



Storey County Board of County Commissioners Agenda Action Report

Meeting date:

Estimate of time required:

Agenda: Consent [] Regular agenda [x] Public hearing required []

Title:

- A. Reaffirm Storey County Administrative Policies and Procedures Number 010 dated 4-07-2009 "Vehicle and Equipment Assignment and Use.
- B. Development of Policies and Procedures relating to the adoption of Volunteer participation programs in certain County events and requirements for use of County owned vehicles.

1. Recommended motion

The County Commission does hereby reaffirm Storey County Administrative Policy Number 010 dated 4-7-2009 pertaining to Vehicle and Equipment Assignment and Use. In addition, the County Commission does hereby move to create a committee headed by the Storey County Risk Management team which will develop policies and procedures pertaining to deployment of certain volunteer groups and the use of County owned vehicles. This committee will consist of members of the County Risk Management team, Fire Chief, Emergency Management Director Shannon Gardner –President of Storey County Safety Committee and Sheriff.

3. Prepared by: Hugh Gallagher

Department: Comptroller

Telephone: 847-1006

4. Staff summary:

During the past two plus months, there have been two incidents involving volunteer's and Storey County Sheriff vehicles which have brought considerable concern as to the County's liability for volunteer's action. The first incident involved a Storey County Sheriff vehicle which was involved in an accident and the other was an observation of a that a Storey County Sheriff Vehicle operated by a volunteer contained a loaded weapon in violation of Nevada Revised Statutes. Understanding that under STOREY COUNTY ADMINISTRATIVE policies and procedures number 10 II (A) dated 4-07-2009 "Use of County vehicles and equipment will be limited to County employees who, by the nature of their duties, have a need to operate such equipment," these two incidents could have resulted in catastrophic liability situations for the County. It is therefore the recommendation from the Risk Management Team that volunteer programs in general need administrative and operational oversight and the use of County owned vehicles in specific need to be addressed. In addition, until this committee presents its findings before the board, it is the Risk Managements team advises that all volunteer operation of County

owned vehicles be suspended until proper administration and operational guidelines are established.

5. Supporting materials:

Storey County Administrative Policies

Storey County Volunteer Fire Department Constitution (Table of Contents)

6. Fiscal impact:

The potential of numerous law suits pertaining to misuse of County owned vehicles or equipment could have a devastating effect to the ending fund balance of the General Fund and future insurance premiums.

Funds Available:

Fund:

_____ Comptroller

7. Legal review required:

_____ District Attorney

8. Reviewed by:

_____ Department Head

Department Name: Commissioner's Office

_____ County Manager

Other agency review: _____

9. Board action:

☐ Approved

☐ Approved with Modifications

☐ Denied

☐ Continued

Agenda Item No.

**STOREY COUNTY ADMINISTRATIVE
POLICIES AND PROCEDURES**

NUMBER: 010
EFFECTIVE DATE: 04-07-2009
AUTHORITY: **BOC**
COUNTY MANAGER: Dwy

SUBJECT: VEHICLE AND EQUIPMENT ASSIGNMENT AND USE

I. PURPOSE: To provide direction to management for the use and assignment of County owned vehicles and equipment.

II. POLICY AND PROCEDURES:

- A.** Use of County vehicles and equipment will be limited to County employees who, by the nature of their duties, have a need to operate such equipment. Vehicles will not be assigned to employees as a personal benefit of their position. Abuse or misuse of vehicles or equipment will result in disciplinary action. Employees who are charged with the operation of County vehicles will be responsible as follows:
1. Maintain a valid Nevada driver's license or CDL appropriate to the class of equipment operated.
 2. Regular operator maintenance checks for: fluid levels, tire pressures and all safety items.
 3. Maintain a clean and safe vehicle.
 4. Timely delivery to the County Shop for all preventive and mechanical maintenance.
 5. Report any accidents to the designated County Risk Manager.
 6. Properly skilled to operate equipment in a safe manner.
- B. TAKE HOME USE OF COUNTY VEHICLES:** The decision to allow a vehicle to be taken home will be based on the operational needs of the department. Employees whose position requires them to be called out in a situation critical to public safety, or who are specifically equipped to respond to a situation critical to public safety, may be authorized to travel from home to work. Vehicles assigned to employees residing outside Storey County will be approved on a limited exception basis only where strong business justification exists. The County Manager must approve all requests.
- C. NUMBERING, LICENSING AND CLASSIFICATION:** When a vehicle is purchased for County use, the title and odometer statement will be forwarded to the Comptroller. The Comptroller will assign a permanent equipment number to the vehicle. Prior to delivery of the equipment to the requesting department, the Department Head will apply all required identification to the vehicle, ensure all registration procedures are completed, install license plates, add safety equipment, inspect the vehicle for any defects, and verify that a fixed asset form has been

completed and submitted to the Comptroller's office. The vehicle will then be released for department use.

