

Report To: Board of Supervisors **Meeting Date:** November 15, 2018

Staff Contact: Jennifer Budge, Parks, Recreation & Open Space Director

Stephanie Hicks, Real Property Manager

Agenda Title: For Possible Action: To adopt a Resolution expressing support of the proposed technical corrections to the Carson City Lands Bill currently being developed for congressional approval. (Adriana Fralick, AFralick@carson.org; Jennifer Budge, JBudge@carson.org and Stephanie Hicks, SHicks@carson.org)

Staff Summary: The Omnibus Public Land Management Act of 2009 (OPLMA) provided for the disposition of more than 8,000 acres of federal lands within Carson City, including the sale of approximately 150 acres of federal land by the Bureau of Land Management (BLM). City Staff has since identified and is proposing several technical corrections be made by Congress. On October 22, 2018, the Open Space Advisory Committee and Parks and Recreation Commission approved a recommendation to the Board of Supervisors for the proposed technical map corrections to the Carson City Lands Bill with the exception of Federal Lands Bill Map Reference Number 4 for which no action was taken. Instead, staff was instructed to conduct additional research based on public comment received. Federal Lands Bill Map Reference Number 4 will be heard as a separate item.

Agenda Action: Resolution **Time Requested:** 30 minutes

Proposed Motion

I move to adopt Resolution No. 2018-R-____, expressing support of the proposed technical corrections to the Carson City Lands Bill currently being developed for congressional approval.

Board's Strategic Goal

Efficient Government

Previous Action

January 4, 2007 - Discussion regarding a Carson City Federal Lands Bill Map to identify a preferred alternative to be used as the basis to create a Federal Lands Bill for Carson City consisting of proposed legislation to be considered by U.S. Congress to allow for the exchange and/or transfer in ownership of lands owned by the federal Government in Carson City.

January 18, 2007 - Board approval of Carson City Federal Lands Bill Map to identify the preferred alternative that would be used as the basis to create a Federal Lands Bill for Carson City consisting of proposed legislation to be considered by U.S. Congress to allow for the exchange and/or transfer in ownership of lands owned by the federal government in Carson City.

August 16, 2007 - City Manager provided an update on the proposed Carson City Federal Lands Bill.

September 6, 2007 - Board authorized the Mayor to sign a letter directed to the Federal Delegation clarifying the Board of Supervisors' position regarding the Federal Lands Bill request.

Final Version: 12/04/15

August 21, 2008 - Board endorsed the "Carson City Vital Community Act of 2008," a bill introduced in the U.S. Senate providing for the transfer and sale of certain federal lands within Carson City.

July 16, 2009 - Presentation and discussion only regarding the Omnibus Public Lands Management Act of 2009 as it relates to the disposition of federal properties within Carson City.

December 3, 2009 - Board provided recommendation to BLM regarding the sale of certain BLM properties identified for disposal in the Omnibus Public Land Management Act of 2009.

April 21, 2011 - Board authorized the Mayor to execute deeds of correction necessary for the implementation of transfers of lands with the U.S. Forest Service, as authorized by the Omnibus Public Lands Management Act of 2009.

August 4, 2011 - Board authorized the Mayor and City Manager to sign a letter to convey Carson City lands located at the upper reaches of Ash Canyon within the Carson Range to the United States as provided for in Subtitle G, Section 2601, of the Omnibus Public Land Management Act of 2009.

May 17, 2012 - Board authorized staff to execute a programmatic agreement between the Sierra Front Field Office of the Carson City BLM and the Nevada State Preservation Office regarding the conveyance to Carson City of the 5,482 acres of public lands as mandated by the Omnibus Public Lands Management Act of 2009 and 489 acres of private property.

August 15, 2013 - Board authorized the deposit of approximately \$375,000 into the BLM's Silver Saddle Stewardship Account for the oversight and enforcement of the conservation easement, and the transfer of approximately 3,604 acres of federal land to Carson City, as approved by the Carson City Community Vitality Act of 2009.

April 16, 2015 - Board authorized mayor to sign a letter addressed to the BLM providing comments on the Carson City District Draft Resource Management Plan and Environmental Impact Statement.

