

## City of Carson City Agenda Report

**Date Submitted:** August 27, 2013

**Agenda Date Requested:** September 5, 2013

**Time Requested:** Consent

**To:** Mayor and Supervisors

**From:** Parks and Recreation Department - Open Space Division

**Subject Title:** For possible action: To accept the annual Monitoring Report for the Horsecreek Ranch Conservation Easement as recommended by the Open Space Advisory Committee.  
(Ann Bollinger)

**Staff Summary:** Conservation easements, including Horsecreek Ranch, require monitoring for compliance of the uses and practices identified in the easement. Staff conducted the monitoring visit in the fall of 2012 and received concurrence of the attached report from the landowner. The property owner was found to be in compliance.

**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 annual Monitoring Report for the Horsecreek Ranch Conservation Easement as recommended by the Open Space Advisory Committee.

**Explanation for Recommended Board Action:** 175 acres of the Horsecreek Ranch meadow are deed restricted by the terms of a conservation easement executed by the land owner, Mr. Michael Fagen, with Carson City on March 9, 2009. As provided in the easement, staff conducted a monitoring visit on November 13, 2012, and found that the property owner is in compliance with the terms of the easement. Monitoring for compliance is also required by the Question 1 grant that facilitated the purchase of the easement.

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

- Chapter 13.06 of the Carson City Municipal Code and NRS 111.390 to 111.440
- State of Nevada Funding Agreement

**Fiscal Impact:** None

**Explanation of Impact:** Staff time was part of normal daily operations.

**Funding Source:** N/A. However, Mr. Fagen donated \$50,000 that was used to establish a stewardship account for the Horsecreek Ranch conservation easement. The current balance is \$47,375.

**Alternatives:** Not to approve the monitoring report.

**Supporting Material:** Monitoring Report

**Prepared By:** Ann Bollinger Date: 8/27/13  
Ann Bollinger, Natural Resource Specialist

**Reviewed By:** Roger Moellendorf Date: 8/27/13  
Roger Moellendorf, Parks & Recreation Director

Lawrence A. Werner Date: 8/27/13  
Lawrence A. Werner, City Manager

District Attorney's Office Date: 8/27/13

Ulrich Albrecht Date: 8/27/13  
Finance Department

**Board Action Taken:**

Motion: \_\_\_\_\_ 1: \_\_\_\_\_ Aye/Nay  
2: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Vote Recorded By)

## **Carson City Open Space – Conservation Easement Monitoring**

Date: November 13, 2012

Start time: 8:00 a.m.

End time: 2:00 p.m.

Monitor(s): Ann Bollinger and Juan F. Guzman (Carson City)

Persons Attending Inspection (landowner or others): William Michael Fagen

Current Landowner(s): William Michael Fagen

Mailing Address: 15925 Caswell Lane, #4, Reno, NV 89511

Easement Address: Approximately 2.5 miles west of the paved terminus of Kings Canyon Rd

Easement size: 175.33 acres

Parcel size: 3 parcels, 201 acres total

On-site land use(s): Agricultural in the meadow, open sagebrush and forest in the uplands.

Surrounding land uses(s): On west, north, and east, the lands are under public ownership by Carson City Open Space and the U.S. Forest Service. The land use consists of undeveloped, dispersed recreation. On the south, the lands are under private ownership and the land use continues as agricultural.

### **Conservation Easement, Exhibit C, Prohibited Uses and Practices**

1. Impairment of Protected Values

No change. The landowner is in compliance.

2. Commercial or Industrial Use

No change. The landowner is in compliance.

3. Construction

No change. The landowner is in compliance.

4. Subdivision

No change. The landowner is in compliance.

5. Motorized Vehicles

No change. The landowner is in compliance.

6. Tree Cutting

No change. The landowner is in compliance.

## **Carson City Open Space – Conservation Easement Monitoring**

7. Dumping

No change. The landowner is in compliance.

8. Soil Degradation

No change. The landowner is in compliance.

Though most of the ground was snow-covered, a vegetated cover was observed in the visible areas. Further erosion was not evident. In addition to natural landscape change, this area should be monitored for grazing use and impacts. If needed, an exclusion fence may be necessary to reduce trampling in this lower, wet meadow area.

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## Carson City Open Space – Conservation Easement Monitoring

Photo Point: The photo of this drainage, located south of the cabins, has been included to document change and vegetation growth. N 39 07' 42.7" W 119 50' 10.2"

2010 Condition (initial assessment)



2012 Condition



## **Carson City Open Space – Conservation Easement Monitoring**

9. Water Quality Degradation

No change. The landowner is in compliance.