- D. **PASSENGERS IN COUNTY VEHICLES:** Transporting passengers in County vehicles that are not County employees is restricted to the following conditions:
1. Disasters caused by fire, flood, earthquake or other natural causes;
 2. Any impairment of the health or safety of an individual;
 3. Persons traveling with a County employee in the course of official County business.

III. RESPONSIBILITY FOR REVIEW: The County Manager and or Department Head is responsible for review of this directive as needed at least every 5 years.

**STOREY COUNTY ADMINISTRATIVE
POLICIES AND PROCEDURES**

NUMBER: 011
EFFECTIVE DATE: 11-3-09
REVISED:
AUTHORITY: BOC
COUNTY MANAGER: PAW

SUBJECT: USE OF PRIVATE VEHICLES

- I. PURPOSE:** To establish guidelines when employees use private vehicles for county business.
- II. POLICY:** County vehicles should be used when available before employees on County business may travel using their private vehicles. An employee using their own vehicle for county business must maintain current registration, license and vehicle insurance.

Employees involved in accidents driving private vehicles while on county business must notify their department head as soon as possible. The employee's vehicle insurance policy is the primary coverage for damages to any private vehicle being used while on county business. The County's insurance provides no coverage on the employee's vehicle. Reimbursement for use of a private vehicle must meet the requirements of NRS 245.060 and/or 245.062 and county policy # 004 (Section VI (F)).

If a personal vehicle is used as personal preference when a county vehicle is available, mileage will be reimbursed at 50%, per NRS 281.160(3).

1. Reimbursement will be at the IRS allowed mileage rate in effect January 1st of each year.
2. Reimbursement is to be requested on the Travel Expense Claim form (See policy #004, Attachment A). The claim form should be filled out as completely as possible, with back-up information. Odometer readings are not required.
 - Mileage to the Reno-Tahoe Airport will be reimbursed based on 30 miles from Virginia City.
 - Mileage will be reimbursed for business related trips to Carson City and Reno, based on 17 miles from Virginia City to Carson City, and 32 miles from Virginia City to Reno.

- III. RESPONSIBILITY FOR REVIEW:** The County Manager's office will review this policy every 5 years.

**STOREY COUNTY ADMINISTRATIVE
POLICIES AND PROCEDURES**

NUMBER 012
EFFECTIVE DATE: 11-3-09
REVISED:
AUTHORITY: BOC
COUNTY MANAGER: PAW

SUBJECT: COUNTY VEHICLE MAINTANENCE

- I. PURPOSE:** To provide direction for the administration of the County's Service Department.
- II. POLICY:** The Board of County Commissioners, Elected Officials and County Manager's Office recognize the substantial investment in the county's vehicles and equipment assets that are required by the county agencies in their delivery of services to the public:
- A) The Vehicle Maintenance Division shall operate as an Internal Service Department and provide maintenance services to all County Agencies. The Internal Service Department operates as a division of the Public Works Department, by providing vehicles and equipment services which includes maintenance, record keeping and operating needs. All vehicles and equipment ownership will reside in the owning department's fund.
 - 1. It is recommended that vehicle and equipment maintenance be serviced by Storey County Internal Service Department, but not required.
 - 2. A maintenance or vehicle repair request shall be submitted to the Internal Service Department Automotive/Equipment Specialist (See form # 012-F). The Service Dept. will accept phone calls to schedule appointment, however Department must also submit Form #012-F.
 - 3. The Automotive/Equipment Specialist shall prioritize the requests at his discretion, based on current project, schedules and accessibility to required parts.
 - B) Elected Officials, Dept. Heads or Supervisors shall be responsible for the vehicles that have been assigned for their use.
 - 1. Motor oil, transmission oil, power steering fluid, engine coolant and battery fluid levels shall be maintained at standard operating levels. No vehicle shall be operated with levels below the recommended standards.
 - 2. Mechanical malfunctions shall be reported promptly. When continued operation of a vehicle is likely to cause further damage, the vehicle shall be taken out of service until it is inspected by a mechanic and or

repaired if required. Arrangements for repairs shall be made promptly and without unnecessary delay.

- C) The vehicle maintenance is charged back to the Department of ownership for the cost of any special maintenance requirements the department or agency may require.

RESPONSIBILITY FOR REVIEW: The County Manager or his/her designee will review this policy every 5 years or sooner as necessary.

STOREY COUNTY MAINTENANCE REQUEST/ VEHICLE OR EQUIPMENT REPAIR

Date:		Department:	
Reported by:		Phone:	
Vehicle License #:		Vehicle Year:	
Vehicle Make:		Billing Acct:	
Urgency of Repair			
<input type="checkbox"/> Unsafe	<input type="checkbox"/> Possible Unsafe	<input type="checkbox"/> Normal Maintenance	<input type="checkbox"/> Unknown
Detailed Description of Problem:			
Possible Repair:			
Note Corrective Action Taken Here:			
Signature:		Title:	
<p>** NOTE: You may call the Service Dept, but must bring with you or fax your request to the Service Dept: (775) 847-0947</p>			
Service Dept Only			
Date: Received:		Received By:	
Scheduled Repair Date:		Signature	
Special Notes:			