Background/Issues & Analysis

On January 6, 2009, OPLMA was enacted by Congress to determine the desired future uses of Federal properties surrounding Carson City. This bill was the result of three years of collaboration between City officials, interest groups and Congressional delegates with technical input from Federal agencies.

OPLMA provided for the disposition of more than 8,000 acres of Federal lands within Carson City, including the sale of approximately 150 acres of Federal land by BLM. The purpose of the bill was to improve land management throughout Carson City and help fulfill the community's long-term plan for growth and conservation.

Since the land transfers were completed, Staff has identified several desired technical corrections including property the City wishes to acquire, property where the City requests the reversionary interests be removed, and property the City suggests should be disposed of for economic development. Additionally, the City proposes several text corrections for clarification.

On October 22, 2018, a joint Open Space Advisory Committee and Parks and Recreation Commission Meeting was held to provide input to the Board of Supervisors on this proposal. After lengthy discussion, the Open Space Advisory Committee and Parks and Recreation Commission approved a recommendation for the technical map corrections to the Carson City Lands Bill with the exception of Federal Lands Bill Map Reference Number 4 for which no action was taken due to pending questions regarding use of this property for flood mitigation, cost-benefit information for retaining versus returning to BLM, confirmation of zoning prior to the City acquiring from BLM, and the City's obligation under Section 106 for historic and cultural resources.

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Several comments were made by the public that the process for the technical map corrections was moving too quickly and there should be more opportunity for public comment. Staff explained that the joint meeting as well as the upcoming Board of Supervisors meeting would provide the opportunity for public input.

Below is a summary of the additional comments received by the public for Federal Lands Bill Map Reference Numbers 1 through 3 and 5 through 8. Due to public comments received and additional research to be completed by Staff, Federal Lands Bill Map Reference Number 4 (Bennett Properties) will be heard separately under its own agenda item.

Map Reference Number 1: Request that once acquired, this parcel be made part of the Silver Saddle and East Silver Saddle Ranch.

Map Reference Number 2: Carson City Airport Authority expressed support. Public statement that there is negligible use of APN 008-128-02 and no OHV use or dumping occurring on this parcel. Question regarding other potential future economic development uses for this site that would be allowed with removal of the reversionary interest.

Map Reference Number 3: No Comments

Map Reference Number 5: Concerns whether dispersed recreation and access to trails would still be allowed on parcel. Concerns over who will maintain the property and how OHV use will be regulated.

Map Reference Number 6: Concerns whether dispersed recreation and access to trails would still be allowed on parcels. Concerns regarding retaining fire access road. Concerns over who will maintain the property and how OHV use will be regulated.

Map Reference Number 7: Carson City School District expressed support. Public question as to why Montessori was not interested in this parcel for a school site. Comment recommending this parcel being utilized for dispersed recreation if not needed for school.

Map Reference Number 8: No comments

Applicable Statute, Code, Policy, Rule or Regulation

Omnibus Public Lands Management Act of 2009 (OPLMA)

Financial Information		
Is there a fiscal impact?	Yes	⊠ No
If yes, account name/nun	nber:	
Is it currently budgeted?	Yes	⊠ No
Explanation of Fiscal Imp	act:	

Alternatives

Do not adopt a resolution expressing support of the proposed technical corrections to the Carson City Lands Bill as it is currently being developed for congressional approval. Propose modified motion.

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Motion:	1) 2)	Aye/Nay
(Vote Recorded By)		

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A RESOLUTION EXPRESSING SUPPORT OF THE PROPOSED TECHNICAL CORRECTIONS TO THE CARSON CITY LANDS BILL

WHEREAS, the Carson City Board of Supervisors has included Quality of Life and Economic Development as two of its strategic goals; and

WHEREAS, since 2006, the Carson City Board of Supervisors, managers and staff have worked with the Nevada Congressional Delegation and the Bureau of Land Management to maximize economic use of federally-owned real property and to enhance and protect property for open space, recreation and other public purposes; and

WHEREAS, through the Omnibus Public Lands Act of 2009, the Carson City Board of Supervisors identified federally managed lands whose ownership should be transferred to Carson City; and

