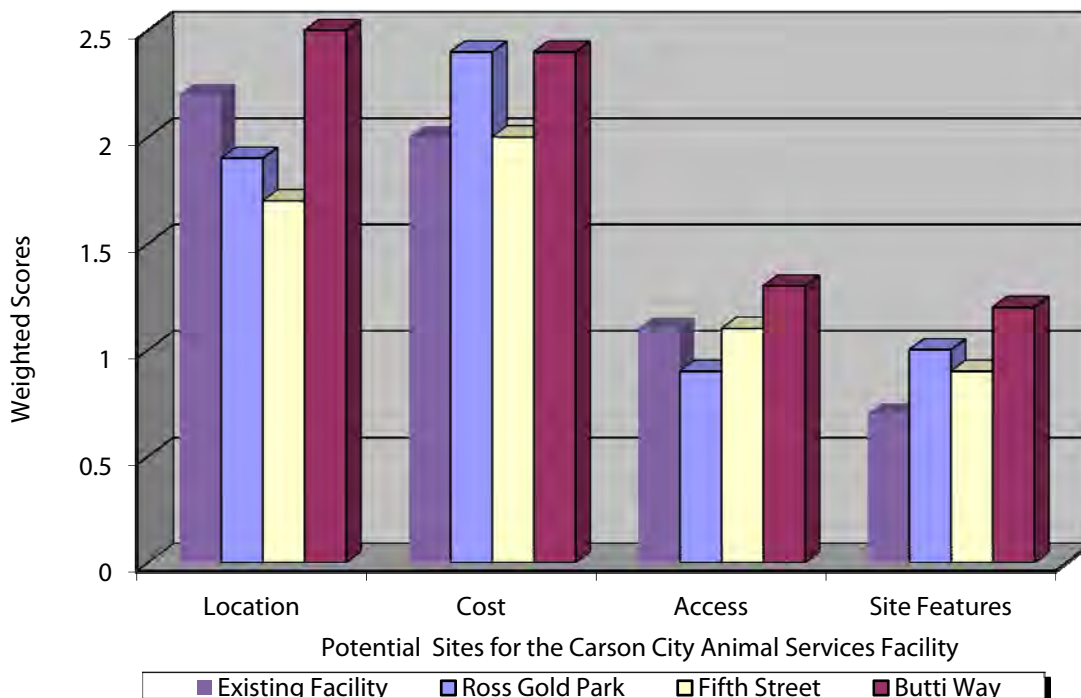
Results

Individual scores for each criteria were multiplied by the associated criteria weighting factor. All category scores were then totaled and divided by 100. The individual category scores were then added together. The result is a total weighted site score between one and ten. The higher a site scores, the more desirable it is as a potential location for the Animal Services Facility. The four sites ranked in the order of their weighted score from highest (most desirable) to lowest (least desirable) site are Butti Way - Corporation Yard Site, Ross Gold Park Site, Existing Facility Site, and Fifth Street Site. The results of the evaluation matrix are shown in Table 2. A visual comparison of the weighted score for each site by category is presented in Figure 2.

Table 2. Carson City Animal Services Facility Site Feasibility Study ~ Evaluation Matrix Summary					
Category	Category Weight	Weighted Score			
		Existing Facility	Ross Gold Park	Butti Way	Fifth Street
Location	40	2.2	1.9	2.5	1.7
Cost	30	2	2.4	2.4	2
Access	15	1.1	0.9	1.3	1.1
Site Features	15	0.7	1	1.2	0.9
Total Score		6.0	6.2	7.4	5.7

Note: The total site score is based on a scale of 1 to 10 with a score of 10 being the highest or most positive score.

Figure 2. Weighted Score Comparison by Category



Discussion

The final evaluation scores shows the Butti Way - Corporation Yard site ranked first as the most desirable site. As this site is very close to other Carson City facilities it would make a good, convenient location for the new Carson City Animal Services Facility. The site has potential restrictions with respect to existing utility mainlines that may impact construction costs or facility locations. The site is also partially located within FEMA flood zones which will restrict building locations and site grading. A benefit of the Butti Way - Corporation Yard site over the all other sites is the resultant distance from existing residences to the facility.

Ross Gold Park and the Fifth Street site, the sites ranking second and fourth (last) respectively have significant issues with existing property encumbrances. The conservation easement on the Fifth Street site may be a fatal flaw for the location unless the BLM embraces the idea of a combined trailhead/animal services project. The status of the Ross Gold Park site as a Land and Water Conservation Fund site is not a fatal flaw; however, approval of a transfer of the LWCF site status may be difficult since other sites are available.

The existing Animal Services Facility site ranks third of the four sites evaluated. Significant restrictions with respect to developable area on the site due to flood zones, existing utilities, and the existing pet cemetery as well as costs associated with building temporary facilities are major drawbacks for the site.

Conclusion

The Butti Way - Corporation Yard site scores substantially higher than the other three sites evaluated. This site should be considered by Carson City staff for the location of the new Carson City Animal Services Facility. A consideration not included in this study are potential alternate uses for the site that may weigh into the final decision on the appropriate location for the new facility.



Douglas Buck, P.E.
Bowling Marmola Group
P.O. Box 12926
180 W. Huffaker Lane, Suite 302
Reno, Nevada 89511

Project No.: 1405-03-1
December 6, 2011

RE: Feasibility Level Site Evaluation
Carson City Animal Services Facility
Carson City, Nevada

Dear Mr. Buck:

Black Eagle Consulting, Inc. (BEC) is pleased to present this feasibility level site evaluation for the project titled *Carson City Animal Services Facility*.

Purpose

The purpose of this feasibility study is to evaluate three potential site locations for the Carson City Animal Services Facility. This evaluation includes the identification of known geotechnical constraints and geologic hazards.

Scope of Services

Site Visit

We visited the three site locations, which included Ross Gold Park at 4549 Snyder Avenue, Butti/Corporate Yard at 3303 Butti Way, and 5th Street at 3555 East 11th Street, on November 29, 2011.

Literature Review

We reviewed available geologic data to identify mapped faults and other geologic hazards that may be associated with each site, as well as soils mapping by the Natural Resource Conservation Service (formerly Soil Conservation Service).

Site 1 - Ross Gold Park (APN 009-166-01)

Site Conditions

This site is located within Ross Gold Park at 4549 Snyder Avenue in Carson City, Nevada and in the northwest quarter of Section 32, Township 15 North, Range 20 East, M.D.M. The northern half of the site is developed with two asphalt surfaced tennis courts. The southern half of the site is currently undeveloped and is covered with native vegetation including sagebrush and weeds. Parking for the site is located either on Oak Street or on an unpaved strip bordering the north end of the site off East Overland Street. There is a pond on the east side of the parcel. The site is flat and drainage is expected to be sheet flow towards the east.



Black Eagle Consulting, Inc.
Geotechnical & Construction Services

1345 Capital Boulevard, Suite A
Reno, Nevada 89502-7140

Tel: 775/359-6600 Fax: 775/359-7766
Email: mail@blackeagleconsulting.com

Site Geology

The Nevada Bureau of Mines and Geology (NBMG) has mapped the site as consisting of Older Alluvial Plain Deposits and Pediment and Alluvial-fan Deposits. The Nevada Bureau of Mines and Geology describes the Older Alluvial Plain deposits as *moderately sorted, sandy small cobble gravel, slightly gravelly sand and sandy coarse silt*. They describe the Pediment and Alluvial-fan Deposits as *grayish orange, tan and gray-brown granular muddy coarse sand and sandy gravel in small fans, bajadas, and minor pediment veneers* (Trexler, 1977). The soils on the north end of the site are covered by an asphalt tennis court. Field classification of the surface soils on the south end of the site showed generally silty sand to sand with silt.