**STOREY COUNTY ADMINISTRATIVE
POLICIES AND PROCEDURES**

NUMBER 013
EFFECTIVE DATE: 11-3-09
REVISED:
AUTHORITY: BOC
COUNTY MANAGER: PAW

SUBJECT: County Fuel Pumps & Fuel Card Administration

- I. PURPOSE:** Provide easy access to fuel for County Motor Vehicles.
- II. POLICY:** Motor vehicle fuel for county vehicles only shall be obtained from the county fuel pumps or with pre-authorized fuel cards. Fuel may be purchased at a commercial station in emergencies or for travel out of the area.
- III. PROCEDURE:**
- A.** County fuel pumps are for authorized users that have been given a card or key to access pumps by the appropriate authority.
 - 1. Employee's must fill-out fuel log, with county vehicle plate, mileage, gallon filled, department, employee name and date.
 - 2. Each department will be billed for monthly usage from the log.
 - B.** Pre-Authorized fuel cards can be used at commercial stations.
 - 1. Cards shall be issued by County Comptroller.
 - 2. Company and County regulations shall be followed by all authorized employees.
 - 3. Any disputes shall be reconciled by the department within 30 days and the department will notify the County Comptroller.
 - C.** NO employee shall utilize the county fuel pumps or fuel cards for his or her personal vehicle.
 - D.** Any lost fuel Card or Key shall be reported to the to the persons immediate supervisor, then through the chain of command to the department head/elected official. The department head/elected official shall report this loss to the County Comptroller and cancel cards as appropriate after consultation and concurrence with the County Comptroller
 - E.** Disciplinary action up to and including termination may result for employees who misuse county fuel privileges.

RESPONSIBILITY FOR REVIEW: The County Manager or his/her designee will review this policy every 5 years or sooner as necessary.

Storey County Volunteer Fire Department Constitution

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Storey County Board of County Commissioners Agenda Action Report

Meeting date: August 19, 2014

Estimate of time required: 15 minutes

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☒

- 1. Title: Variance 2014-006:** By Joyce Kveum at a property located at 109 South C Street, Virginia City, Nevada 89440 (APN 001-074-03) for a business commonly known as Comstock Corner Cafe. The applicant requests a variance for the purpose of changing the allowed width and length of a sign which will be attached to the porch of the business.
- 2. Recommended motion:** In accordance with the recommendation by the Planning Commission and Staff, the Findings under Section 6.1 of the Staff Report and/or other Findings deemed appropriate by the Board, and in compliance with all Conditions of Approval, the Storey County Board of County Commissioners approves Variance Number 2014-006 Comstock Corner Cafe Sign Variance.
- 3. Prepared by:** Dessie Redmond, Planner

Department: Planning Department **Telephone:** 847-1144
- 4. Staff summary:** The Applicant request a Variance for the purpose of changing the allowed width and length of a sign which is proposed to attached to the face of the porch of the subject business.
- 5. Supporting materials:** Staff report, exhibits and appendixes (included in the August 5, 2014 packet).
- 6. Fiscal impact:** None on local government.
Funds Available: _____ Fund: _____ Comptroller
- 7. Legal review required:**
_____ District Attorney
- 8. Reviewed by:**

Department Head Department Name:

County Manager Other agency review: _____
- 9. Board action:**

<input type="checkbox"/>	Approved	<input type="checkbox"/>	Approved with Modifications
<input type="checkbox"/>	Denied	<input type="checkbox"/>	Continued

Agenda Item No.



STOREY COUNTY PLANNING DEPARTMENT

Storey County Courthouse
26 B Street, PO Box 176, Virginia City, NV 89440
Phone 775-847-1144
planning@storeycounty.org

To: Storey County Board of County Commissioners

From: Storey County Planning Department

Meeting: August 5, 2014 at 10am

Meeting Locations: Storey County Courthouse - 26 South B Street, Virginia City, Nevada 89440

File: 2014-006 Comstock Corner Cafe Sign Variance

Applicant: Joyce Kveum dba Comstock Corner Cafe

Property Owner: Nick Guerra

Location: 109 South C Street, Virginia City, Nevada 89440 at a business commonly known as Comstock Corner Cafe (Assessor Parcel Number: 001-074-03)

Staff: Dessie Redmond, Planner

*Figures: Figure 1-Vicinity Map; Figure 2-Zoning Map; Figure 3- Pictometry Image;; Figure 4 through 7-Site Photos; Figure 8-Sign Graphic from SCC 17.84; Figure 9 - Sign Silhouette Graphic with Dimensions; Figure 10-Abutting Land Parcel Uses; Figures 11-Graphic from SCC 17.14.100; Figure 12-Site Photo Showing Congested Boardwalk

Appendices: Appendix 1- Justification of Project and Drawing Submitted by Applicant, Appendix 2-Certificate of Appropriateness from the CHDC, Appendix 3- Public Comment Submitted by Cheryl Bailey (Ponderosa Saloon)

Guiding Documents: Storey County Code, Sections 17.84 Signs and Billboards, Storey County Code Section 17.03.140 Variances, Storey County Code Section 17.30 Commercial- Residential Zone, Storey County Code Section 17.15 Public Zone and the Storey County Master Plan

Request: The Applicant requests a Variance for the purpose of changing the allowed width and length of a sign which is proposed to attach to the face of the porch of the subject business.