WHEREAS, the Omnibus Public Lands Act of 2009 provided for the disposition of more than 8,000 acres of federal lands within Carson City, including the sale of approximately 150 acres of federal land; and

WHEREAS, since the transfer of said properties, the Carson City Board of Supervisors identified technical corrections it would like make to the Omnibus Public Lands Act of 2009; and

WHEREAS, the Carson City Board of Supervisors is in support of the proposed technical corrections to the Carson City Lands Bill as it is being currently developed; and

NOW, THEREFORE, BE IT RESOLVED, that the Carson City Board of Supervisors supports the proposed technical corrections to the Carson City Lands Bill as it is currently being developed and authorizes the Mayor to prepare and submit a letter to appropriate federal and state authorities expressing that support.

BE IT FURTHER RESOLVED, and hereby ordered that this resolution be recorded in the office of the Carson City Recorder.

Upon motion	า by Supervis	or		, seconded by
Supervisor			, the foregoing Re	solution was passed
and adopted this	day of	, 20 by the f		
	VOTE:	AYES:		
				

	NAYS:	
	ABSENT:	
	ABSTAIN:	
		Robert Crowell, Mayor
ATTEST		
Susan Merriwether, Clerk		

Carson City, Nevada

Carson City, Nevada Federal Lands Bill Technical Corrections *draft*

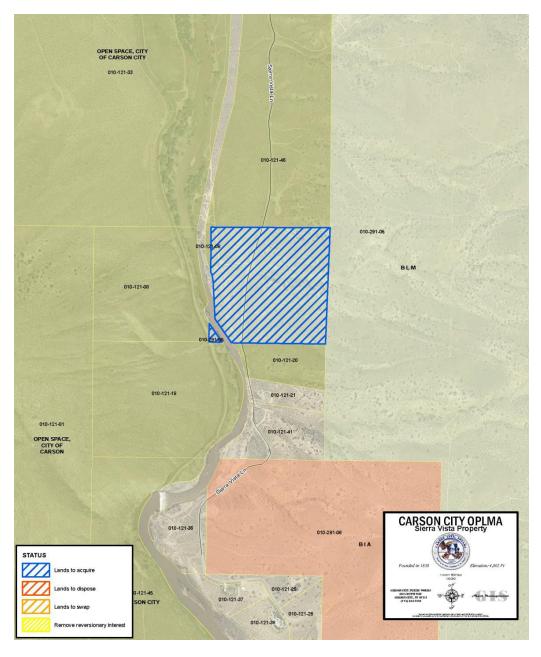
Federal Lands Bill Map Reference Number: 1

Property Description: Portion of Assessor's Parcel Number 010-291-05

Total Acres: Approx. 39-acres

General Location: Southeast Carson City, on Sierra Vista Lane and adjacent to the Carson River.

Considered to be the Eastern portion of Silver Saddle Ranch.



Recommended Action: Transfer ownership from Bureau of Land Management to Carson City.

Proposed Uses: Open space, recreation, non-motorized natural surface and aquatic trails, watershed protection, river access, natural resource management, and one municipal well site.

Current Ownership: Bureau of Land Management

Current management designation/uses: Bureau of Land Management

Can proposed uses be accomplished under current ownership and designation? No

Master Plan: Public Conservation Zoning: Public Recreation

Estimated Maintenance Cost/Source of Funding: Unknown. Should the acquisition be approved, funding for maintenance would be from Carson City Quality of Life Funds – Open Space.

Property Characteristics: The property provides Carson River frontage and access. Has diverse topography with limited slopes near the river to the west portion of the parcel and increases to 15%+ slopes to the east of Sierra Vista Lane. Includes a variety of native vegetation and is heavily disturbed in some areas due to off highway vehicles and illegal dumping.

