

CARSON CITY OPEN SPACE ADVISORY COMMITTEE

Minutes of the February 27, 2006 Meeting

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A regular meeting of the Carson City Open Space Advisory Committee was scheduled for 6:00 p.m. on Monday, February 27, 2006 in the Community Center Sierra Room, 851 East William Street, Carson City, Nevada.

PRESENT: Chairperson Steve Hartman
Michael Fischer
Wayne Perock
Howard Riedl
Bruce Scott

STAFF: Juan Guzman, Open Space Manager
Vern Krahm, Park Planner
Lee Plemel, Planning and Community Development Principal Planner
Mary-Margaret Madden, Deputy District Attorney
Kathleen King, Recording Secretary

NOTE: A recording of these proceedings is available, in the Clerk-Recorder's Office, for review during regular business hours.

CALL TO ORDER AND ROLL CALL (6:00:17) - Chairperson Hartman called the meeting to order at 6:00 p.m. A quorum was present. Vice Chairperson Jacquet and Member Lincoln were absent.

CITIZEN COMMENTS ON NON-AGENDIZED ITEMS (6:00:50) - Bruce Kittess, 4401 Levi Gulch, expressed opposition to the Vicee Canyon special planning area, and surprise that this committee hadn't requested staff to postpone action since, at the time, there were only four members present. He requested the committee to reconsider the Vicee Canyon SPA at a meeting where all members could be present. He advised of having spent a career in land and residential development. From the standpoint of the Open Space Master Plan element, he questioned why someone on this committee hadn't offered an alternative approach. He acknowledged the City's desire for residential development in the area. He advised that area neighbors hadn't been present at the January 23rd committee meeting, and suggested staff could have requested "a couple of the opponents of the plan to come and speak" in light of the committee making a recommendation to the Board of Supervisors.

(6:05:44) With regard to the Vicee Canyon SPA, Rob Potter expressed support for WNCC's opportunity to develop a four-year college in Carson City, and for the land to be retained for possible expansion. He offered his property for residential development. He advised of not having heard anything with regard to the status of his property, and Chairperson Hartman reviewed the purpose of agenda item F. Mr. Potter reiterated the unique opportunity for WNCC to become the fifth four-year college in Nevada. The Vicee Canyon SPA property represents the only available, adjacent property for the purposes of expansion.

1. ACTION ON APPROVAL OF MINUTES - January 23, 2006 (6:08:30) - Member Scott moved to approve the minutes. Member Fischer seconded the motion. Motion carried 5-0.

2. CHANGES TO THE AGENDA - None.

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3. AGENDA ITEMS:

3-A. ACTION TO RECOMMEND TO THE PLANNING COMMISSION AND BOARD OF SUPERVISORS ADOPTION OF THE UNIFIED PATHWAYS MASTER PLAN (6:09:04) - Mr. Krahn narrated a PowerPoint presentation which included review and discussion of the public participation process, background information on the new plan name, the need for a consolidated plan, and the plan itself, with particular attention to off-street trails, the policy elements, the action plan, and implementation priorities.

Member Scott commented the plan represents the culmination of a lot of work. He inquired as to how the recommended trails coordinator will interface with the Open Space Program, and how the position is proposed to be funded. Mr. Krahn advised that funding would most likely be addressed in the 2007/2008 fiscal year. He further advised of discussion regarding the possibility of utilizing Question #18 funding, acknowledging this would impact project funding. Member Scott commented the position could be extremely valuable to the Open Space Program and for other considerations. He noted the importance of the position and the responsibilities of trails being the primary focus. Member Fischer expressed the hope that staff would communicate to the public the importance of the trails coordinator position. He expressed concern over public perception with regard to using Question #18 funds for employment positions. Mr. Krahn advised of Planning Commission Vice Chairperson Mark Kimbrough's comments regarding the potential for the trails coordinator to bring in two to four times their salary with grant funding. He further advised that the City has been historically very successful in acquiring grant funding over the years. Chairperson Hartman suggested the City's Public Works budget should expect to be tapped for funding as well.