***Please note: Figures are at the end of the report and not embedded within the text.**

1. Background and Analysis

1.1 Site Location and Characteristics

The subject property is located at 109 South C Street in Virginia City, Storey County, Nevada 89440. Reno is approximately 26 miles to the northwest and Gold Hill is approximately two miles to the southwest (Figure 1 - Vicinity Map). The subject property is zoned Commercial-Residential (CR) (Figure 2 - Zoning Map) and is located within the Comstock Historic District boundaries. Figure 3 – Pictometry Image shows the Applicant's property in relation to the abutting properties and the surrounding area. The subject property is located on a corner lot (Figure 4 through 7 - Site Photos). There is another store front (previously the Mark Twain Book Store) located in the subject building. Currently, this storefront is vacant. Also, there is a false front on the top of the first story that was built in the 1960s.

1.2 Storey County Code - Signs and Billboards

Storey County Code (SCC) 17.84.090 (E) (1) Comstock Historic District Sign Requirements states, signs above ground floor windows must comply with the following limitations: Signs must have a maximum dimension of 15 inches in width times the length of the building when installed on the face of a porch (Figure 8 – Sign Graphic from SCC 17.84).

1.3 Storey County Code - Variance

SCC 17.84.150 Variances states that applications for a Variance may be made pursuant to SCC section 17.84 and SCC section 17.03 Administrative Provisions, and may be allowed where, in the opinion of the Storey County Board of County Commissioners (the Board) with action by the Storey County Planning Commission (the Planning Commission), the same is necessary and is not in violation of the letter and spirit of the standards set forth in the SCC.

It further states, that a Variance may not be granted where a violation of the provisions set forth by NRS 384 or any provision of SCC 17.84 applicable to the Comstock Historic District would take place.

1.4 Application for a Variance

The Applicant requests (Appendix 1 – Justification and Drawing Submitted by Applicant) to have a sign that is 20 inches in width and not the entire length of the building (Figure 9 - Sign Silhouette Graphic). Further, there are two decorative parts of the sign that would have a width of up to 40" and one decorative part of the sign that would have a width of up to 68" shown in a drawing submitted by the Applicant. As previously referenced, the SCC states, signs must have a maximum dimension of 15 inches in width and be the length of the building when installed on the face of a porch. Therefore, the Applicant must submit an application for a Variance for the purpose of changing the allowed width and length of a sign which is proposed to attach to the face of the porch of the subject property.

Planning Commission discussion: During the July 17, 2014 discussion regarding the width of the sign, the Applicant stated the sign probably will not be any taller than the existing balcony post. Staff suggests making this a condition of approval.

Further, SCC 17.03.140 Variances states: A Variance to the provisions of this title may be granted by the Board with action by the Planning Commission where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulations, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or

condition of the lot or parcel, the strict application of the regulations enacted under this title would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon the owner of property.

Within this section of the SCC it also states: The Board's approval, approval with conditions, or denial of a Variance must be based on findings that indicate that the proposed use is appropriate in the location for which it is approved. The findings listed in this subsection are the minimum to be cited in an approval; the body may include additional findings in their decision. The Board and Planning Commission must cite findings of fact in the motion for approval, approval with conditions, or denial. At a minimum, the approval must be based on findings that the proposal:

1. That because of special circumstances applicable to the subject property, including shape, size, topography or location of surroundings, the strict application of the zoning ordinance would deprive the subject property of privileges enjoyed by other properties in the vicinity or under identical zone classification;
2. That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the applicant; and
3. That the granting of the application will not, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons residing or working in the neighborhood of the subject property and will not be materially detrimental to the public welfare or materially injurious to property or improvements in the neighborhood of the subject property.

1.4 Abutting Land Parcel Uses

The subject property is surrounded by commercial businesses and other uses. The Old Virginny Gun Fight Show is to the south, the Ponderosa Saloon and Mine and the Sun Mountain Jewelry Boutique are located across C Street, to the west. There is a vacant lot across Taylor Street, to the north. Behind the subject property there is a small parking lot and the Virginia City middle school gym.

1.5 Abutting Zones

The subject property is zoned CR. The surrounding zones include Public (P) and CR. The property across Taylor street, to the north, is zoned CR. The properties across C Street, to the west, are zoned CR. The properties to the south and east are zoned P (Figure 10 – Abutting Land Parcels).