Benefits of City ownership of property: Allow for contiguous management of the river corridor, as both adjacent parcels (010-121-46, 010-121-20) are owned and managed by Carson City. Sierra Vista Lane, a Carson City owned and maintained street, bisects the property. Management activities include: Illegal dumping/litter management, vandalism mitigation and graffiti removal, mitigate beaver damage by wrapping cottonwoods, travel management, limiting motorized access to the riverbed, noxious weed abatement, habitat restoration, bank stabilization, natural resource management, and roadway maintenance. Parcel is considered to be part of Silver Saddle Ranch, which is owned and managed by Carson City. Additionally, the City would like the ability to determine if this parcel is suitable for one future municipal well site.

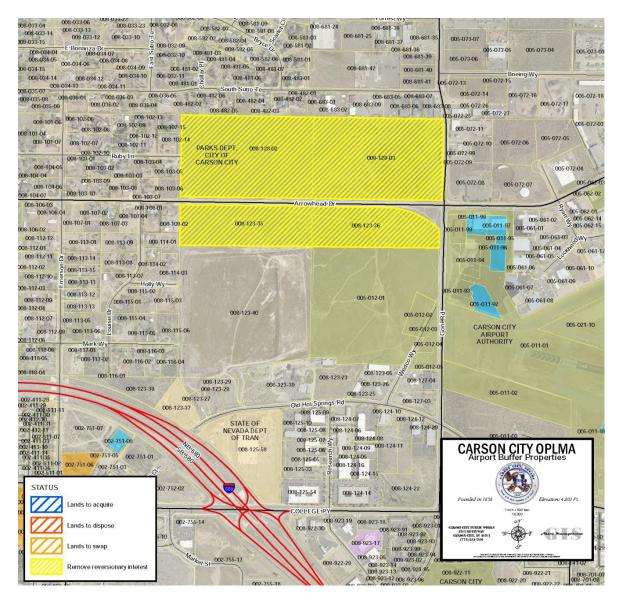
Issues: N/A

Rationale: Transfer of ownership to Carson City will not only provide for contiguous and consistent management throughout the Carson River corridor, but will reduce an inholding for BLM. This will reduce confusion with enforcement for the Sheriff's Office, Park Rangers, and citizens. Consistent natural resource management will improve the health of the Carson River and provide for a safer user experience.

Property Description: Assessor's Parcel Numbers 008-128-02, 008-128-03, 008-123-35, 008-123-36

Total Acres: 73.25-acres

General Location: North of the I-580 freeway in Carson City, on Arrowhead Drive, west of Goni Road.



Recommended Actions: Remove the reversionary interest to allow for Carson City the ability to enter into a third party agreement with the Carson City Airport Authority. Carson City would remain the owner of all four parcels.

Proposed Uses: Parcels 02, 03, 35 and 36 would be considered as a safety buffer for the Carson City Airport. Golden Sierra Investments, LLC holds eight (five-acre) unpatented mill site claims, both north and south of Arrowhead Drive that are maintained pursuant to 43 CFR 3800 and will continue in perpetuity, until reclaimed or relinquished at the discretion of Golden Sierra Investments, LLC.

Current Ownership: Carson City **Current management designation/uses:** Carson City

Can proposed uses be accomplished under current ownership and designation? No

Master Plan: Parks & Recreation Zoning: Public Recreation

Estimated Maintenance Cost/Source of Funding: Unknown. Carson City Airport Authority and possibly Golden Sierra Investments LLC.

Property Characteristics: The 02, 35 and 36 parcels include a variety of native vegetation. The 35 and 36 parcels are heavily disturbed in some areas due to off highway vehicles and illegal dumping. ¾ of the 03 parcel, operated by Golden Sierra Investments LLC is a mining/pit operation that is heavily disturbed for their commercial operation and consistent with their existing mining claims on the property.

Benefits of relinquishing reversionary interest of property: Improve neighborhood and airport safety by securing the parcels as a safety buffer, consistent with the Carson City Airport Master Plan. There is significant off highway vehicle misuse and illegal dumping occurring on the 35 and 36 parcels, in which the Airport Authority is already conducting clean-up and other stewardship responsibilities.

Relinquishing the reversionary interest will allow for Carson City to enter into a third party agreement with the Airport Authority for purposes of the safety buffer.

Issues: There is no known sub-lease or other agreement between the City and Golden Sierra Investments LLC (ie. Cinderlite), since Carson City acquired the lands previously from BLM by assignment.