The National Resources Conservation Service (NCRS) has mapped the site soil as consisting of Surprise Gravelly Sandy Loam. The NCRS describes this soil as having 0 to 2 percent slopes. It is a well-drained soil on alluvial fans and is formed in alluvium from mixed rock. Typically, the surface layer is brown gravelly sandy loam approximately 7 inches thick. The next layer is brown stratified coarse sandy loam to gravelly loam approximately 33 inches thick. Below this to a depth of 60 inches is brown, stratified loamy sand to gravelly loam (Candland, 1979).

Geologic Hazards

The Nevada Bureau of Mines and Geology (Trexler and Bell, 1979) have mapped two, parallel, "Questionable Faults" trending north northeast, through Ross Gold park with one just east of the proposed animal shelter site. The map scale is too large to be certain that the fault, if it exists, does not go through the site and grading has removed any visible evidence. The NBMG has also mapped several north to northeast striking faults and one east-west fault within one mile of the property. Some of those faults, west and north of the parcel are mapped as having ruptured in the last 12,000 years and are considered active (Trexler and Bell, 1979). The age of the questionable faults are not known, but they are on the same trend as the active faults to the west. It is recommended that fault trenching be performed on east side of this site during the geotechnical exploration to verify that the fault either does not exist or is outside the proposed development.

Seismic design criteria are presented below:



**TABLE 1 - SEISMIC DESIGN CRITERIA USING 2006 INTERNATIONAL BUILDING CODE (ICC, 2006)
 Ross Gold Park Site**

Approximate Latitude	39.1263
Approximate Longitude	-119.7677
Spectral Response at Short Periods, S_v , percent of gravity	1.710
Spectral Response at 1-Second Period, S_1 , percent of gravity	0.684
Site Class	D
Occupancy Category (Typically II unless high hazard, lots of people, or critical)	II
Site Coefficient F_R , decimal	1.00
Site Coefficient F_v , decimal	1.50
Site Adjusted Spectral Response at Short Periods, S_{MS} , percent of gravity	1.710
Site Adjusted Spectral Response at Long Periods, S_{M1} , percent of gravity	1.026
Design Spectral Response Acceleration for Site Class D	1.140
Design Spectral Response Acceleration SD_1 for Site Class D	0.684
Seismic Design Category (Typically D)	D

These values are based on rupture of the east boundary fault of the Sierra Nevada Mountains, approximately 3 miles to the northwest and which could produce a peak ground acceleration of 0.68g. The probability of this value being exceeded in any 50-year interval is only 2 percent, per the requirements of the 2006 International Building Code (ICC, 2006).

The potential for shaking at this site is considered moderate (Trexler and Bell, 1979). Borings advanced by Black Eagle Consulting during exploration for the Carson City Freeway (BEC, 2005a) found groundwater at a depth of over 30 feet in this general area and only very limited liquefaction potential. As a consequence, the potential for liquefaction at this site is very low and any minor liquefaction induced settlement would not reflect to the surface.

The site lies within an area designated by the Federal Emergency Management Agency (FEMA) as unshaded Zone X (FEMA, 2009a). Unshaded Zone X is defined as areas determined to be outside of the 500-year flood.



Site 2 - Butti/Corporate Yard (APN 010-031-04)

Site Conditions

This site is located at 3303 Butti Way in Carson City, Nevada and is currently developed as a maintenance and storage yard for Carson City, within the northwest quarter of Section 15, Township 15 North, Range 20 East, M.D.M. The northeastern edge of the site includes an approximately 4,600-square-foot steel warehouse building. The remainder of the site stores equipment, building materials and numerous 55-gallon drums. The site is unpaved and is surfaced with gravel; access is from Butti Way. The area is flat and drainage is expected to be by sheet flow towards the south.

Site Geology

The Nevada Bureau of Mines and Geology has mapped the site as consisting of Older Alluvial Plain Deposits. The Nevada Bureau of Mines and Geology describes these deposits as *grayish orange to dark yellow brown, small cobble muddy sandy pebble gravel and minor very poorly sorted boulder cobble gravel (Bingler, 1977)*. Field classification of the soils showed generally silty sand however, this is likely fill at this site.

The National Resources Conservation Service has mapped the site soil as consisting of Kimmerling silty clay Loam. The National Resources Conservation Service describes this soil as having 0 to 2 percent slopes, and consisting of deep, poorly drained soils on flood plains. Typically, the surface layer is dark gray silty clay loam over 60 inches thick. This unit can have up to 80 percent fines with moderate plasticity. (Candland, 1979).

Geologic Hazards

Faults have not been mapped on the subject parcel. However, the NBMG has mapped five north to northeast striking faults within 1 mile of the property. Three of these faults, are mapped as having ruptured in the Pleistocene and are considered potentially active (Bell and Trexler, 1979).

The Seismic design criteria are presented below:



TABLE 2 - SEISMIC DESIGN CRITERIA USING 2006 INTERNATIONAL BUILDING CODE (ICC, 2006) Butti/Corporate Yard Site	
Approximate Latitude	39.1659
Approximate Longitude	-119.7319
Spectral Response at Short Periods, S_s , percent of gravity	1.612
Spectral Response at 1-Second Period, S_1 , percent of gravity	0.600
Site Class	D
Occupancy Category (Typically II unless high hazard, lots of people, or critical)	II
Site Coefficient F_a , decimal	1.00
Site Coefficient F_v , decimal	1.50
Site Adjusted Spectral Response at Short Periods, S_{MS} , percent of gravity	1.612
Site Adjusted Spectral Response at Long Periods, S_{M1} , percent of gravity	0.900
Design Spectral Response Acceleration for Site Class D	1.075
Design Spectral Response Acceleration SD_1 for Site Class D	0.600
Seismic Design Category (Typically D)	D

These values are based on rupture of the east boundary fault of the Sierra Nevada Mountains, approximately 4 miles to the west and which could produce a peak ground acceleration of 0.65g. The probability of this value being exceeded in any 50-year interval is only 2 percent, per the requirements of the 2006 International Building Code (ICC, 2006).

The depth to groundwater is known to be shallow in this area. The Nevada Bureau of Mines and Geology has mapped this site as having the *greatest potential for shaking, with a groundwater table within 10 feet of the surface, unconsolidated deposits with low rigidity and potentially severe liquefaction potential* (Bell and Trexler, 1979). Nearby exploration by Black Eagle Consulting for water quality basins associated with the Carson City freeway, showed ground water at 4 feet below the ground surface and suggested a potential for liquefaction (BEC, 2005b). A liquefaction boring and analysis will need to be performed during the geotechnical exploration of the site.

The site lies within an area designated by the FEMA as a Zone A (FEMA, 2009b). Zone A is defined as areas with a 1 percent annual chance of flooding and a 26 percent chance of flooding over the life of a 30-year mortgage.



5th Street (APN 010-034-01)

Site Conditions

This site is located at 3555 East Fifth Street in Carson City, Nevada, within the northwest quarter of Section 15, Township 15 North, Range 20 East, M.D.M. The property is currently undeveloped, though is crossed with a network of unimproved roads and motorcycle trails. The site is covered in sagebrush and other native vegetation. The site is hilly and drainage is expected to be by sheet flow towards the north. Access to the parcel is provided from Carson River Road.

Site Geology

The Nevada Bureau of Mines and Geology has mapped the site as consisting of Older Alluvial Plain Deposits. The Nevada Bureau of Mines and Geology describes the Older Alluvial Plain deposits as *grayish orange to dark yellow brown, small cobble muddy sandy pebble gravel and minor very poorly sorted boulder cobble gravel* (Bingler, 1977). Field classification found the surface soils to be, generally, silty sand to sand with silt.