1.5.1 Purpose and Intent of the Commercial-Residential Zone

SCC 17.30.015 Purpose and Intent states, the CR zone is intended to serve as a community focal point and provided for a center of mixed uses including single-family and multi-family residences which are integrated with commercial businesses, culture and entertainment amenities, and uses related to tourism. It is also intended to become a transportation center in the form of a destination for vehicular, public transit, and rail traffic supporting all allowable uses. In general, the zone provides for centers and uses of regional importance and provides an integrated and attractive environment for visitors and residents. It is intended to be an area of high intensity uses in which a full range of public facilities (including water, sewer, schools, law enforcement, fire protection, etc.) will generally be focused in accordance with the County Master Plan and connected to the immediate surrounding residential uses.

1.5.2 Purpose and Intent of the Public Zone

SCC 17.15.010 Purpose and Intent states, the purpose of the Public zone is to achieve the following:

- A. To accommodate the wide range of public institutional and auxiliary uses that are established in response to the health, safety, cultural, and welfare need of the citizens of the county;
- B. To organize the assemblage of specific, non-profit, and profit public facilities into efficient, functionally compatible, and attractively planned administrative centers in conformance with the master plan;
- C. To establish allowed uses and those requiring a special use permit to ensure compatibility with adjacent zones; and
- D. To ensure development standards and setback requirements are compatible with abutting regulatory zones.

1.6 Comstock Historic District

The subject property is located within the Comstock Historic District. Therefore, a Certificate of Appropriateness will have to be issued by the Comstock Historic District Commission (CHDC) prior to installing the proposed sign. The Applicant has submitted her proposal to the CHDC and the CHDC has issued a Certificate of Appropriateness for the proposed sign (Appendix 2 – Certificate of Appropriateness from the CHDC).

2. General Compliance with Storey County's Guiding Documents

2.1 Summary Table.

Table 1: Land Use Compatibility, shows existing land uses, Storey County Master Plan (Master Plan) designations, and the existing zoning for the Applicant's parcels of land and abutting parcels of land. There appears to be few to no evident conflicts between the proposed Sign Variance, the Master Plan and the abutting land uses. Further, Table 1 - Land Use Compatibility, shows general consistency with the Applicant's business, abutting land uses and Master Plan designations.

Table 1: Land Use Compatibility			
Land	Land Use	Master Plan	Zoning
Applicant's Land	Commercial Business	Commercial, residential, and tourism-based land uses	CR
Land to the east	Parking Lot	Public facility buildings, Governmental operations, public land uses	P
Land to the south east	Public (VC Middle School Gym)	Public facility buildings, Governmental operations, public land uses	P
Land to the south	Commercial Business	Public facility buildings, Governmental operations, public land uses	P
Land to the south west	Commercial Business	Commercial, residential, and tourism-based land uses	CR
Land to the west	Commercial Business	Commercial, residential, and tourism-based land uses	CR
Land to the north	Vacant	Commercial, residential, and tourism-based land uses	CR

3. Compliance and Non-Compliance with the Storey County Code

3.1 SSC 17.84.90 Comstock Historic District Sign Requirements

The following standards apply exclusively to all signs located on buildings as established pursuant to the terms of NRS 384. Location, size, and number of signs in Commercial (C) and CR zones are as follows:

A. Signs are not permitted on sides or rear of buildings unless there is direct public access from an abutting legal public right-of-way. If such public access exists, signs must conform to regulations for building fronts.

The subject property is **not in compliance** with this standard. There is a sign located on the back side of the subject building (Figure 5 – Site Photo (rear)) that was installed in the Spring of 2013 according to the CHDC. There is no direct public access from an abutting legal public right-of-way. Staff believes if this Variance is approved with the recommended Conditions of Approval, the Applicant will come into compliance with this standard.

Planning Commission discussion: During the July 17, 2014 discussion regarding if there is a public right-of-way at the back of the building was deliberated.

SCC 17.10 defines a public right-of-way as a strip of land or easement acquired by reservation, dedication, prescription, or condemnation and intended to be occupied by public traveled ways, highways, sidewalks, boardwalks, bicycle lanes, equestrian and pedestrian trails or other transportation related improvements.

The land is owned by the Storey County School Board and is not a strip of land or easement acquired by dedication. Therefore, it is not a right-of-way (ROW). Therefore, this sign is in violation of the SCC and would be required to be removed if this Variance is approved with conditions.

B. Signs are not permitted to extend from buildings or from porches over streets with any overhang over streets, curbs, or shoulders.

The subject property is **in compliance** with this standard.

C. Signs are not permitted on porch posts or other porch-supporting apparatus unless the signs are traffic or informational signs installed by a government agency.

The subject property is **in compliance** with this standard.

D. Signs are not permitted when installed on a building where any window, door, or opening has been altered, blocked, or removed for the purpose of installing or displaying the sign, with exception of an advertisement or other display which is painted or otherwise applied directly to the interior surface of a window pane.

The subject property is **in compliance** with this standard.

E. Signs placed upon buildings and porches are regulated as follows:

1. Signs above ground floor windows must comply with the following limitations:
 - a. Only one sign permitted between floors;

The subject property is **not in compliance** with this standard. The subject property has two signs above the ground floor windows. There is a "Restaurant" sign and a "Nevada Wines" banner attached to the "Restaurant" sign above the entry. Staff believes if this Variance is approved with the recommended Conditions of Approval, the Applicant will come into compliance with this standard. The Applicant would be required to take down the "Nevada Wine" banner sign as it is in violation of the SCC.