Member Riedl congratulated Mr. Krahn, staff, and the citizens on the work represented by the draft plan. He expressed the opinion the plan adequately addresses input received as a result of the citywide survey. With regard to sidewalks, he suggested including, in chapter 7, an ADA transition plan. He advised the City is opening itself to a great deal of risk without one. He noted the economic benefits to the city of an implemented trails plan. In response to a question regarding the ownership status of Clear Creek Road, Mr. Guzman advised of extensive discussion with Douglas County representatives, private citizens, and U.S. Forest Services representatives. He further advised there appears to be a very valid point as to Clear Creek Road being private, based on the county and the State of Nevada having abandoned it. Douglas County portions were also abandoned. Mr. Guzman advised the Regional Transportation Commission has expressed some interest in the road. He suggested designating the road as a desired bicycle trail on the map, although neighbors have testified the road is unsafe for bicycles due to the posted speed limit and the narrowness. The U.S. Forest Service portion of the road presents another set of issues, one of which is that the area where people park to use the trail is private. USFS representatives have committed to address this issue, particularly at the time Mr. Serpa develops his Douglas County property. Mr. Guzman pointed out private property in the area, and advised it had been the subject of a possible Southern Nevada Public Lands Management Act purchase. Since the offer was refused by the property owner, public use of the property has become an issue. Mr. Guzman advised that a determination has yet to be made with regard to designating Clear Creek Road either as a desired or an existing route. Member Riedl advised that Clear Creek Road has been an access point to the Clear Creek basin since the turn of the century. He listed federal lands in the area, and expressed the hope the City will continue to work with Douglas County and Carson City residents to find a solution for keeping the area open for recreation and access. Chairperson Hartman suggested the area should be included in the public lands bill.

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Mr. Guzman requested the committee members' input regarding other areas of the map, including a proposed motorized, double-track connector trail from Ash Canyon to Kings Canyon. He recommended that any motorized trail should be moved further up the hill which would mean having to open the gate to the waterfall access road, and constructing the road further away from the residential area. Chairperson Hartman expressed the opinion the proposed area is "way too steep and there are at least two major canyons." He expressed the further opinion that a motorized trail would be impossible, and suggested any trail in the area should be designated as non-motorized. In response to a question, Mr. Guzman pointed out the Premier Mine Road. Member Scott referred to Mr. Krahn's reference to desire lines as opposed to exact locations, and suggested that practicality becomes an issue in steep terrain. Mr. Guzman acknowledged the route depicted on the map will not work. Moving the trail west may not work either because of the steep terrain. Moving the trail to the east brings it too close to the residential area. Mr. Guzman acknowledged the trail may not be feasible. Chairperson Hartman commented "there's no reason to ... force an impractical solution ... because lines look good on the map." Member Scott noted that the subject property is owned by the USFS which would, presumably, be very concerned about environmental impacts. He suggested conveying a desire line as part of planning for north of Kings Canyon. Mr. Guzman recommended designating the trail as pedestrian if a connector between Ash and Kings Canyons is needed.

Member Perock expressed concern about the lines designated in the Prison Hill area, and motorized access for areas near residential property. Mr. Guzman reviewed concerns of Mr. Schultz and Mr. Fagen over a proposed route through the Horse Creek Ranch. He advised of Mr. Schultz's recommendation to indicate desired trails on public land which is adjacent to private land. He agreed with the recommendation. With regard to the areas of Timberline, the Vicee Canyon SPA, and Lakeview, Mr. Guzman pointed out quite a few proposed trails across Meeson land. He advised that construction of the proposed trails would be unlikely. He reviewed corrections to the map for trails in the area of Ash Canyon Road. He discussed problems associated with crossing Highway 395 in the area of the Virginia Range, and noted the only route is the freeway underpass at East Lake Boulevard. He suggested the map should show the intersection.