The National Resources Conservation Service has mapped the site soil as consisting of Greenbrae Gravelly Sandy Loam. The National Resources Conservation Service describes this soil as having 4 to 6 percent slopes. It is a very deep, well-drained, moderately sloping soil on alluvial fans and is formed in alluvium from mixed rock. Typically, the surface layer is grayish brown gravelly sandy loam approximately 10 inches thick. The next layer is brown sandy clay loam approximately 20 inches thick. Below this to a depth of 60 inches is a pale brown, stratified gravelly sandy loam, sandy loam, and fine sandy loam (Candland, 1979).

Geologic Hazards

One northeast fault, considered potentially active by the NBMG, has been mapped as possibly crossing the west end of the subject site. Evidence of this fault was not observed on the surface during the field reconnaissance; however, this does not mean that the fault is not present. The scale of the published map is too large to definitively plot the fault either on or off the property and the area is badly disturbed so that surface evidence may have been destroyed. Although this is not thought to be an active fault, it is recommended that fault trenching be performed on west side of this site during the geotechnical exploration. In addition to this on-site fault, the NBMG has mapped two other north to northeast striking faults within 1 mile of the parcel. One of these faults is mapped as having ruptured in the Pleistocene and is considered potentially active (Bell and Trexler, 1979).

The Seismic design criteria are presented below:



TABLE 3 - SEISMIC DESIGN CRITERIA USING 2006 INTERNATIONAL BUILDING CODE (ICC, 2006) 5 th Street Site	
Approximate Latitude	39.1602
Approximate Longitude	-119.7429
Spectral Response at Short Periods, S_s , percent of gravity	1.556
Spectral Response at 1-Second Period, S_1 , percent of gravity	0.600
Site Class	D
Occupancy Category (Typically II unless high hazard, lots of people, or critical)	II
Site Coefficient F_a , decimal	1.00
Site Coefficient F_v , decimal	1.50
Site Adjusted Spectral Response at Short Periods, S_{MS} , percent of gravity	1.556
Site Adjusted Spectral Response at Long Periods, S_{M1} , percent of gravity	0.900
Design Spectral Response Acceleration for Site Class D	1.038
Design Spectral Response Acceleration SD_1 for Site Class D	0.600
Seismic Design Category (Typically D)	D

These values are based on rupture of the east boundary fault of the Sierra Nevada Mountains, approximately 4.5 miles to the west and which could produce a peak ground acceleration of 0.66g. The probability of this value being exceeded in any 50-year interval is only 2 percent, per the requirements of the 2006 International Building Code (ICC, 2006).

The Nevada Bureau of Mines and Geology has mapped this site as having a moderate potential for shaking. (Bell and Trexler, 1979). The depth to groundwater is not known for this site; however, due to the sandy soils on the site, a potential for liquefaction may exist. A liquefaction analysis should be performed to a depth of 40 feet during the geotechnical exploration of the site.

The site lies within an area designated by the FEMA as unshaded Zone X (FEMA, 2009b). Unshaded Zone X is defined as areas determined to be outside of the 500-year flood.



Discussion and Recommendations

All of the sites would be suitable for standard spread footings and concrete slab-on-grade floors. The Butti Way parcel will likely require over-excavation of either clay soils or uncontrolled fill. Unsuitable clay soils might also be present at foundation grade at the 5th Street site but such soils should be fairly thin. The Ross Gold Park site should not require any ground improvement, beyond normal compaction of surface soils.

Liquefaction can occur when severe ground shaking from an earthquake propagates through loose sandy soils lying below the water table. Potential damage from liquefaction-induced settlement in northwestern Nevada is normally found to be relatively minor, compared to the damage from the intense ground shaking itself. There is generally no cost effective way to mitigate liquefaction potential for low risk structures, with mitigation normally reserved for high-risk structures, like highway bridges, hospitals and high-rise buildings, or for sites where severe liquefaction is possible to the extent that structures might collapse. The Butti Way site at the Carson City Corporate yard has significant liquefaction potential and there is some liquefaction potential at the 5th street site. Liquefaction analysis would need to be performed on either of these sites, per the International Building Code. Liquefaction should not be an issue at the Ross Gold park site.

While all of the sites could be subject to intense ground shaking caused by movement on the Eastern Sierra frontal fault system, the Ross Gold Park site and the 5th Street site, have some potential for actual ground rupture along an existing faults along the east and west edges of the properties, respectively. The mapped faults are older than Holocene (12,000 years) in age so the potential risk seems low. However, the edges of the sites will need to be trenched during the design level geotechnical investigation to verify that faults are not on the property or that, if they are on-site, they are not active. A setback of 10 to 50 feet, depending on the fault characteristics, is prudent even for faults older than Holocene.

Two of these sites lie outside the 500-year flood zone. The Butti Way site has a 26 percent probability of flooding over a 30-year interval.

In summary, from a purely geotechnical perspective, the Ross Gold park site appears the most favorable since it has granular soil and no real liquefaction potential. The fault, if it is present at all, is likely east of the proposed animal shelter or could maybe be located in the parking lot if it is on-site. Of the other two options, 5th Street will require a more costly geotechnical investigation because of the need for both fault trenching and liquefaction analysis. Neither of these concerns are likely to be factors after the geotechnical investigation, but some clay soils may be present at foundation grade. The Butti Corporate yard site likely has liquefaction potential, but not severe enough to affect design for a low risk structure that would already be badly damaged by the design level earthquake. We anticipate that either clays soils or uncontrolled fill, overlying clay soil, will require over-excavation and replacement, and that grade may need to be raised above flood elevations. The shallow ground water table could also require extensive stabilization. The Butti Way site likely has substantially higher earthwork costs than the other sites. The 5th Street site could require substantial grading.



Closing

We appreciate being of service to you on this project. If you have any questions, or require any additional information, please do not hesitate to contact us.

Sincerely,

Black Eagle Consulting, Inc.



Dal Hunter, Ph.D., P.E.
Vice President

DH:mrc

Copies to: Addressee (3 copies and PDF via email)

References

Black Eagle Consulting, Inc. (BEC), 2005a, *Carson City Freeway, Phase 2B, Carson City, Nevada*, Private Consultant Report.

Black Eagle Consulting, Inc. (BEC), 2005b, *Carson City Freeway, Phase 2A, Carson City, Nevada*, Private Consultant Report.

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Bingler, E. C., 1977, *Geologic Map, New Empire Quadrangle*: Nevada Bureau of Mines and Geology, Map 59.

Candland, D.M., 1979, *Soil Survey of Carson City Area, Nevada*, National Resources Conservation Service, formerly the United States Department of Agriculture, Soil Conservation Service and Forest Service.

Federal Emergency Management Agency (FEMA), 2009a (January 16, 2009), *Flood Insurance Rate Map 3200010094E, Carson City, Nevada*.