- b. Signs must have a maximum dimension of 15 inches in width times the length of the building when installed on the face of a porch. Signs may be 36 inches in width times the length of the building when installed on the face of the building.

The subject property is **in compliance** with this standard. The proposal is for a Variance from this provision.

- c. Signs must be of rectangular shape. Signs may be placed either on the building face or the face of the porch;

The subject property is **in compliance** with this standard.

- d. Any number of business activities may be advertised on a sign;

The subject property is **in compliance** with this standard.

- e. The base of a sign must be at least eight feet above sidewalk/boardwalk.

The subject property is **in compliance** with this standard.

2. Signs between ground floor windows and doors are regulated as follows:

- a. Signs may be of any shape;
 - b. The cumulative area of all signs must not exceed 5 square feet per business license.

The subject property is **in compliance** with these standards.

3. Building titles, names, dates, and other messages, including advertisements that were painted directly to the exterior walls, parapet walls, and between the windows of the upper floors of the building at or prior to the year 1942 may be reapplied thereto exactly as they existed at that time. Photographic proof of messages existing at that time must be submitted to the director with a Certificate of Historical Appropriateness from the Comstock Historic District Commission before the sign may be applied. These applications do not count toward the maximum allowed signs per business license.

The subject property is **in compliance** with this standard.

F. Signs on ends of porches are prohibited.

The subject property is **in compliance** with this standard.

G. Signs perpendicular to building face on building with or without porches are regulated as follows:

1. Maximum size of 12 inches times the width of sidewalk, or equivalent in square feet;
2. Minimum height of lower edge of sign must be no lower than eight feet above sidewalk or boardwalk;
3. A secondary sign which is securely attached to or suspended from the base of a primary hanging sign (together known as a double-hanging sign) is allowed when the secondary sign is equal in length to the primary sign and is no more than six inches in total in width. The space between the primary and secondary sign may not exceed two inches. Secondary signs as defined in this chapter are considered part of the primary sign and do not count toward maximum allowed signs per business license. Only one secondary sign for each primary sign applicable to this subsection is permitted.
4. One sign is allowed for every 25 feet of sidewalk or boardwalk.

The subject property is **in compliance** with these standards.

H. Neon signs are prohibited outside of buildings or within windows or openings visible from a public place. This limitation includes lighted signs that appear similar to neon signs, such as those which employ light emitting diodes (LED) that are configured so that they appear as continuous streams of light.

The subject property is **in compliance** with this standard.

I. No more than three signs per business license are allowed, excluding secondary signs as defined by this chapter and described above and window signs in accordance with subsection D.

The subject property is **not in compliance** with this standard. There is one perpendicular sign, two menu display signs on either side of the entry way, a "Restaurant" sign and a "Nevada Wines" banner attached to the "Restaurant" sign above the entry. Also, there is a sandwich board sign placed on the boardwalk. Staff would interpret this as four permanent signs (the perpendicular sign, two menu signs and the "Restaurant" sign) and two temporary signs (the banner and the sandwich sign). Staff believes if this Variance is approved with the recommended Conditions of Approval, the Applicant will come into compliance with this standard because the

Applicant would be required to have no more than three signs including the proposed sign.

Also, SCC 17.84.110 (H) states, “Sandwich-board directional signs may be displayed for extended periods with a special use permit.”

The subject property is **not in compliance** with this standard.

Staff recognizes that this regulation has not been enforced. There have been discussions on editing this section of the code. Staff has worked with C Street business owners to place sandwich boards within the recessed door areas of buildings and thresholds. The Applicant’s sandwich board does appear to be within the recessed door area of the subject building. Staff believes if this Variance is approved with the recommended Conditions of Approval, the Applicant will come into full compliance with this standard.

Further, it should be recognized that for years Staff has attempted to enforce the Sign Ordinances on C Street; however, some business owners refuse to comply. Therefore, it has been very difficult for Staff to provide equal treatment and enforcement of sign regulations on C Street.

3.2 SCC 17.12.100 General Provisions for C, CR, I-1, I-2 and I-3 Zones

SCC 17.12.100 General Provisions for C, CR, I-1, I-2 and I-3 Zones (C) states, “...A business may not display items for sale or conduct any business on the public right-of-way or between the public traveled way and building, except as may be provided for by a temporary special events permit. Recessed door openings and thresholds may be used to display and sell items so long as the items or activities do not protrude beyond the outer edge of the threshold or building wall.” (Figure 11 – Sign Graphic SCC 17.14.100)

The Applicant is **not in compliance** with this standard (Figure 12 and 13 – Site Photos Showing Congested Boardwalk). Staff believes if this Variance is approved with the recommended Conditions of Approval, the Applicant will come into compliance with this standard.

3.3 Sign Lighting in the Storey County Code

There is no proposed lighting associated with the proposed Sign Variance.