The property is identified in the Carson City Parks and Recreation Master Plan (adopted April 6, 2006) as a potential site for an indoor recreation facility, a sports complex, or a community park site. The City has since constructed the Multipurpose Athletic Center (MAC) and there are still opportunities to build out Pete Livermore Sports Complex and JohnD Winters Centennial Park to meet the needs of a growing community. Given the extent of the mill site claims and the need for the airport safety buffer, these are not currently viable options. It is recognized that portions of the 02 parcel are utilized by the adjacent neighbors for dispersed non-motorized recreational purposes and that could continue into the future.

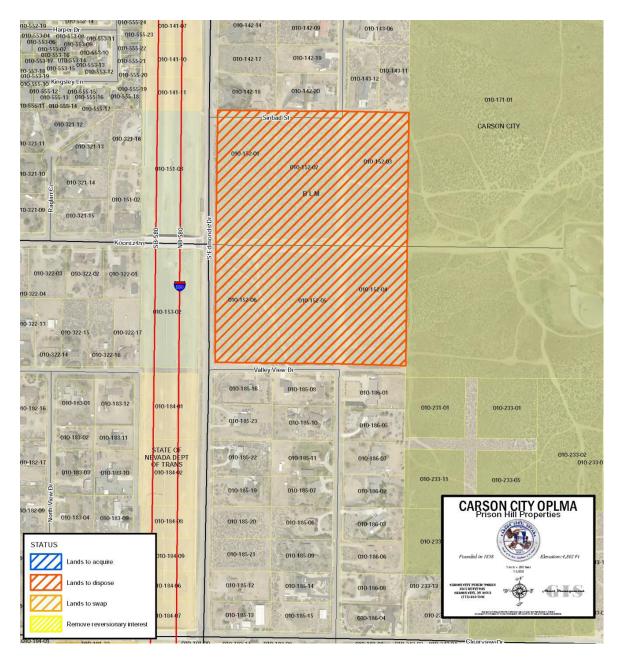
Rationale: Entering into a third party agreement with the Carson City Airport Authority will help ensure neighborhood safety, reduce a maintenance burden and potential liability to Carson City, and be consistent with local master planning efforts.

Property Description: Assessor's Parcel Numbers 010-152-01, 010-152-02, 010-152-03, 010-152-06,

010-152-05, 010-152-04

Total Acres: 27.56-acres

General Location: East Carson City, east of South Edmonds Drive, Sinbad Street to the north, Valley View Drive to the South. West side of Prison Hill Recreation Area.



Recommended Actions: Dispose of for economic development purposes.

Proposed Uses: Based on the existing zoning, consistent with the adjacent parcels and zoning to the north and south of the subject parcels, residential development could be considered. Carson City

would retain a Public Utility Easement concurrent with Koontz Lane and Conti Drive, which provides waterlines, access to water tank just east of the subject parcels, a future booster station site. Additionally, Carson City would retain an existing drainage easement for a future detention basin located on APN 010-152-06. Public access consistent with the Koontz Lane access to Prison Hill would remain as well and should be considered with any potential development opportunities for the benefit of the public.

Current Ownership: BLM Current management designation/uses: BLM

Can proposed uses be accomplished under current ownership and designation? No

Master Plan: Public/Quasi Public Zoning: Single-Family 1 Acre

Estimated Maintenance Cost/Source of Funding: Unknown. Private ownership.

Property Characteristics: Parcels consist of undulating topography, native vegetation and heavily disturbed land due to off highway vehicle misuse and illegal dumping. Drainage and erosion issues due to land degradation.

Benefits of relinquishing Federal ownership of property: Disposal would allow for economic development opportunities potentially in the form of residential development consistent with the current zoning and existing uses to the north and south of the subject parcels. Residential development could mitigate the existing drainage and road safety concerns, but will have a positive impact on the fiscal health of the city by generating property taxes. Residential development could also reduce the negative impacts to the adjacent Prison Hill Recreation Area, reducing OHV access points and misuse, as well as to the neighboring private residences.