FEMA, 2009b (January 16, 2009), *Flood Insurance Rate Map 3200010111E, Carson City, Nevada.*

International Code Council (ICC), 2006, *International Building Code.*

Trexler, Dennis T., 1977, Nevada Bureau of Mines and Geology, *Geologic Map 1Aq - Carson City Folio.*

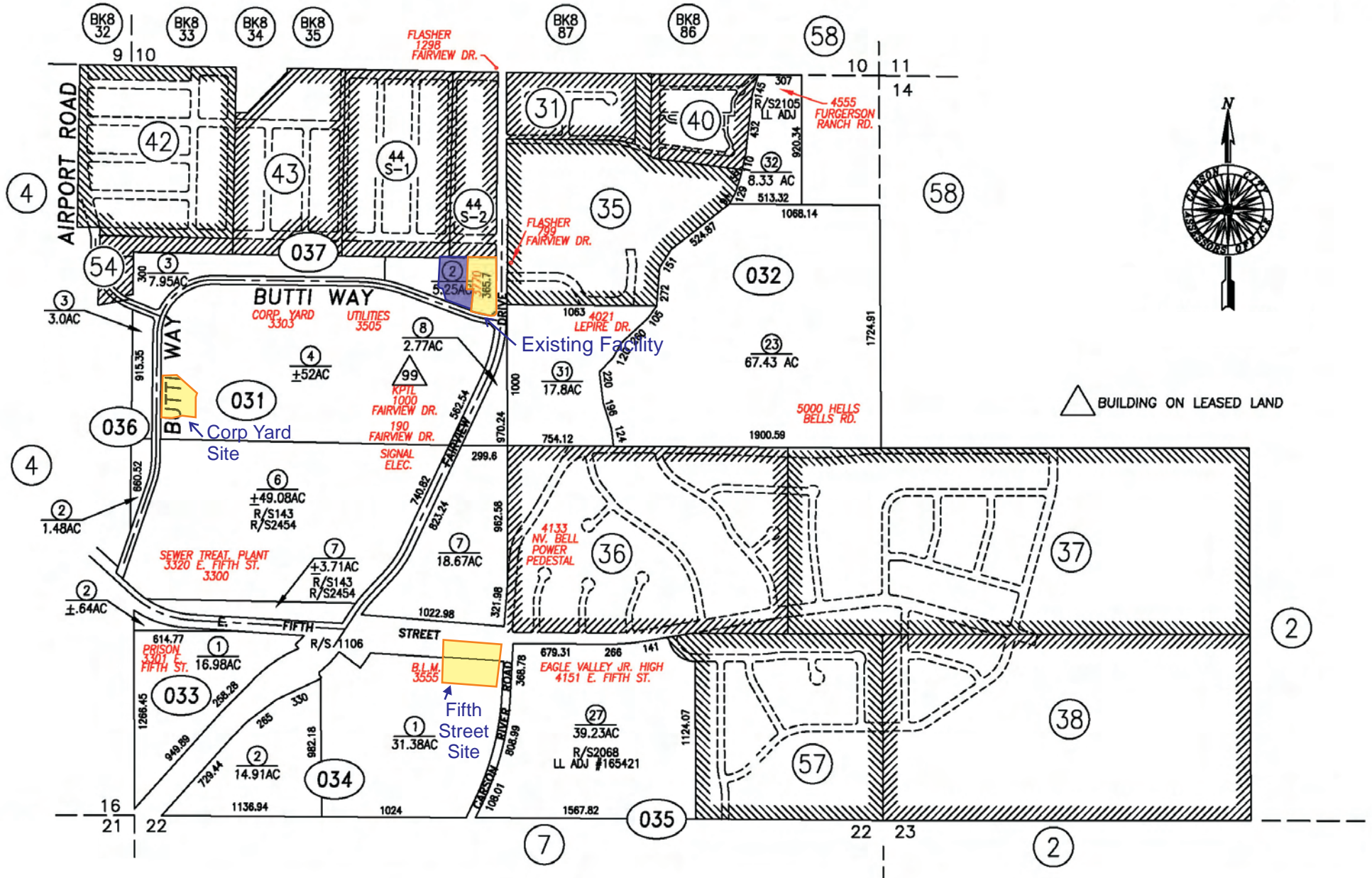
Trexler, Dennis T. and John W. Bell, 1979, *Earthquake Hazards, Nevada Bureau of Mines and Geology, Geologic Map 1Ai - Carson City Folio.*



Assessors Parcel Map - Existing Facility, Fifth Street, Butti Way - Corporation Yard

SECTION 15, T.15 N., R.20 E., M.D.B. & M.

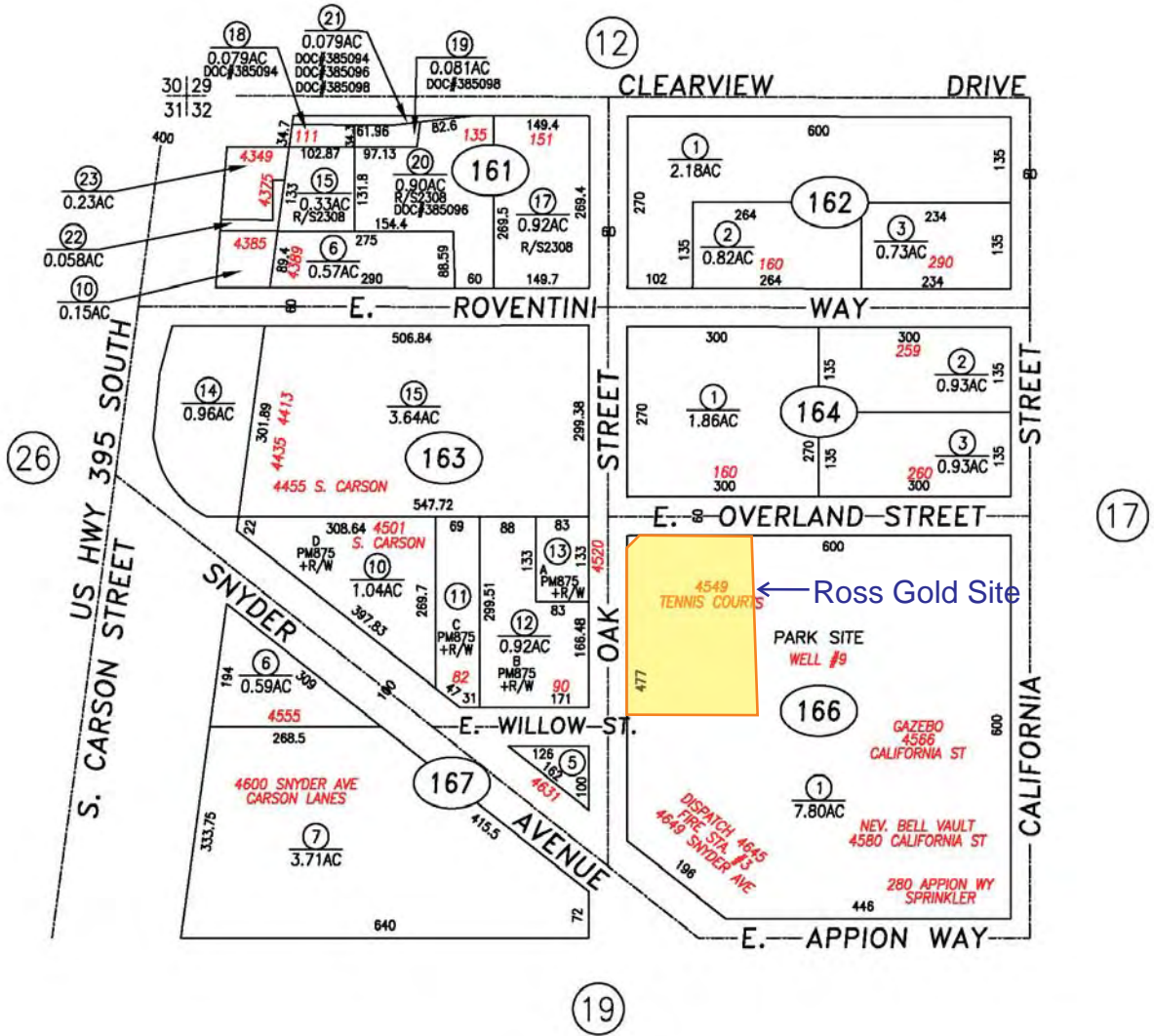
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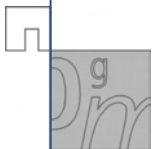


Assessors Parcel Map - Ross Gold Park

NW1/4 NW1/4 SECTION 32, T.15 N., R.20 E., M.D.B. & M.