Mr. Guzman noted the two trails which cross the Swafford property, and suggested the area may be better served by looping around the private property. Member Scott discussed the need for a "bridge between desire lines and what really is going to work." He suggested this would be an area where a trails coordinator could provide assistance. He expressed understanding for concerns over desire lines. Mr. Guzman explained the trail designation associated with the Potter property and Ormsby Boulevard.

Mr. Guzman noted areas, in the Virginia Range which are owned by the USFS and Nevada State Parks, and discussed possible changes to the map designations. He reiterated an earlier comment that Bureau of Land Management representatives have expressed concerns over the City's desire lines indicated on BLM property. City representatives have advised the input was received as part of the public hearing process associated with the master plan. Mr. Guzman pointed out a proposed motorized road and specific pedestrian trails on the map.

Mr. Guzman pointed out the V&T Special Planning Area, and discussed the proposal to construct a pedestrian trail in the vicinity. Mr. Krahn provided background information on the purpose of designating the specific plan area. He requested input of the committee members. Member Scott commented that the desire lines imply flexibility, and expressed a preference for potential connections to be designated.

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Chairperson Hartman recalled a local district court decree regarding motorized sportsman's access to Ash Canyon which he noted did not appear to be shown on the map. Mr. Guzman reviewed the route of the proposed access from the Wellington Crescent subdivision, south onto Joost land, to the terminus of Ash Canyon Road. He advised of having been unsuccessful in working out an agreement with Karen Joost regarding permanent access through her land to Ash Canyon Road. He has experienced more success in requesting state and WNCC representatives for permanent north / south access, which would be located west of Wellington Crescent, to north of Wellington Crescent, toward Silver Oak. He advised that actual implementation would be tied to approval of the Vice Canyon SPA which, if not approved, would require further investigation into permanent access. He advised that the court order, referenced by Chairperson Hartman, requires Carson City to endeavor to designate a permanent access. In response to a question, Mr. Guzman pointed out the access from the Wellington Crescent subdivision to Lake Tahoe, and advised of concerns expressed by Planning and Parks and Recreation Commissioners that creating a road presumes a certain level of maintenance. He noted that motorized vehicles are not allowed on state park property. He advised of a parking area on state property which was constructed to accommodate off-road use. In so doing, state representatives hoped to bring some order to a totally unregulated situation. Mr. Guzman advised of discussions to continue motorized access into the park, with egress onto Lakeview Road. This was not considered favorably by anyone, however, and the proposal was subsequently eliminated from consideration. In reference to the Waterfall Fire, Member Scott suggested integrating staging and access areas for fire agencies.

Mr. Guzman pointed out trail designations south of the Pine Nut Mountains, and advised of a recommendation to move a certain trail further to the east to create more of a separation from an adjacent residential area. He explained the trail has been used by motorized vehicles as opposed to pedestrians / equestrians which has created an issue of enforcement. In response to a question, Mr. Guzman pointed out Bureau of Land Management and Indian allotment parcels.

At Member Scott's request, Mr. Guzman explained the purpose of this agenda item to present the map, receive input from the committee members, revise the map accordingly, and move forward with the process of master plan adoption. Discussion took place regarding redlined overlays, and Mr. Guzman suggested a series of maps depicting certain uses. Chairperson Hartman agreed. Mr. Guzman advised that, if hiring a trails coordinator is precluded by budget constraints, the responsibility will be divided among various, related departments. Chairperson Hartman opened this item to public comment.

