

**City of Carson City
Agenda Report**

Date Submitted: December 18, 2014

Agenda Date Requested: January 5, 2015
Time Requested: 10 Minutes

To: Mayor and Supervisors

From: Parks and Recreation Department – Open Space Division

Subject Title: For Possible Action: To accept the 2013 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 July 2013; however, the report wasn't completed until just recently. The property owner was found to be in compliance with all of the terms and conditions.

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 2013 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. W. Michael Fagen, with Carson City on March 9, 2009. As provided in the easement, staff conducted a monitoring visit in July 2013 and found that the property owner is in compliance with the terms of the easement. Monitoring for compliance is also required by the State of Nevada who facilitated the purchase of the easement from the Conservation and Resource Protection Grant Program (Question 1).

Applicable Statue, Code, Policy, Rule or Regulation:

- Chapter 13.06 of the Carson City Municipal Code
- 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.

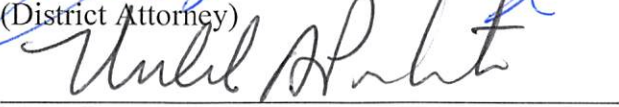
Supporting Material: Monitoring Report

Prepared By: Ann Bollinger, Open Space Administrator

Reviewed By:  Date: 12/17/14
(Department Head)

 Date: 12/23/14
(City Manager)

 Date: 12/23/14
(District Attorney)

 Date: 12/23/14
(Finance Director)

Board Action Taken:

Motion: _____ 1: _____ Aye/Nay

2: _____

(Vote Recorded By)

Carson City Open Space – Conservation Easement Monitoring

Date: July 24, 2013

Start time: 8:30 a.m. departure from the office

End time: 3:30 p.m.

Monitor(s): Ann Bollinger and Juan F. Guzman (Carson City), Donna Inversion (Open Space Advisory Committee member)

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

Current Landowner(s): William Michael Fagen (William Michael Fagen 2005 Trust)

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

Easement Address: APNs 007-051-82, 007-051-83, and 007-051-84. Located approximately 2.5 miles west of the paved terminus of Kings Canyon Road.

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.

Carson City Open Space – Conservation Easement Monitoring

6. Tree Cutting

No change. The landowner is in compliance.

7. Dumping

No change. The landowner is in compliance.

8. Soil Degradation

No change. The landowner is in compliance.

Near the southeast corner, one specific area is being monitored for landscape change. This low drainage area of the meadow appears to be vegetated and stable though a few isolated mounds or hummocks may be the result of cattle trampling. A qualitative assessment with the photo comparisons may be a little deceptive because the first photo was taken at the end of the growing season in November after grasses were grazed and/or died whereas the current photo was taken at the peak of the growing season in July when grasses are actively growing.

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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, photo taken November 1, 2010 (initial assessment – view west)



2013 Condition, photo taken July 23, 2013



Carson City Open Space – Conservation Easement Monitoring

2013 Condition, photo taken July 23, 2013 (initial assessment – view south)



2013 Condition, photo taken July 23, 2013 (initial assessment – view southeast)



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9. Water Quality Degradation

No change. The landowner is in compliance.

It should be noted that no specific measurements have ever been conducted to determine water quality. However, the average amount of surface water from Neal's Flume and two other springs is minimal and most of the water percolates into the ground to recharge the Carson City aquifer and/or reappear as groundwater discharge into Clear Creek. Due to these reasons, contamination from livestock grazing would be negligible.

10. Surface Alteration or Excavation

The linear excavation for the water pipeline to the cabins occurred prior to signing of the conservation easement in March 2009, but some of the impact remains visible. Natural revegetation seems to be occurring on the upper, wetter end of the excavated area. On the lower end closer to the cabins, however, the cattle seem to travel along the route and revegetation is not occurring. The disturbed area is minimal; therefore, at this time, no further action is recommended.

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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), photo taken November 1, 2010



2013 Condition, photo taken July 23, 2013



Carson City Open Space – Conservation Easement Monitoring

11. Fencing Restrictions

No change. The landowner is in compliance.