9-16





United States Department of Interior
Bureau of Land Management
Carson City District

Conservation Easement

This conservation easement is made this 22nd day of December, 2010, between UNITED STATES OF AMERICA, DEPARTMENT OF INTERIOR, BUREAU OF LAND MANAGEMENT, hereinafter referred to as BLM, and CARSON CITY, NEVADA, and its assigns, hereinafter referred to as Carson City,

WHEREAS, the Congress of the United States of America has directed transfer of Silver Saddle Ranch and Carson River Area, approximately 3,604 acres, hereinafter referred to as the Property, subject to the reservation of a conservation easement, to Carson City under the authority of the Omnibus Public Lands Management Act of 2009 (OPLMA), Pub. L. No. 111-11, Section 2601; and

WHEREAS, BLM, acting through the Secretary of Interior, in consultation with Carson City and affected local interests, shall reserve a perpetual conservation easement to protect, preserve, and enhance the conservation values of the Property; and

WHEREAS, the Property shall be managed by Carson City to protect and enhance the Carson River, the floodplain and surrounding upland, and important wildlife habitat; and

WHEREAS, Carson City may use the Property for undeveloped open space, passive recreation, customary agricultural practices, and wildlife protection; and

WHEREAS, notwithstanding the above, Carson City may construct and maintain trails and trailhead facilities, conduct fuels reduction projects, maintain or reconstruct any improvements on the Property that were in existence on March 31, 2009, and allow the use of motorized vehicles on designated roads, trails and areas in the south end of Prison Hill; and

WHEREAS, the conservation values as defined in OPLMA include undeveloped open space, natural characteristics, trails and trailheads, flood management, Carson River floodplain, uplands, and wildlife habitat, passive recreation, customary agriculture, fuels management, existing ranch structures and motorized vehicle use at south Prison Hill; and

WHEREAS, the development of the conservation easement is guided by the results of a planning and design charrette completed in December 2008, entitled "Creating a Community Vision: Silver Saddle Ranch and the Carson River"; and

WHEREAS, BLM and Carson City mutually agree that the conservation values also include protection of natural resources, preservation of the Property for solitude and nature observation, maintaining green irrigated pastures and hay fields at Silver Saddle Ranch, protecting scenic resources including the preservation of dark skies, protecting cultural resources including the historic structures at Silver Saddle Ranch, promoting environmental education and interpretation, allowing public access, promoting the quality of life, safety and tourism; and

Whereas, the Conservation Easement will help implement the 2006 Envision Carson City Master Plan Guiding Principles and Goals by creating a compact and efficient pattern of growth, balancing development with the conservation of the natural environment at the urban interface, and promoting stewardship of the natural environment; and

WHEREAS, The statutes of the State of Nevada, regarding "Easements for Conservation", at Nevada Revised Statutes, Sections 111.390 to 111.440, Inclusive, recognize the protection of the natural, scenic or open-space values of real property.

NOW THEREFORE, BLM in consideration of the above, hereby reserves to the United States of America, a perpetual conservation easement to the Property to protect, preserve, and enhance the conservation values of the land. The BLM reserves a right of access for its designated representatives over any and all lands under this Easement and as reasonably necessary to verify compliance by Carson City with the terms and conditions of the Easement and exercising BLM's rights under the Easement.

1. Purpose. It is the purpose of this Easement to protect, preserve, and enhance the conservation values of the Property in perpetuity and prevent any uses or development of the property that would conflict, impair, or interfere with those values, including, but not limited to, any future residential, non-agricultural commercial, industrial, mining or other incompatible development or improvements of the Property, unless expressly allowable under this Easement. It is the mutual interest of the BLM and Carson City to manage the Property for undeveloped open space, passive recreation, customary agricultural practices, and wildlife protection consistent with the conditions described in the Baseline Documentation Report (Exhibit 3).
2. Rights of the BLM. To accomplish the purpose of this Easement the following rights are reserved by the BLM:
 - (a) To preserve and protect the conservation values of the Property
 - (b) To enter upon the Property at reasonable times in order to monitor Carson City's compliance with and otherwise enforce the terms of the Easement
 - (c) To prevent any activity or use of the Property that is inconsistent with the purpose of this Easement and to require the restoration of such areas or features of the Property that may be damaged by such use or activity, subject to BLM's Remedies (Section 10).
3. Rights of Carson City. As the fee owner of the Property, Carson City may use and enjoy the Property, subject to OPLMA and this Easement, to provide opportunities for passive recreation, nature study, events and public uses.
4. Baseline Documentation. To establish the present condition of the conservation values and man-made features of the Property, so as to properly monitor future uses of the Property and assure compliance with terms hereof, an inventory of the Property's relevant resources, features, conditions, and uses will be completed prior to transfer of the Property to Carson City (hereinafter referred to as the "Baseline Documentation Report". At the time of transfer and reservation of this easement, the BLM and Carson City will review and acknowledge that the Baseline Documentation Report contains an accurate representation of the biological and physical conditions of the Property and of the current and historical uses of the Property.
5. Permitted Uses. Carson City is entitled to use and occupy the Property, including the right to permit others to use and occupy the Property, in all uses not expressly prohibited herein consistent with the conservation purpose and values. Carson City may authorize third party uses of the Property, by lease, permit, or other means as provided, and those authorizations shall be subject to the terms of this

Easement. Carson City shall continue to be fully responsible for compliance with all terms and conditions of this Easement.

Without limiting the foregoing, the following uses and practices, though not necessarily an exhaustive recital of consistent uses and practices, are permitted under this Easement, and are not to be precluded, prevented, or limited by this Easement. They are set forth both to establish specific prohibited and permitted activities and to provide guidance in determining the consistency of other activities with the conservation purpose of this Easement.

- (a) To reside on the Property for the purpose of caretaking and management of the Property.
- (b) The right to lease, rent or permit portions of the Property for agricultural use, together with the right to perform customary agricultural operations for the production of hay, pasture and cattle grazing, including the use of fertilizers, pesticides, herbicides and biocides in accordance with the Management Plan (Section 7), current environmental standards and practices and all applicable laws and regulations.
- (c) The right to prevent trespass and control access to the Property.
- (d) The right to use water resources, including treated effluent, on the Property for use in agricultural operations, wetlands management and for public consumption on the Property.
- (e) The right to store, gather, or dispose of agricultural products and byproducts on the Property, including, but not limited to, agricultural refuse, burn piles, and animal remains, so long as it is done in accordance with all applicable laws and regulations.
- (f) The right to maintain and replace existing facilities and structures. Replacement of existing facilities and structures must be approved by the BLM in writing, consistent with the conservation purpose and values. The size, location, style and use of the replaced facilities and structures will be considered by BLM in determining consistency with the conservation purpose and values.
- (g) The right to conduct or permit passive recreation activities on the Property. Passive recreation are those activities that are temporary in nature and do not require development of permanent structures or facilities not already in place as of March 31, 2009 unless otherwise allowed under this Easement. Passive recreation may include without limitation fishing, birding, nature observation, hiking, running, mountain biking, equestrian riding, including horse drawn wagons and carriages, non-motorized boating, geo caching, swimming, and picnicking.
- (h) The right to conduct or permit events on the Property. Events will be guided by the Management Plan (Section 7) and limited in size, frequency, duration, location and season of use, commensurate with the capacity of existing facilities and in a manner that would not conflict, impair, or interfere with the conservation purpose and values. Events may include without limitations private weddings and parties, music concerts, running events, environmental education, equestrian activities.
- (i) Except for official use, the right to use or permit the use of motorized off highway vehicles (OHV) on designated roads, trails and areas located in the south end of Prison Hill, consistent with the Management Plan (Section 7). OHV use may be restricted or prohibited if necessary to meet the objectives of the conservation purpose and values. OHVs may be allowed to use specific staging area(s) and designated trails located east of Sierra Vista Road, formerly known as Mexican Dam Road, for the purpose of access to the Pine Nut Mountains.
- (j) The right to construct and maintain trails and trailhead facilities.
- (k) The right to conduct fuels reduction projects. Vegetation may be removed, mowed, burned or otherwise treated, to reduce or eliminate fuels to suppress wildland fire in accordance with the conservation purpose and values of this Easement.