Issues: N/A

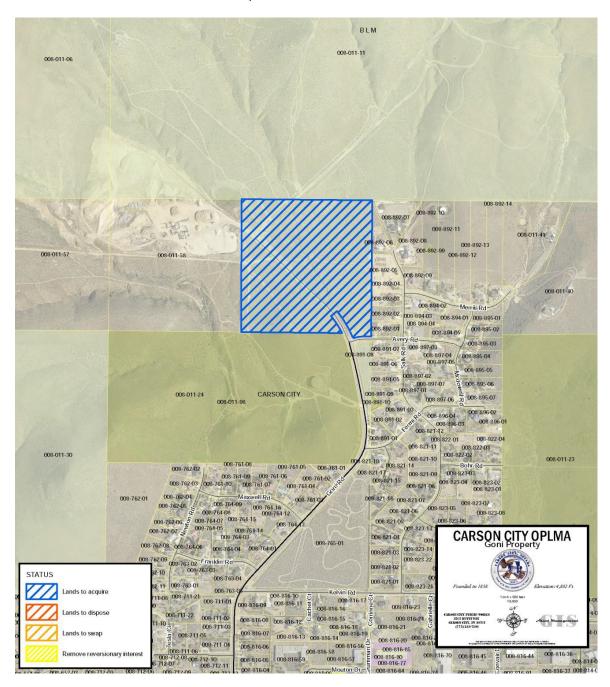
Rationale: Currently this is a BLM inholding within Carson City, which BLM is unable to adequately manage or maintain given their limited staff and financial resources. Due to the amount of degradation to the land, maintenance and operational concerns, it would be a maintenance and financial burden to Carson City, should the City acquire the parcels. Residential development could not only mitigate the existing safety concerns, but reduce impacts to neighboring properties. Disposal would also allow for economic development opportunities and have a positive impact on the fiscal health of the city by generating property taxes.

Federal Lands Bill Map Reference Number: 5 (map number 4 [Bennett] will be heard as a separate item)

Property Description: Portion of Assessor's Parcel Number 008-011-11

Total Acres: Approximately 39-acres

General Location: Northeast Carson City at Goni Road.



Recommended Actions: City to acquire a portion of the parcel from BLM.

Proposed Uses: Stormwater controls and flood mitigation to protect surrounding neighborhood.

Current Ownership: BLM Current management designation/uses: BLM

Master Plan: Conservation Reserve Zoning: Public Recreation

Can proposed uses be accomplished under current ownership and designation? No

Estimated Maintenance Cost/Source of Funding: Unknown. Carson City Stormwater Fund.

Property Characteristics: The parcel consists of steep slopes, and native vegetation, with Goni Road bisecting the portion of the subject parcel.

Benefits of City acquiring property: Acquisition would allow for the City to install flood mitigation measures in the form of stormwater retention basins to protect the surrounding neighborhood.

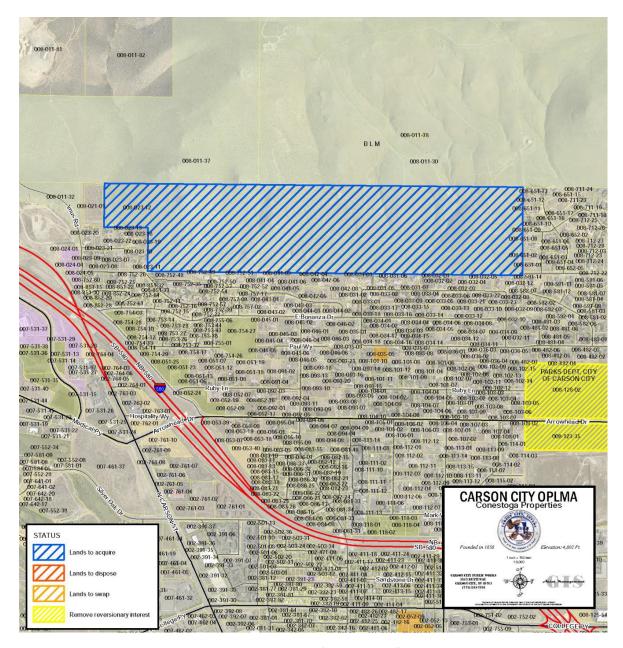
Issues: Weed control and defensible space.