Additional Comments:

- Stewardship Account: There are no expenses to report. The account has a current balance of \$47,375.00.
- The irrigation ditch known as “Neal’s Flume” was dry during this field monitoring. Mr. Fagen informed staff that the adjacent landowners (Jeff Schulz and John Schulz) had cleaned the flume in April/May 2013 and typically water is sent to the top of the meadow in early spring for at least one good surface flood. It should be noted that the Baseline Condition Report also commented that the ditch is not used during the minimum flow periods of the north fork of Clear Creek due to significant conveyance losses on the ditch. An inspection of the upper reach revealed water flow in the north fork of Clear Creek; however, the water level seemed low and it was certainly lower than the accumulated sediment behind the control box for Neal’s Flume. While the upper meadow at Horsecreek Ranch was not currently receiving water from Neal’s Flume, two other springs were flowing and providing water to nearby areas. Overall, the meadow was fairly green and productive.

2013 Condition, photo taken July 23, 2013 (view of the control box for Neal’s Flume)



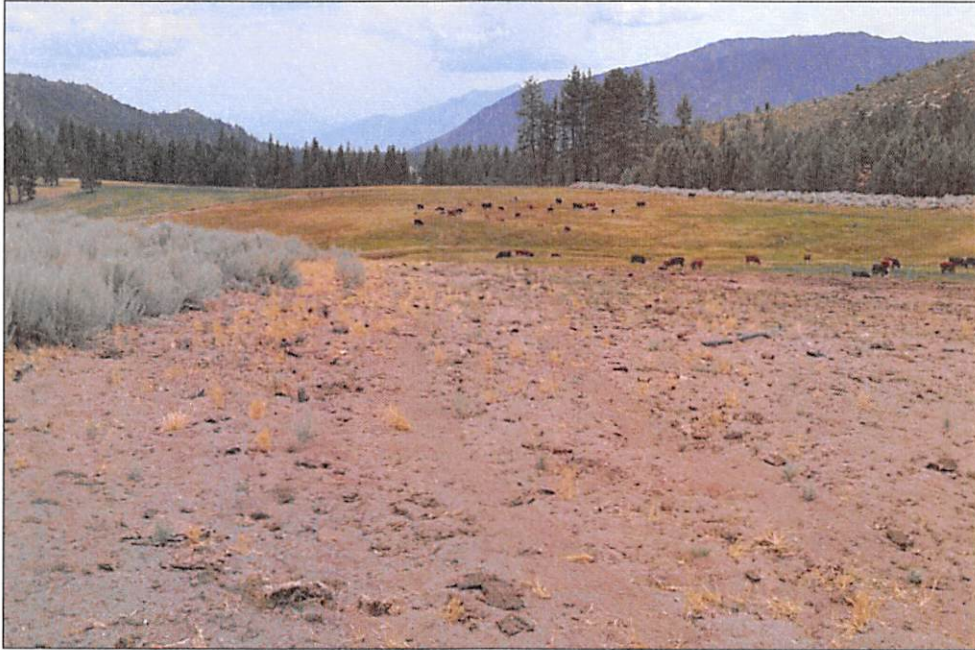
Carson City Open Space – Conservation Easement Monitoring

- The Pasture Utilization and Condition Assessment was conducted by Ms. Bollinger, Natural Resource Specialist, and included a visual observation of the monitoring plot as described in the Baseline Condition Report. A diversity of pasture and wetland-type plants remains present with various utilization levels depending on species. The overall stubble height was 2-6” with an estimated utilization around 60%. Grazing was not occurring in this pasture at the time of monitoring. Generally, this level of grazing seems appropriate and assures sufficient ground cover prior to the winter snowfall.
- Bull thistle remains present throughout the meadow but the number of plants seems to be less. During this visit, Mr. Fagen collected three bags. Mr. Fagen is receptive to volunteer projects and particularly scout projects to assist in the eradication effort; however, there is a short time frame for identification and removal (July-August). In 2013, staff was unable to schedule time and volunteers to assist with weed removal.
- The previous report recommended monitoring of the cattle loafing area located just outside the gated entrance to the cabins with the goal to limit further expansion. The below documentation provides photo points and respective measurements.