6. Prohibited Uses. Carson City is prohibited from uses or development of the property that would conflict, impair, or interfere with the conservation purpose and values of this Easement.

The following activities and uses, though not an exhaustive recital of inconsistent uses and practices, are inconsistent with the conservation purpose and values of this Easement, and are expressly prohibited upon or within the Property.

- (a) The legal or *de facto* subdivision of the Property for any purpose, except as may be required by law for the uses permitted in Section 5 or for a voluntary conveyance to a government or nonprofit entity for public access expressly permitted in Section 5.
 - (b) Residential, non-agricultural commercial, industrial, mining, power production, municipal water development or other incompatible development or improvements of the Property, excepting production of power from wind, geothermal or solar facilities for exclusive use on the Property.
 - (c) The sale, transfer or conveyance of the Property, or a portion of the Property, in accordance with OPLMA and subject to a reversionary interest held by the United States.
 - (d) Organized sports requiring dedicated, constructed fields or courts.
 - (e) OHV use except in designated areas.
 - (f) Golf courses
 - (g) Hunting, over-night camping unless approved as part of an event, disc golf, paint ball games and hot air balloons
 - (h) Events – motorized events (other than OHV events at South Prison Hill), fairs & carnivals, cars shows and rodeos.
 - (i) Disposal or unlawful storage of hazardous substances as defined by the Comprehensive Environmental Response, Compensation and Liability Act, (CERCLA), 42 USC 9601 *et seq.*
7. Management Plan. Carson City will prepare a Management Plan for the Property to be completed within one year from execution of this Easement. The Management Plan will be prepared in consultation with the public and BLM and submitted to BLM for approval. The Management Plan will direct the use and occupancy of the Property, including agricultural operations, public day use and events. The Management Plan will consider the following factors in determining consistency with the conservation purpose and values for events: Size, duration, frequency, location and season of use. The Management Plan will also describe and direct appropriate use and occupancy for specific land use areas, including: Carson River – floodplain and riparian corridor; Prison Hill – motorized and non-motorized areas; agricultural lands – irrigated and non-irrigated; Historic Ranch Complex – Red House, White House, outbuildings and corrals; Ambrose Carson River Natural Area; Wetlands – mitigation wetland area; and East Silver Saddle Ranch - motorized staging areas. BLM and Carson City will meet not less than every five years to review and, if necessary, modify the Management Plan to ensure that use and occupancy of the Property is consistent with the Conservation Purpose and Values.
8. Prior Notice and Approval
- (a) Prior Notice. Where required in this Conservation Easement, BLM has the right to require Carson City to submit proposals for advanced approval by the Authorized Officer. This is to afford the BLM an opportunity to ensure that the proposed activities are designed and carried out in a manner consistent with the purposes of this Conservation Easement. Carson City shall not undertake or permit any activity requiring prior approval by BLM without first having notified and received approval from BLM as provided herein. Whenever notice is required, Carson City shall notify BLM in writing not less than forty-five (45) days prior to the date Carson City intends to undertake the proposed activity. The notice shall describe all aspects of the proposed activity, including location, design, materials or equipment to be used, dates and duration, and any other relevant information

regarding the proposed activity, in sufficient detail to permit BLM to make an informed judgment as to its consistency with the purpose and values of this Conservation Easement.

- (b) **BLM's Approval.** Where BLM's approval is required, BLM shall grant or withhold its approval and notify Carson City in writing within forty-five (45) days of receipt of Carson City's written request for approval provided that adequate information to evaluate the request has been received by the BLM. BLM's failure to respond in writing to Carson City's request within forty-five (45) days of receipt shall not be deemed approval by BLM. BLM's approval may be withheld only upon reasonable determination by BLM that the proposed action would be inconsistent with the purpose of this Easement, or if additional information from Carson City is necessary to evaluate the proposed action.
9. **Monitoring** – The BLM will conduct a field inspection of the Property, at least annually, for the oversight and enforcement of the Easement subject to the following provisions:
- (a) BLM will provide prior reasonable notice to Carson City to enter the Property for the purpose of an inspection(s);
 - (b) Carson City and BLM mutually agree to participate and cooperate in the performance of the field inspection(s) and any follow up meetings;
 - (c) BLM's costs for the inspections, including labor, vehicles and other incidental expenses, will be reimbursed from the Silver Saddle Endowment Account, an account established in the Treasury of the United States and funded by Carson City.
10. **Enforcement**- BLM may prevent any activity on or use of the Property that is inconsistent with the purposes of this Conservation Easement, and to require and enforce the restoration of such areas or features of the Property that may be impaired, interfered with, or damaged by any inconsistent activity or use permitted by Carson City.
11. **BLM'S Remedies**. If a dispute arises between the parties concerning the consistency of any proposed use or activity with the purpose of this Conservation Easement, the parties shall meet together to discuss the dispute and attempt resolution. In evaluating whether a particular use of the Property conflicts, impairs, or interferes with the conservation purpose and values, both the magnitude and duration of the actual and expected effect on the conservation purpose and values will be taken into account. The prohibited uses of the Property expressly set forth in Section 6 are in conflict with the conservation purpose and values of this Conservation Easement. In the event that BLM and Carson City cannot resolve any dispute hereunder, the provisions of this Conservation Easement are enforceable by BLM, its successors or assigns, through all remedies available at law or in equity.
- (a) **Notice of Violation.** If BLM determines that a violation of the terms of this Conservation Easement has occurred or that a violation is threatened, BLM shall give written notice to Carson City of such violation and demand corrective action sufficient to cure the violation. If Carson City fails to cure the violation within a reasonable timeframe as specified by BLM, after receipt of notice thereof from BLM, or fails to continue diligently to cure such violation until finally cured, BLM may seek injunctive relief as set forth herein.
 - (b) **Injunctive Relief.** Where irreparable harm may occur, BLM in its sole judgment may bring an action at law or in equity in a court of competent jurisdiction to enforce the terms of this Conservation Easement, to enjoin the violation, *ex parte* as necessary, by temporary or permanent injunction, and to require the restoration of the Property to the condition that existed prior to any such injury.
 - (c) **Damages.** BLM shall be entitled to recover any damages to which it may be entitled for violation of the terms of this Conservation Easement or injury to any Conservation Values protected by this Conservation Easement, including, without limitation, damages for the loss of scenic, aesthetic, or environmental values. Without limiting Carson City's liability therefore, BLM, in its sole discretion, may apply any damages recovered to the cost of undertaking any corrective action on the Property.