(7:13:12) Dave Morgan acknowledged the importance of recreational access, but discussed the need to ensure the peaceful enjoyment of residential, pedestrian, and equestrian areas. He expressed concern over "creating the illusion that we can have it all, that we can put everybody together. ... You can't control everything. And because you can't control everything, you can't give away everything." He expressed the opinion that creating too much connectivity for OHVs "is creating an explosive situation." He disagreed with moving the existing trail behind the residential area of Gentry Lane "because that won't do anything." He expressed concern over fire danger, noise, dust, and the number of OHV users in the area of the Kitchen subdivision. He suggested that if anything is approved to connect "Koontz with this area, there will be a huge mistake. ... You'll be sacrificing that neighborhood." He urged that no roads behind Gentry Lane be approved. In response to a question, Mr. Morgan advised the area behind Gentry Lane is designated for non-motorized use. He described OHV routes used to access the Prison Hill area.

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(7:22:37) Bill Schultz distributed documentation to the committee members. He agreed with the community benefit represented by recreational trails, but expressed the opinion Mr. Morgan's comments were very pertinent. He thanked Mr. Guzman for presenting the recommendation to use public property for trails whenever possible. He pointed out parcel 9, and advised it should be designated as private property. He pointed out a recommended trail designation on public property, adjacent to his family's property, to access Frog Rock. He advised that Mr. Fagen and the Schultz family have range cattle in the area of parcel 9.

(7:25:18) Rob Potter advised of his family's position that Ormsby Boulevard ends at the guard rail. Before the guard rail was installed, he advised of a problem with motorized vehicles. He inquired as to plans for the section of trail designated as Ormsby Boulevard. Chairperson Hartman advised that the Ormsby Boulevard route is paved to the guard rail and dirt after that. Mr. Potter acknowledged the trail should be designated pedestrian / equestrian. He advised of his position as NDOT Bridge Maintenance Manager, and of having introduced the possibility of constructing an animal crossing in the area of Lakeview Hill which could also be used as a pedestrian / bicycle / equestrian crossing. He advised the concept has been implemented in the Banff area of British Columbia. NDOT officials are entertaining the idea of this type of facility in the Spooner area. Mr. Potter offered his assistance.

Mr. Guzman advised that Clear Creek Road would be designated as a proposed route rather than being eliminated from consideration. He acknowledged that trails designated on BLM property will also be considered proposed. He reiterated support for Mr. Schultz's idea to designate trails on public land adjacent to private land wherever possible. He expressed further support for designating the connector between Ash and Kings Canyons as pedestrian, not motorized. Chairperson Hartman discussed the importance of practicality in light of being able to accomplish projects and avoiding creation of interface issues. Trail heads provide for trailering horses and OHVs to a certain location and then taking off. Member Scott suggested the need for fire access may change the perspective on trail construction, amenities, provisions for sedimentation, erosion, etc.

(7:32:35) Rob Potter discussed his experience mountain biking in the west portion of town. He described a trail route from Lakeview to Vicee Canyon, and suggested it would serve as a "neat loop." He described other, possible routes. He agreed that motorized access between Ash and Kings Canyons would be too steep, but expressed support for a mountain bike route. He clarified that his earlier comments were personal and not representative of NDOT plans.

Mr. Guzman requested input of the committee members regarding the trail in the area of Gentry Lane. Member Perock advised of having lived in the area for 25 years, and that he has always considered the trail as pedestrian. He expressed the opinion the trail should remain non-motorized. He reiterated the problem of enforcement, and advised that new signs have been installed to indicate non-motorized access. **Member Riedl moved to recommend to the Planning Commission and the Board of Supervisors adoption of the Unified Pathways Master Plan with the following recommendations: to identify Clear Creek as it currently is; to accept recommendations by Mr. Schultz on the alternative Frog Rock trail; to not identify new, motorized trails until such time as a higher level of planning can be accomplished; and to include, in Chapter 7, an Americans with Disabilities Act transition plan as a goal to reduce potential liabilities to Carson City. Member Fischer seconded the motion.** Member Scott suggested adding the concept of utilizing public lands as opposed to private lands where adjacent and feasible. **Member Riedl so amended his motion. Member Fischer continued his second.** Member Riedl