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Carson City Open Space – Conservation Easement Monitoring

2013 Condition, photo taken July 23, 2013 (initial assessment – view south): The bare area measures 157' north to south along the sagebrush.



2013 Condition, photo taken July 23, 2013 (initial assessment – view west): The bare area measures 145' east to west along the gravel road.



Carson City Open Space – Conservation Easement Monitoring

New Comments:

- One vegetative response observed throughout the woody ecological sites of the property is the new growth and establishment of conifer seedlings including pine, fir, and cedar.
- One distribution box located approximately in the middle of the meadow is in complete disrepair. The water is ponding rather than spreading throughout the ditches. This replacement should occur prior to the next irrigation season.

Photo taken July 23, 2013



- On July 18, 2013, Mr. Paul Schmidt, the volunteer ranger for the Open Space Program, reported significant damage to the entrance gate to Horsecreek Ranch. Staff responded and inspected the property for further vandalism. The two lower gates remained closed, the cabins were secure, and no other damage was evident. Mr. Fagen paid for repairs and requested additional patrol from Carson City.

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Carson City Open Space – Conservation Easement Monitoring

Photos taken July 18, 2013



- In addition to monitoring and evaluating the current conditions related to the terms of the conservation easement, staff thought it might be important to document external factors which could potentially impact the future condition of the property. Specifically, there are two items to mention. The first item is the recent outbreak of non-native insects around the alpine forests. About one mile or so above Horsecreek Ranch, the white satin moth

Carson City Open Space – Conservation Easement Monitoring

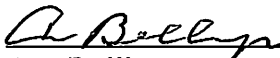
has caused significant defoliation to the aspen trees around Spooner Summit and bark beetles have caused significant damage to the conifers between Spooner Summit and Glenbrook. The second item to document is two years of below-average precipitation throughout the Northern Nevada region.

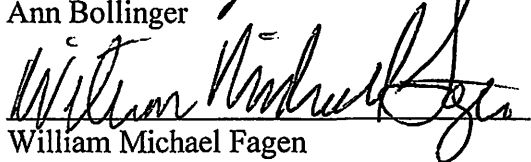
Summary:

The results of the 2013 audit of the Horsecreek Ranch Conservation Easement by Carson City demonstrate that the property generally continues in good condition and that the landowner is in full compliance with both the letter and the spirit of the Easement. The report identifies two recommendations for active measures, and likely coordination between Carson City and the landowner:

- 1) Replacement of the concrete distribution box; and
- 2) Continued removal of bull thistle

The landowner is cooperative about addressing, over time and in consideration of available resources, additional improvements to the conditions on the property in a joint effort with Carson City and other local agencies. Concerns with trespassers and vandalism remain problematic at this remote location. The Open Space Program will continue to patrol with volunteers.

Written by:  Date: 12/15/14
Ann Bollinger

Landowner:  Date: 12/15/14
William Michael Fagen

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)

- 10 ground photos (2013) – Within the Report
- 17 ground photos (2013) – Repeat Photo Documentation
- Digital photos taken, copied into a written report

Maps and illustrations

Other:

Date Inspection Report Sent To Landowner: 12 / 8 / 14

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, photo taken February 4, 2009 (photo possibly taken from the upper meadow, near the new GPS coordinate for Photo Point 2 updated in 2010: N39 07' 54.9" W119 50' 11.3")



2013 Condition, photo taken July 23, 2013



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, photo taken February 4, 2009 (photo possibly taken from the upper meadow, near the new GPS coordinate for Photo Point 2 updated in 2010: N39 07' 54.9" W119 50' 11.3")



2013 Condition, photo taken July 23, 2013



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, photo taken February 4, 2009 (GPS coordinate updated in 2010: N39 07' 54.9" W119 50' 11.3")



2013 Condition, photo taken July 23, 2013



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, photo taken February 4, 2009



2013 Condition, photo taken July 23, 2013



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, photo taken February 4, 2009



2013 Condition, photo taken July 23, 2013



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, photo taken February 4, 2009



2013 Condition, photo taken July 23, 2013



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, photo taken February 4, 2009