4. Compliance with Storey County Master Plan

On page 19 of the Master Plan it states:

The economic base of a county is those activities which provide basic employment and income. Storey County’s economic base shifted after World War II from mining to tourism.

It is Staff’s opinion that when in conformance with design standards set forth by NRS, the SCC, and the CHDC, the proposed sign appears to promote tourism and economic activity in a section of town known from emerging economic opportunity and, therefore, is an activity which provides basic employment and income.

5. Public Comment

5.1 Public Comment

Staff has received one letter as public comment for this file (as of posting date, July 29, 2014). This is a letter of support for proposed Sign Variance (Appendix 3 – Public Comment Submitted by Cheryl Bailey of Ponderosa Saloon).

6. Findings

6.1 Motion for Approval

The Findings of Fact are evident with regard to the requested Variance when the recommended conditions of approval in Section 7 - Recommended Conditions of Approval are applied.

The approval, approval with conditions, or denial of a Variance must be based on findings that indicate that the proposed use is appropriate in the location for which it is approved. The findings listed in this subsection are the minimum to be cited in an approval; the body may include additional findings in their decision. The Board and Planning Commission must cite findings of fact in the motion for approval, approval with conditions, or denial. At a minimum, the approval must be based on findings that the proposal:

6.1.1 There are special circumstances applicable to the subject property, including the configuration of the building and the location of the restaurant therein. therefore, the strict application of the zoning ordinance deprives the subject property of privileges enjoyed by other properties in the vicinity or under identical zone classification; and

6.1.2 That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the applicant (property owner); and

6.1.3 That the granting of the application will not, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons residing or working in the neighborhood of the subject property and will not be materially detrimental to the public welfare or materially injurious to property or improvements in the neighborhood of the subject property; and

6.1.4 The proposed Variance is in compliance with all Federal, Nevada State, and Storey County regulations; and

6.1.5 The proposed Variance is in compliance with Storey County Code 17.84 Signs and Billboards.

6.1.6 The proposed Variance is in compliance with and supports the goals, objectives and recommendations of the Storey County Master Plan.

6.2 Motion for Denial

Should a motion be made to deny the Variance request, the following findings with explanation of why should be included in that motion.

6.2.1 That there are no special circumstances applicable to the subject property, including shape, size, topography or location of surroundings, the strict application of the zoning ordinance that would deprive the subject property of privileges enjoyed by other properties in the vicinity or under identical zone classification; and

6.2.2 That the granting of the application is not necessary for the preservation and enjoyment of substantial property rights of the applicant (property owner); and

6.2.3 That the granting of the application will, under the circumstances of the particular case, adversely affect to a material degree the health or safety of persons residing or working in the neighborhood of the subject property and will be materially detrimental to the public welfare or materially injurious to property or improvements in the neighborhood of the subject property; and

6.2.4 The proposed Variance is not in substantial compliance comply with all Federal, Nevada State, and Storey County regulations; and

6.2.5 The proposed Variance is not in substantial compliance with and does not support the goals, objectives and recommendations of the Storey County Master Plan; and

6.2.6 The conditions of approval under the Variance do not adequately mitigate potential adverse impacts on surrounding uses or protect against potential safety hazards for surrounding uses; and

6.2.7 No reasonable level of conditions of approval imposed on this Variance would be sufficient to reasonably mitigate visual, safety or other potential impacts on adjacent and surrounding residences and land uses.

7. Recommended Conditions of Approval

All conditions must be met to the satisfaction of each applicable County Department.

1. If the Variance is not exercised within 12 months of the date of approval, unless additional time is granted by the Board with action by the Planning Commission, based upon consideration of the specific circumstances of the project, then without further action, the Variance will be null and void and no development activity may be made on the property except on the granting of a new Variance.

2. All signs must be maintained so that they remain free of graffiti and cracking, separation, splitting, ripping, chipping, and fading of exposed surfaces including, but not limited to, faces, lettering, and all structural supports. Signs must be maintained so that they remain safe, fully upright and level, and firmly secured to their place of attachment. Guy wires, tie-downs and lean-to support apparatuses are prohibited unless it can be demonstrated to the satisfaction of the Planning Director that the supports are crucial to the structural integrity of the advertising device and that design alternatives are impracticable.

3. The sign must not interfere with traffic regulatory devices or otherwise obstruct motorists or pedestrian vision.
4. The Applicant shall not display items for sale or conduct any business on the public right-of-way or between the public traveled way and building, except as may be provided for by a temporary special events permit.
5. Recessed door openings and thresholds may be used to display and sell items. These items or activities shall not protrude beyond the outer edge of the threshold.
6. The Applicant shall obtain a Certificate of Appropriateness from the Comstock Historic District and submit the Certificate to the Planning Department prior to the erecting of the proposed sign.
7. The Variance Holder agrees to hold Storey County, its Officers, and Representatives harmless from the costs and responsibilities associated with any damage or liability, and any/all other claims now existing or which may occur as a result of this Variance.
8. All other non-conforming signs, except for legally non-conforming signs, on the premises must be brought into compliance with the Storey County Code before the proposed sign allowed by this Variance is installed.
9. Storey County Code requires every person to obtain a sign permit from the Director prior to erecting, installing or modifying a sign. Due to pending revisions in the existing sign ordinance, the proposed sign is be exempt of this requirement.
10. Before erecting the proposed sign, the Applicant shall show the Planning Department evidence that all property taxes on the land are paid to date.
- *11. The Applicant shall contact, and work with, the Storey County Building Department during the time of sign installation to ensure proper installation of the sign.