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acknowledged that his motion referred to proposed new motorized trails. Member Scott noted that the existing trail behind Gentry Lane is designated as non-motorized, and expressed the hope it would remain so designated. Chairperson Hartman called for a vote on the pending motion; **motion carried 5-0.**

3-B. ACTION TO AUTHORIZE THE OPEN SPACE MANAGER TO ENTER INTO NEGOTIATIONS WITH MR. JAMES JARRARD AND MR. MICKEY ANDERSEN TOWARDS A LAND CONSERVATION TRANSACTION (BUZZY'S RANCH) APPROXIMATING 483 ACRES LOCATED AT CARSON RIVER ROAD, NORTH OF SILVER SADDLE RANCH, APNs 10-071-25, -26, -27, -21 AND 10-021-46, -47, AND -58 (7:38:38) - Mr. Guzman reviewed the staff report, and noted the two properties had been listed priorities of the Open Space Program "since day one." He advised it was "way too early" in the process to estimate cost or acquisition methods. **Member Fischer moved to authorize Mr. Guzman to enter into negotiations. Member Scott seconded the motion.** Chairperson Hartman called for public comment; however, none was forthcoming. He agreed the two properties had been identified as priorities from the very beginning of the Open Space Program. Member Scott thanked both parties for their willingness to reconsider and provide time frames for negotiation. Chairperson Hartman called for a vote on the pending motion; **motion carried 5-0.** Chairperson Hartman recessed the meeting at 7:41 p.m. and reconvened at 7:51 p.m.

3-C. PRESENTATION ONLY ON THE CARSON RIVER AQUATIC RECREATION PLAN FROM MEXICAN DAM TO DAYTON VALLEY STATE PARK (7:51:49) - Lynn Zonge provided background information on her experience as an avid kayaker and boater over the past 16 years. She advised of having served as a commercial raft guide in the Grand Canyon, in Mexico, and in Guatemala, and expressed the opinion the Carson River Canyon "is an absolute gem." She provided background information on the Carson River Aquatic Trail Plan, and narrated a SlideShow presentation. She discussed Recreation Engineering Lead Designer Gary Lacey's involvement in the white water park at Wingfield on the Truckee River. Mr. Lacey has "taken hazardous dams around the west and changed them into passable dams, everything from small rock diversions to really big Bureau of Reclamation changes." Ms. Zonge narrated, and responded to questions regarding, a conceptual drawing of the Mexican Dam solution. She advised that the plan goals include amenities to be added to the River corridor, signage, restrooms, trash receptacles, weed abatement, etc., and development of a Carson River map.

In response to a question, Ms. Zonge advised that strategic parcel purchases would help to facilitate the plan. Mr. Krahn reviewed the time table associated with development of the plan. Chairperson Hartman thanked Ms. Zonge. Ms. Zonge invited the committee members to participate in a VIP tour of the River scheduled for Friday, May 19th.

3-D. ACTION TO RECOMMEND TO THE BOARD OF SUPERVISORS TO BUDGET FOR A FUELS REDUCTION PROGRAM ALONG THE CARSON CITY WEST WILDLAND INTERFACE AREA (8:08:04) - Mr. Guzman reviewed the staff report. Member Scott advised he would abstain from voting on this item. **Member Fischer moved to recommend to the Board of Supervisors to expend \$20,000 of open space funding for fuels management. Member Perock seconded the motion.** Chairperson Hartman called for public comment and, when none was forthcoming, a vote on the pending motion. **Motion carried 4-0-1, Member Scott abstaining.** Member Scott expressed appreciation for Mr. Borda offering his sheep for the project. He anticipates the community will appreciate seeing the sheep on the hill. Chairperson Hartman expressed appreciation for the project, and pointed out it should be done annually.