10. Surface Alteration or Excavation

The previous reports recommended monitoring for revegetation along the excavated pipeline area. During this field monitoring visit, the ground was snow-covered so an assessment was not conducted.

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## Carson City Open Space – Conservation Easement Monitoring

Photo Point: The photo of the pipeline excavation area has been included to document change and vegetation growth.

2010 Condition (initial assessment)



2012 Condition



## Carson City Open Space – Conservation Easement Monitoring

### 11. Fencing Restrictions

No change. The landowner is in compliance.

#### **Additional Comments:**

- The irrigation ditch known as “Neil’s Flume” was dry during this field monitoring visit however everything seemed to be in working condition.
- Bull thistle remains present throughout the meadow. In 2012, staff was not able to schedule time and volunteers to assist with removal efforts. Bull thistle is a weed that can be controlled and possibly eradicated with non-chemical means; however, hand-digging and removal takes time and effort. The ideal time for identification and removal is July. Because the rosette of this biennial plant will be low and may be unseen during regular fieldwork, control efforts should be coordinated for several consecutive years. Mr. Fagen is receptive to volunteer projects, particularly scout projects.
- Previously, Mr. Fagen inquired about revegetation and management of the cattle loafing area located just outside the gated entrance to the cabins. This area is higher and drier compared to the rest of the meadow and it is highly desirable to the cattle. The high intensity use has resulted in bare ground and some growth of annual grasses (cheatgrass and foxtail). Perennial grasses and forbs were nonexistent. After consulting with other professionals and Mr. Fagen, the current decision is to “sacrifice” this area in exchange for protection of others areas. The loafing area will be monitored with the goal of limiting further expansion.
- While not a requirement or restriction, it should be noted that the fence line along the eastern boundary may need repair. In one area, the barbed wire has been stretched open; and in the other areas, the fence posts are broken. Trespass does not seem apparent. These repairs are solely left to the desire of Mr. Fagen.

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**Carson City Open Space – Conservation Easement Monitoring**

2012 Condition (initial assessment)



**Carson City Open Space – Conservation Easement Monitoring**

2012 Condition



- Due to the late timing and winter conditions of the monitoring visit, a pasture condition assessment was not conducted.
- Stewardship Account: There was one expense of \$500 in October 2011, not previously accounted, to Walker & Associates for the pasture assessment. The account has a current balance of \$47,375.00.

**Summary:**

The results of the 2012 audit of the Horsecreek Conservation Easement are limited due to winter conditions. With that said, neither Carson City nor the landowner identified any items of concern. The property continues in good condition and the landowner is in full compliance with both the letter and the spirit of the Easement.

Written by: Ann Bollinger  
Ann Bollinger

Date: 7/22/13

Reviewed by: Juan F. Guzman  
Juan F. Guzman

Date: 7/22/13

Landowner: William Michael Fagen  
William Michael Fagen

Date: 7/23/13

## Carson City Open Space – Conservation Easement Monitoring

Please indicate the number of the following attachments to this report. Be sure to date and sign all materials and provide a description or map showing where on-site photos and illustrations were taken:

Aerial photos

Ground photos (digital or other)

- 5 ground photos (2012) – Within the Report
- 12 ground photos (2012) – Repeat Photo Documentation
- Digital photos taken, copied into a written report

Maps and illustrations

Other:

- Walker & Associates Invoice #1135, dated 10/28/2011. On the attached “Description of Services,” the second charge on 10/25/2011 identifies “Annual Pasture Utilization review and overall conservation easement assessment at Horse Creek” for five hours. At a rate of \$100 per hour, the total charge of \$500 was deducted from the stewardship account.

Date Inspection Report Sent To Landowner: \_\_\_\_\_

Repeat Photo Documentation

**Photo Point 1A (view northeast):** A photo point located at the edge of the shrub dominated granitic fan and the irrigated meadow. This would be used to monitor shrub invasion into the meadow area indicating irrigation problems.

2009 Baseline Condition



2012 Condition (photo taken just south of original location)



Repeat Photo Documentation

**Photo Point 1B (view northwest):** A photo point located at the edge of the shrub dominated granitic fan and the irrigated meadow. This would be used to monitor shrub invasion into the meadow area indicating irrigation problems.

2009 Baseline Condition



2012 Condition (photo taken just south of original location)



Repeat Photo Documentation

**Photo Point 2 (view south):** A photo point located in bottom of the active stable drainage channel to the southeast of the house to monitor side slope stability.