- (d) **Emergency Enforcement.** If BLM, in its sole discretion, determines that circumstances require immediate action to prevent or mitigate significant damage to the Conservation Values of the Property, or to prevent a material breach or extinguishment of the Conservation Easement, BLM may pursue its remedies under this section without prior notice to Carson City or without waiting for the period provided for to expire.
- (e) **Scope of Relief.** BLM's rights under this section apply equally in the event of either actual or threatened violations of the terms of this Conservation Easement. The parties agree that BLM's remedies at law for any violation of the terms of this Conservation Easement may be inadequate and that BLM shall be entitled to the injunctive relief described in this section, both prohibitive and mandatory, in addition to such other relief to which BLM may be entitled, including specific performance of the terms of this Conservation Easement, without the necessity of proving either actual damages or the inadequacy of otherwise available legal remedies. BLM's remedies described in this section shall be cumulative and shall be in addition to all remedies now or hereafter existing at law or in equity.
- (f) **Costs of Enforcement.** In any action, suit, or other proceeding undertaken to enforce the provisions of this Conservation Easement, the prevailing party shall be entitled to recover from the non-prevailing party all reasonable costs and expenses including attorneys' and experts' fees as allowed by law, and if such prevailing party recovers judgment in any action or proceeding, such costs and expenses shall be included as part of the judgment. In addition, in the event BLM prevails in any such action that results in an order directing Carson City to undertake restoration, then Carson City shall bear all costs thereof.
- (g) **BLM's Discretion.** Enforcement of the terms of this Easement shall be at the discretion of BLM, and any forbearance by BLM to exercise its rights under this Conservation Easement in the event of any breach of any term of this Conservation Easement by Carson City shall not be deemed or construed to be a waiver by BLM of such term or of any subsequent breach of the same or any other term of this Conservation Easement, or any of BLM's rights under this Conservation Easement.
- (h) **Waiver of Certain Defenses.** Carson City acknowledges that it has carefully reviewed the Conservation Easement. In full knowledge of the provisions of this Conservation Easement, BLM hereby waives any claim or defenses it may have against Carson City or its successors in interest under or pertaining to this Conservation Easement based upon waiver, laches, estoppel, adverse possession, or prescription.
- (i) **Acts Beyond Carson City's Control.** Nothing contained in this Conservation Easement shall be construed to entitle BLM to bring any action against Carson City for any injury to or change in the Property resulting from causes beyond Carson City's control, including without limitation, fire, flood, storm, and natural earth movement, or from any prudent action taken by Carson City under emergency conditions to prevent, abate, or mitigate significant injury to the Property resulting from such causes; provided that Carson City shall notify BLM of such change in the Property and any emergency actions taken by Carson City.

12. Costs, Liabilities, and Indemnification

- (a) **Costs Incident of Ownership.** Carson City retains all responsibilities and shall bear all costs and liabilities of any kind related to the ownership, operation, upkeep, and maintenance of the Property, including the maintenance of adequate comprehensive general liability insurance coverage. BLM shall have no obligation for the upkeep or maintenance of the Property. Carson City shall keep the Property free of any liens arising out of any work performed for, materials furnished to, or obligations incurred by Carson City; provided that nothing in this section shall prohibit Carson City from recording

a deed of trust against the Property to secure Carson City's indebtedness as long as such deed of trust shall remain subordinate to this Conservation Easement.

- (b) Taxes. Carson City shall pay before delinquency all taxes, assessments, fees, and charges of whatever description levied on or assessed against the Property by competent authority (collectively "taxes"), if any, including any taxes imposed upon, or incurred as a result of, this Conservation Easement, and shall furnish BLM with satisfactory evidence of payment upon request. BLM shall have no obligation to pay any taxes levied on or assessed against the Property.
- (c) Indemnification. Carson City shall hold harmless, indemnify, and defend BLM its officers, employees, agents, and contractors, its successors and assigns of each of them (collectively "Indemnified Parties") from and against all liabilities, penalties, fines, costs, losses, damages, expenses, causes of action, claims, demands, or judgments of any kind or nature arising from the past, present, and future acts or omissions of Carson City or its employees, agents, contractors, or lessees (collectively "Carson City et al."), including, without limitation, reasonable attorneys' and experts' fees arising from or in any way connected with Carson City et al.'s uses, occupancy, or operation on the Property which has already resulted or does hereafter result in: (1) violations of federal, state, and local laws and regulations that are now, or may in the future become, applicable to the Property; (2) judgments, claims, or demands of any kind against the Indemnified Parties, unless due to the negligence or willful misconduct of any of the Indemnified Parties; (3) costs, expenses, or damages of any kind against the Indemnified Parties, unless due to the negligence or willful misconduct of any of the Indemnified Parties; (4) injury to or the death of any person, or physical damage to any property, resulting from any act, omission, condition, or other matter related to or occurring on or about the Property, regardless of cause, unless due to the negligence or willful misconduct of any of the Indemnified Parties; (5) the breach by Carson City et al. of any of its obligations set forth in this Conservation Easement; (6) the existence or release or threatened release off, on, into, or under the Property of any hazardous waste(s), substance or other contaminants as they are now and may hereafter be defined under any local, state, and federal statute, law or regulations, unless due to the negligence or willful misconduct of any of the Indemnified Parties; (7) activities by which solid or hazardous substances or waste, as defined by federal or state laws are generated, released, stored, used or otherwise disposed of on the Property, and any cleanup response, remedial action or other actions related in any manner to said solid or hazardous substances or wastes, unless due to the negligence or willful misconduct of any of the Indemnified Parties; or (8) natural resource damages as defined by federal or state law. Carson City's obligations under this section shall not apply with respect to any such hazardous waste, substance or other contaminants released on the Property by any of the Indemnified Parties the Indemnified Parties' representatives or agents.

13. General Provisions.

- (a) Controlling Law. The laws of the United States of America and the State of Nevada shall govern the interpretation and performance of this Conservation Easement.
- (b) Liberal Construction. Any general rule of construction to the contrary notwithstanding, this Conservation Easement shall be liberally construed in favor of protecting the Conservation Values and the purpose of this Conservation Easement. If any provision in this instrument is found to be ambiguous, an interpretation consistent with the purpose of this Conservation Easement that would render the provision valid shall be favored over any interpretation that would render the provision invalid.
- (c) Severability. If any provision of this Conservation Easement, or the application thereof to any person or circumstance, is found to be invalid, the remainder of the provisions and purposes of this

Conservation Easement, and/or the application of such provision to person or circumstances other than those as to which it is found to be invalid, as the case may be, shall not be affected thereby.

- (d) Entire Agreement. The instrument sets forth the entire agreement of the parties with respect to this Conservation Easement and supersedes all prior discussions, negotiations, understandings, or agreements relating to this Conservation Easement, all of which are merged herein.
 - (e) No Forfeiture. Nothing contained herein will result in a forfeiture or reversion of Carson City's title in any respect.
 - (f) Joint Obligations. The obligations imposed by this Conservation Easement upon Carson City shall be joint and several.
 - (g) Successors. The covenants, terms, conditions, and restrictions of this Conservation Easement shall be binding upon, and inure to the benefit of, the parties hereto and their respective personal representatives, heirs, successors, and assigns, and shall continue as a servitude running in perpetuity with the Property. The terms "Carson City" and "BLM," wherever used herein, and any pronouns used in place thereof, shall include, respectively, Carson City and all of Carson City's successors and assigns, and
 - (h) Termination of Rights and Obligations. A party's rights and obligations under this Conservation Easement terminate upon transfer of the party's interest in the Conservation Easement or Property, except that liability for acts or omissions occurring prior to transfer shall survive transfer.
 - (i) Captions. The captions in this instrument have been inserted solely for convenience of reference, are not a part of this instrument, and shall have no effect upon construction or interpretation.
 - (j) Perpetual Duration. This Conservation Easement shall constitute a covenant and servitude running with the land in perpetuity. Every provision of this Conservation Easement that applies to Carson City or BLM shall also apply to such party's respective agents, heirs, executors, administrators, assigns, and all other successors as their interests may appear.
14. Exhibits. The following exhibits are attached hereto and incorporated into this Conservation Easement:
- Exhibit A: OPLMA Map of November 7, 2008
 - Exhibit B: Map of the Silver Saddle Ranch Carson River Area Conservation Easement

IN WITNESS WHEREOF, the City and BLM have fully executed this Agreement as of the date first above written.