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3-E. ACTION TO RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A CONTRACT PROPOSAL BY LEWIS & ASSOCIATES FOR THE PRELIMINARY DESIGN AND ROUTE SELECTION FOR A TRAIL TO BE CONSTRUCTED EAST OF THE DEER RUN ROAD BRIDGE, CARSON RIVER CANYON, IN THE VICINITY OF THE V&T TRAIL ROUTE (8:11:31) - Mr. Guzman requested the committee to defer this item to the next meeting.

3-F. ACTION TO RECOMMEND TO THE BOARD OF SUPERVISORS NOMINATION OF THE FOLLOWING PROJECTS FOR THE NEXT CYCLE OF THE QUESTION #1 STATE PROGRAM; POTTER PROPERTY (KINGS CANYON), BUZZY'S RANCH (ANDERSEN AND JARRARD PROPERTIES) LOCATED AT CARSON RIVER ROAD; RECREATION ENHANCEMENT TO THE MEXICAN DAM AT THE CARSON RIVER - MIDDLE REACH (8:12:02) - Mr. Guzman reviewed the staff report. Chairperson Hartman expressed concern over water rights associated with the Mexican Dam. Member Scott expressed the opinion that even if all the Mexican Dam water rights are public, there is still an "extremely important need" to keep the structure in good condition. In response to a question, Mr. Guzman advised the Question #1 funding would be used to make the dam safe for recreation opportunities. Member Scott advised that, once the mean high water mark is identified, there may be a way to facilitate an easement across adjacent property. Chairperson Hartman advised of a specific Nevada Supreme Court case regarding the mean high water mark. Member Perock advised of barbed wire fence on the site at issue. Discussion took place regarding safe access. Member Scott advised that surveying the mean high water mark has to be done in conjunction with the Division of State Lands. Mr. Guzman advised that this item is being considered now because of the opportunity to repair the dam. In response to a question, he advised that repairs need to be done as soon as possible. The Army Corps of Engineers has been requested to allocate funding.

(8:19:25) Donna Curtis expressed concern over the tier one projects listed in the Unified Pathways Master Plan which may also be included in the Question #1 priority list. She requested that the work group, comprised of Open Space Advisory Committee, Carson River Advisory Committee, and Parks and Recreation Commission members be reconvened to review the Question #1 priority list.

Mr. Guzman referred to a recent status report of all Question #1 projects provided to this committee. He agreed with meeting to discuss Question #1, its associated time tables and priorities. Member Scott expressed appreciation for Ms. Curtis' comments, and agreed with the importance of coordination. He noted that the City is a significant water rights holder on the Mexican Dam, and that it would be a shame to spend money without addressing the safety and recreation issues. He noted the appropriateness of this committee participating as a partner with the water rights holders in the process. Member Riedl agreed.

Member Fischer moved to recommend to the Board of Supervisors nomination of the following projects for the next cycle of the Question #1 State Program: the Potter property; Buzzy's Ranch, located at Carson River Road; and recreation enhancement to the Mexican Dam at the Carson River - middle reach. Member Scott seconded the motion. Chairperson Hartman called for public comment and, when none was forthcoming, a vote on the pending motion. **Motion carried 5-0.**

4. NON-ACTION ITEMS:

STATUS REPORTS AND COMMENTS FROM COMMITTEE MEMBERS - None.

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STATUS REPORTS AND COMMENTS FROM STAFF (8:25:45) - Mr. Guzman reviewed the “FYI” items included in the agenda materials. He responded to questions regarding the V&T Trail in conjunction with the Corte Reale PUD.

FUTURE AGENDA ITEMS FROM COMMITTEE MEMBERS - Previously covered.

5. ACTION ON ADJOURNMENT (8:30:10) - Member Fischer moved to adjourn the meeting at 8:30 p.m. Member Scott seconded the motion. Motion carried 5-0.

The Minutes of the February 27, 2006 Carson City Open Space Advisory Committee meeting are so approved this 20th day of March, 2006.

STEPHEN D. HARTMAN, Chair