Rationale: The portion of the parcel is an inholding difficult for BLM to operate and maintain. Significant flooding impacted the surrounding neighborhood during recent flood events and ownership of this parcel would allow the city to conduct mitigation efforts to protect neighboring properties.

Property Description: Portions of Assessor's Parcel Numbers 008-023-12, 008-011-37, and 008-011-30

Total Acres: Unknown

General Location: Northeast Carson City, adjacent to Powerline Road and Conestoga Drive



Recommended Actions: City to acquire a portion of the parcels from BLM.

Proposed Uses: Stormwater controls and flood mitigation to protect surrounding neighborhood.

Current Ownership: BLM Current management designation/uses: BLM

Master Plan: Open Space Zoning: Public Recreation

Can proposed uses be accomplished under current ownership and designation? No

Estimated Maintenance Cost/Source of Funding: Unknown. Carson City Stormwater Fund.

Property Characteristics: The parcels consist of steep slopes, and native vegetation

Benefits of City acquiring property: Acquisition would allow for the City to install flood mitigation measures in the form of stormwater retention basins to protect the surrounding neighborhood.

Issues: Weed control and defensible space.

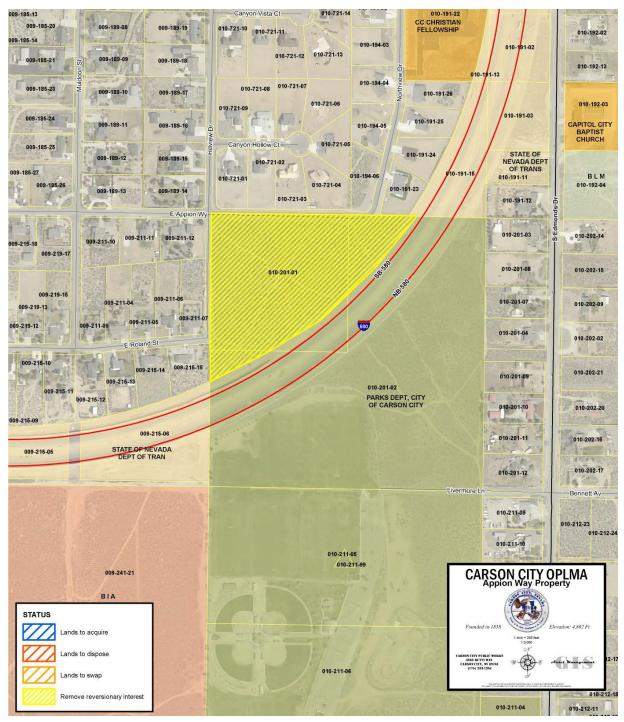
Rationale: Flooding impacted the surrounding neighborhood during recent flood events and ownership of this parcel would allow the city to conduct mitigation efforts to protect neighboring properties.

Property Description: APN 010-201-01

Total Acres: 10-acres

General Location: South Carson City, west of I-580 freeway, formerly a portion of Pete Livermore Sports

Complex. East Appion Way to the north, Hillview Drive to the West.



Recommended Actions: Remove reversionary interest so that Carson City has the option to either

consider entering into a future third party agreement with the Carson City School District for a possible school site, or sell the property. Should the City determine the land should be sold, the proceeds should go into the "Carson City Special Account."

Proposed Uses: Is no longer desired as a school site by Montessori, but is a parcel of interest by the Carson City School District. The land is now bisected by the freeway, so no longer useable or needed for parks and recreation purposes. Should it not be needed by the Carson City School District, it could be better suited for residential development, consistent with the uses to the north and west of the subject parcel.

Current Ownership: Carson City **Current management designation/uses:** Carson City

Master Plan: Parks and Recreation/Public Recreation Zoning: Public Recreation

Can proposed uses be accomplished under current ownership and designation? No

Estimated Maintenance Cost/Source of Funding: Unknown. CCSD or private

ownership if sold.