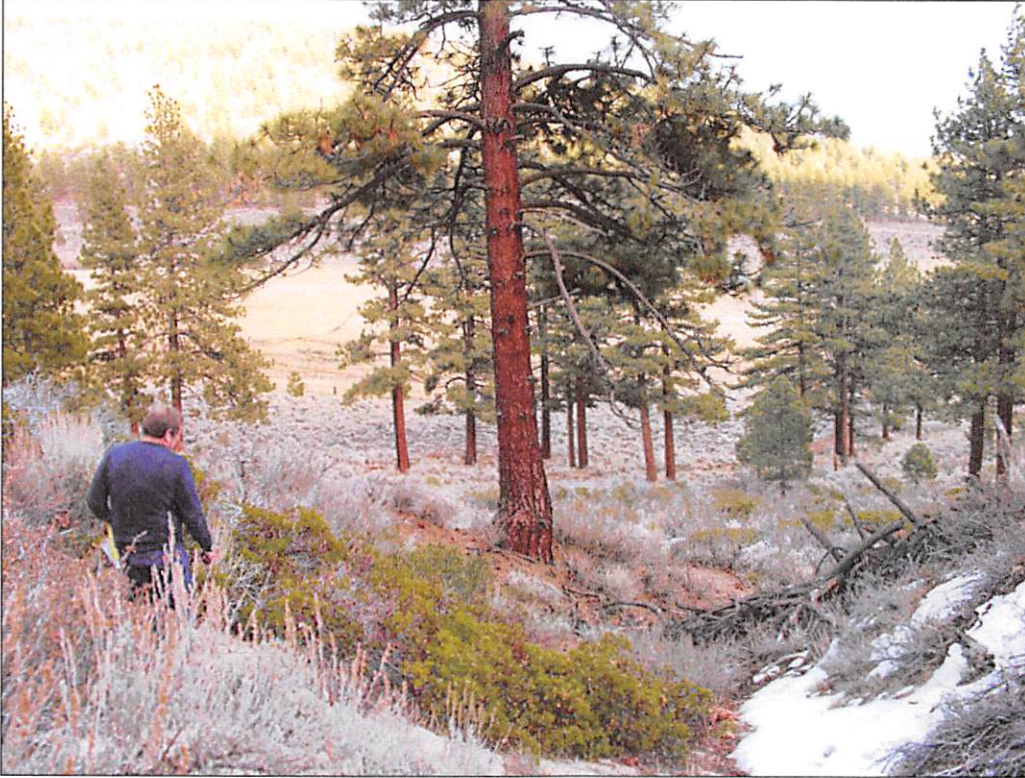
2013 Condition, photo taken July 23, 2013



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, photo taken February 4, 2009



2013 Condition, photo taken July 23, 2013



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, photo taken February 4, 2009



2013 Condition, photo taken July 23, 2013



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, photo taken February 4, 2009



2013 Condition, photo taken July 23, 2013



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, photo taken February 4, 2009



2013 Condition, photo taken July 23, 2013



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, photo taken February 4, 2009