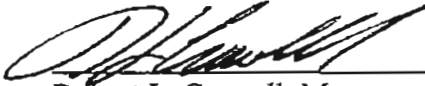
“GRANTOR”
BUREAU OF LAND MANAGEMENT




Linda J. Kelly
Field Manager
Sierra Front Field Office
Carson City District

DATE: Dec 22, 2010

“GRANTEE”
CARSON CITY

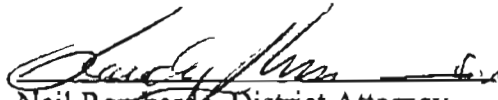


Robert L. Crowell, Mayor



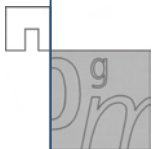
Juan F. Guzman, Open Space Manager

Approved as to form:



Neil Rombaro, District Attorney

DATE: 12/16, 2010



Carson City Animal Services Facility ~ Site Feasibility Study
Bowling Mamola Group
Douglas Buck, P.E.
January 11, 2012

Evaluation Criteria for use in a Site Selection Decision Matrix

<u>Category</u>	<u>Weight</u>	<u>Factor / Criteria</u>
Location	40	
[10]		Proximity to Downtown Mixed Use Master Plan Area or Carson City Master Plan City Hub Is the site close to the Downtown Mixed Use Master Plan area? Is the site close to a Carson City Master Plan City Hub? <ul style="list-style-type: none">➤ Positive responses indicate proximity to desired Master Plan areas.➤ Negative responses indicate that the site is not within desired Master Plan areas.
[10]		Location on Gateway Streets / Arterial Frontage Is the site located on a Carson City Gateway Street? Is the site located on a heavily travelled street? (Arterial/Collector/Local) <ul style="list-style-type: none">➤ Positive responses indicate proximity to heavily travelled areas, resulting in an increase in visitors and adoptions.➤ Negative responses indicate that the site is not on or close to heavily travelled areas.
[10]		Distance from Residential Properties What is the distance from the nearest residential property? Are there natural sound barriers between the project site and the nearest residence? Are the nearest residential properties part of a mixed use development? <ul style="list-style-type: none">➤ Positive responses indicate separation from residential areas to reduce issues from noise and odor.➤ Negative responses indicate proximity to residential areas or that noise or odors from the site could have a negative impact on nearby residents.
[5]		Adjacent Land Uses Are adjacent developed properties compatible with the proposed use? Does the condition of adjacent developed sites have a positive impact on the project?

<u>Category</u>	<u>Weight</u>	<u>Factor / Criteria</u>
		<p>Will adjacent property uses attract the public to the site or be a deterrent? Is 24 hour operation of the facility compatible with adjacent properties?</p> <ul style="list-style-type: none"> ➤ Positive responses indicate that existing adjacent developments add to the project. ➤ Negative responses indicate that existing adjacent developments detract from the project or that the site is unsuitable for the project.
	[5]	<p>Existing Master Plan & Zoning Designations</p> <p>Is the project in conformance with master plan land use designations and zoning? Will it need to be changed? Will final master plan/zoning designation be compatible with adjacent master plan designations and existing adjacent uses? Is the site in a Redevelopment District?</p> <ul style="list-style-type: none"> ➤ Positive responses indicate that the project is in conformance with the Carson City Master Plan and Zoning Ordinance. ➤ Negative responses indicate that the project is not compatible with the Carson City Master Plan and Zoning Ordinance.
Cost	30	
	[10]	<p>Ownership</p> <p>Is the site currently owned by Carson City? Is the site owned by another governmental agency and subject to surplus sale? If the site is owned privately, is it currently for sale?</p> <ul style="list-style-type: none"> ➤ Positive responses indicate that the site may be obtained at a minimal or reasonable cost. ➤ Negative responses indicate that site acquisition may be costly.
	[10]	<p>Development - Site work</p> <p>The project will not require extensive grading. Extensive retaining walls not be required. The site has sufficient drainage. Street frontage improvements are in place and in good condition. (Curb/Gutter/Sidewalk/Storm Drain Inlets/Street Lights)</p> <ul style="list-style-type: none"> ➤ Positive responses indicate that the project site development costs will be reduced. ➤ Negative responses indicate potentially high project site development costs.

<u>Category</u>	<u>Weight</u>	<u>Factor / Criteria</u>
	[10]	<p>Development - Utilities</p> <p>Do existing utilities currently front the property? (Gas/Water/Sewer/Storm Drain/Telephone/Electric/Cable/Fiber Optic)</p> <p>Are any utilities currently stubbed into the property? (Gas/Water/Sewer/Storm Drain/Telephone/Electric/Cable/Fiber Optic)</p> <p>Will a newly reconstructed street need to be cut for utility services?</p> <ul style="list-style-type: none"> ➤ Positive responses indicate that project utility infrastructure costs will be minimized. ➤ Negative responses indicate that long (costly) runs of utility infrastructure may be necessary.
Access	15	
	[10]	<p>Access</p> <p>Are existing traffic signals sufficient to serve the project?</p> <p>Do existing signals facilitate access and circulation (or limit it)?</p> <p>Will driveway locations be compatible with existing intersections, adjacent driveways, and driveways on the opposite street side?</p> <p>Do medians allow for access as constructed or if modified?</p> <p>If it is necessary for a left turn lane into the site, is it currently available and if not, is it feasible?</p> <p>Are the traffic movements compatible with adjacent traffic movements?</p> <p>Will shared access be beneficial (or required)?</p> <p>Do alternative modes of transportation have access to the site (Pedestrian/Bus/Bicycle)</p> <ul style="list-style-type: none"> ➤ Positive responses indicate that safe access is available for both staff and visitors. ➤ Negative responses indicate that the customers and staff may have difficulty safely entering and exiting the site.
	[5]	<p>On-site Circulation (potential/restrictions)</p> <p>Is the site free from natural or manmade obstructions to on-site traffic circulation?</p> <p>Are there any site characteristics that provide additional potential for on-site circulation?</p> <p>Will the site support circulation of large vehicles with trailers?</p> <ul style="list-style-type: none"> ➤ Positive responses indicate that onsite vehicle circulation will be trouble free. ➤ Negative responses indicate that the site may present issues with respect to circulation.

Category Weight Factor / Criteria

Site Features 15

[10] Site Suitability & Amenities

Is the site size sufficient for minimum facility requirements?
 Does the site shape and layout lend itself to the development?
 Is there room for separated staff and agency vehicle parking?
 Is there room for additional large vehicle parking?
 Is there room for additional large animal pens?
 Is there room for a dog park?
 Are there existing site amenities that will enhance the project (mature trees, flowing water, etc.)
 Is there a lack of existing site amenities that will detract from the project or restrict development?
 (easements, overhead power lines, etc.)

- Positive responses indicate that site has sufficient space for planned and desired facility improvements as well as the potential for future expansion and ancillary improvements.
- Negative responses indicate minimal space for primary improvements and the lack of sufficient space for ancillary improvements.

[5] Environmental/Historical/Cultural

The site will not disturb or disrupt any threatened or endangered species or habitat?
 Natural features will not be disrupted by the development? (wetlands, rock outcroppings, views, hillsides)
 No known geotechnical issues or hazards are present on the site.
 The site is outside of flood zones.
 Extensive environmental permitting will not be required for the project.
 Development of the site does not have an impact on historical or cultural sites.

Note: Certain environmental, historical, or cultural issues may represent a fatal flaw with respect to choosing a site. The weight of this category is not intended to be representative of the finding of a fatal flaw. Sites with fatal flaws may be eliminated independent of decision matrix findings.

- Positive responses indicate that site will not have a negative impact on environmental, historical or cultural sites.
- Negative responses indicate that site will have a negative impact on environmental, historical or cultural sites.

Note: Each site will be evaluated for the above listed factors on a scale of 1-10, with positive rankings scoring higher. The "weight" assigned to each factor will be integrated into the scoring matrix. Sites will then be ranked based on the total weighted score.