Property Characteristics: The parcel consists of native vegetation, with slopes of primarily less than 10%.

Benefits of removing reversionary interest in property: Removal of reversionary interest would allow for the city to either enter into a third party agreement with the Carson City School District or sell with proceeds to go into the "Carson City Special Account."

Issues: Montessori School evaluated the site and is not interested. Carson City School District has expressed interest in the site and would like the opportunity to evaluate the property as a potential school site.

Rationale: Since the I-580 Freeway has created this remnant parcel, it is no longer of any interest for public parks and recreation purposes. Should the Carson City School District determine that a school site is not preferred, residential development could be considered, to not negatively impact the surrounding neighborhood. Removing the reversionary interest would also provide for future economic development opportunities and have a positive impact on the fiscal health of the city by generating property taxes. Sale proceeds would go into the "Carson City Special Account."

Property Description: Assessor's Parcel Number 010-081-03

Total Acres: 3.25-acres

General Location: East Carson City at 1250 Pinion Hills Drive.



Recommended Actions: Remove reversionary interest and dispose of for economic development purposes, with the proceeds going into the "Carson City Special Account."

Proposed Uses: Private open space, flood storage and possibly residential development on a portion of the parcel.

Current Ownership: Carson City **Current management designation/uses:** Carson City

Master Plan: Low Density Residential Zoning: Single-Family 1 Acre

Can proposed uses be accomplished under current ownership and designation? No

Estimated Maintenance Cost/Source of Funding: Unknown. Private ownership.

Property Characteristics: The parcel consists of extremely steep slopes, with limited or no access, unless through the adjacent private parcels to the north or south. Provides Carson River frontage, floods during high precipitation years and has extremely undulating topography with native vegetation.

Benefits of relinquishing City ownership of property: Disposal would allow for economic development opportunities in the form of private open space, and possibly limited residential development consistent with the zoning and existing surrounding uses. Private ownership would have a positive impact on the fiscal health of the city by generating property taxes. This is a maintenance burden to the city, with the only access through the surrounding private lands.

Issues: No safe legal access to site for city to maintain. Adjacent owners have expressed interest in acquiring to retain flood storage.

Rationale: It is an inholding that is a maintenance burden to the city and is not needed for any other city purposes. Removing the reversionary interest and selling would also allow for economic development opportunities and have a positive impact on the fiscal health of the city by generating property taxes.

Text Corrections Overview:

Disposal Properties: Remove Section 2601 (c)(6)(A)(B) from H.R. 146-123, so that Carson City is removed from involvement in the disposal; however proceeds should still go into the "Carson City Special Account." Change language so that anything that BLM or Carson City disposes of as outlined in the lands bill technical corrections that is within the Carson City boundary is deposited into the "Carson City Special Account" for future land acquisitions within Carson City. Future acquisitions could be owned by either BLM or Carson City and would be in cooperation of both parties for the purposes of parks, recreation, open space, trails, watershed or natural resource management, flood management, water quality, Carson River (including creeks and tributaries), and other general public purposes benefiting Carson City residents. All disposal properties proposed in draft technical corrections should go to the "Carson City Special Account."

Disposition of Proceeds: Modify Section 2601(e) so that the City can also access or have local management of funding in the "Carson City Special Account." Funding should be available to both BLM and Carson City uses. This section should also list the types of projects it could be used to include trails, maintenance, land acquisitions, etc. (see prior comments under disposal properties). Procedures for distribution of funds through the "Carson City Special Account" will be established through a Memorandum of Understanding between BLM and Carson City.

Issues: Need to define how the Carson City Special Account should be managed so it is not overly burdensome or cumbersome for BLM or the City to utilize as acquisitions become available, as those can often be time sensitive. The fund should also be used for operations and maintenance needs within Carson City on public lands.

• Eagle Valley Golf Course and Centennial Park parcels (APNs 008-391-15, 008-391-05, 008-011-93 005-051-13, 008-391-01, 008-391-11, and 008-011-56) — remove reversionary interest but include some safeguards to covenant patent that limit it to certain public recreation uses, but also allows for third party use agreements as authorized by the Board of Supervisors.