2013 Condition, photo taken July 23, 2013



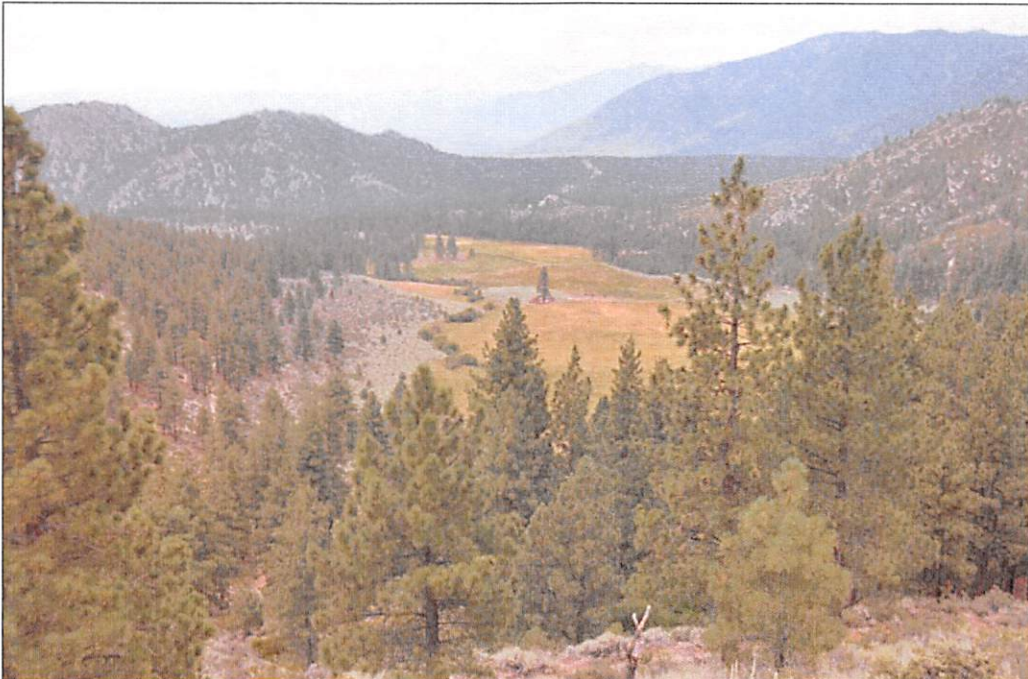
Repeat Photo Documentation

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, photo taken February 4, 2009



2013 Condition, photo taken July 23, 2013



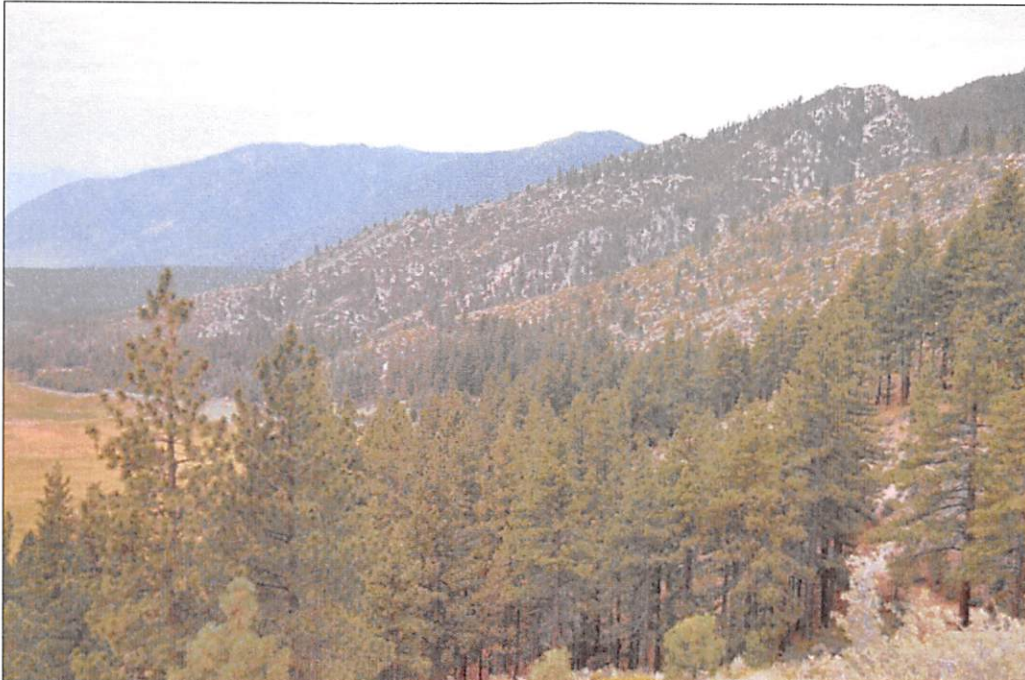
Repeat Photo Documentation

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, photo taken February 4, 2009



2013 Condition, photo taken July 23, 2013



Repeat Photo Documentation

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

2009 Baseline Condition, photo taken February 4, 2009



2013 Condition, photo taken July 23, 2013



Repeat Photo Documentation

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

2009 Baseline Condition, photo taken February 4, 2009



2013 Condition, photo taken July 23, 2013



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, photo taken February 4, 2009



2013 Condition, photo taken July 23, 2013