2009 Baseline Condition



2012 Condition





Repeat Photo Documentation

**Photo Point 3 (view south):** A photo point located immediately east of the house in the active channel where rip-rap has been placed for stabilization.

2009 Baseline Condition



2012 Condition



Repeat Photo Documentation

**Photo Point 4A (view north): A photo point located at the most northern active headcut after required stabilization to monitor effectiveness.**

2009 Baseline Condition



2012 Condition





Repeat Photo Documentation

**Photo Point 4B (detail): A photo point located at the most northern active headcut after required stabilization to monitor effectiveness.**

2009 Baseline Condition



2012 Condition



Repeat Photo Documentation

**Photo Point 4C (detail): A photo point located at the most northern active headcut after required stabilization to monitor effectiveness.**

2009 Baseline Condition



2012 Condition



Repeat Photo Documentation

**Photo Point 5 (view east):** A photo point on the hillside conveyance ditch at a location where a previous washout has occurred to monitor ditch maintenance.

2009 Baseline Condition



2012 Condition



Repeat Photo Documentation

**Photo Point 6A (view north):** A photo point from the Kings Canyon Road that would provide panoramic views of the ranch from a west to east perspective.

2009 Baseline Condition



2012 Condition



Repeat Photo Documentation

**Photo Point 6B (view center): A photo point from the Kings Canyon Road that would provide panoramic views of the ranch from a west to east perspective.**

2009 Baseline Condition



2012 Condition





Repeat Photo Documentation

**Photo Point 6C (view south):** A photo point from the Kings Canyon Road that would provide panoramic views of the ranch from a west to east perspective.

2009 Baseline Condition



2012 Condition



Repeat Photo Documentation

**Photo Point 7A (view southeast):** A photo point from Kings Canyon Road that would provide panoramic views of the ranch from a north to south perspective.

2009 Baseline Condition



2012 Condition



Repeat Photo Documentation

**Photo Point 7B (view south):** A photo point from Kings Canyon Road that would provide panoramic views of the ranch from a north to south perspective.

2009 Baseline Condition



2012 Condition





Repeat Photo Documentation

**Photo Point 7C (view southwest): A photo point from Kings Canyon Road that would provide panoramic views of the ranch from a north to south perspective.**

2009 Baseline Condition



2012 Condition



Repeat Photo Documentation

**Photo Point 8A (view northwest): A photo point overlooking the meadow from the east to the west located newt the property corner along the new road.**

2009 Baseline Condition



2012 Condition



Repeat Photo Documentation

**Photo Point 8B (view west):** A photo point overlooking the meadow from the east to the west located newt the property corner along the new road.

2009 Baseline Condition



2012 Condition



Repeat Photo Documentation

**Photo Point 9: A permanently marked 100' x 100' area to monitor pasture condition. This annual inventory will be used to monitor not only pasture condition but irrigation efficiency, vegetative response to drought and appropriate livestock utilization.**

2009 Baseline Condition



2012 Condition




Walker & Associates  
661 Genoa Lane  
Minden, Nevada 89423

# Invoice

DATE	INVOICE #
10/28/11	1135

BILL TO
Carson City Parks & Recreation Attn: Daria Petrenko 3303 Butti Way, Bldg 9 Carson City, Nv 89701

DUE DATE	P.O. NUMBER
11/27/11	

DESCRIPTION	HOURS	RATE	AMOUNT
Natural Resource Assessment per Contract - see attached detail			1,400.00
	1232	NOV 10 2011	
	<b>Total</b>		1,400.00



# Walker & Associates

661 Genoa Lane, Minden, Nevada 89423

1232 NOV 10 2011

DESCRIPTION OF SERVICES – WALKER & ASSOCIATES CONTRACT TO ASSIST  
OPEN SPACE MANAGER WITH NATURAL RESOURCE ASSESSMENTS – OCTOBER ,  
2011 - CONTRACT NO. 1011-035

<u>Date</u>	<u>Description of Work</u>	<u>Hours/expenses</u>
10/04	SSR – On site review and recommendations for Conservation Plan	3.5
10/25	Annual Pasture Utilization review and overall conservation easement assessment at Horse Creek	5
10/27	Finalize Baseline Report	2.5
10/28	Horse Creek Pasture Assessment write-up – maps/figure for SSR, ACRNA and Prison Hill finalization	<u>3</u>
<b>Total Hours</b>		<b>14</b>
Total due at \$100 per hour		<b>\$1400.00</b>