*This Condition of Approval was added by the Planning Commissioner's during the July 17, 2014 meeting.

8. Power of the Board and Planning Commission

At the conclusion of the hearing, the Planning Commission must take such action thereon as it deems warranted under the circumstances and announce and record its action by formal resolution, and such resolution must recite the findings of the Planning Commission upon which it bases its decision. The decision of the Planning Commission in the matter of granting the Variance is advisory only to the Board of County Commissioners and that governing body must consider the report and recommendation and must make such a decision thereon as it deems warranted.

9. July 17: Planning Commission Meeting

On July 17, 2014, in accordance with the recommendation by Staff, the Findings of Fact under 6.1 of this Staff Report, and in accordance with other conditions brought forth by the Planning Commission, and in compliance with all Conditions of Approval (1-11), the Storey County Planning Commission voted unanimously to recommend approval for Variance 2014-006 (yes = 7, nay = 0, absent = 0).

10. Proposed Motions

This section contains two options from which to choose. The motion for approval with the Conditions of Approval is recommended by the Planning Commission and Staff in accordance with the Findings under section 6.1 of this Staff Report. Those Findings should be made part of that motion. A motion to deny the proposed Variance may be made and that motion should cite one or more of the Findings shown in section 6.2. Other Findings determined appropriate by the Board should be made part of either motion.

10.1 Recommended Motion

In accordance with the recommendation by the Planning Commission and Staff, the Findings under Section 6.1 of this Staff Report and/or other Findings deemed appropriate by the Board, and in compliance with all Conditions of Approval, the Storey County Board of County Commissioners approves Variance Number 2014-006 Comstock Corner Cafe Sign Variance.

10.2 Alternative Motion

In accordance with the Findings under Section 6.2 of this Staff Report and/or other Findings deemed appropriate by the Planning Commission, the Storey County Board of County Commissioners denies Variance Number 2014-006 Comstock Corner Cafe Sign Variance.

Prepared by: Dessie E. Redmond, Storey County Planner



— Property Boundary

Figure 1 – Vicinity Map

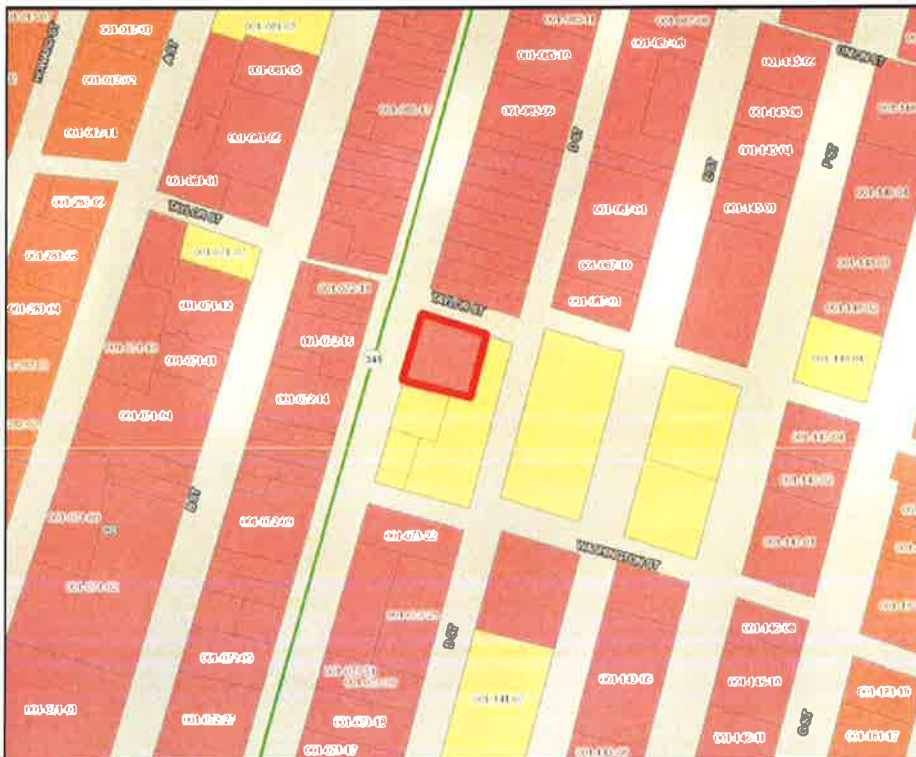


Figure 2 – Zoning Map

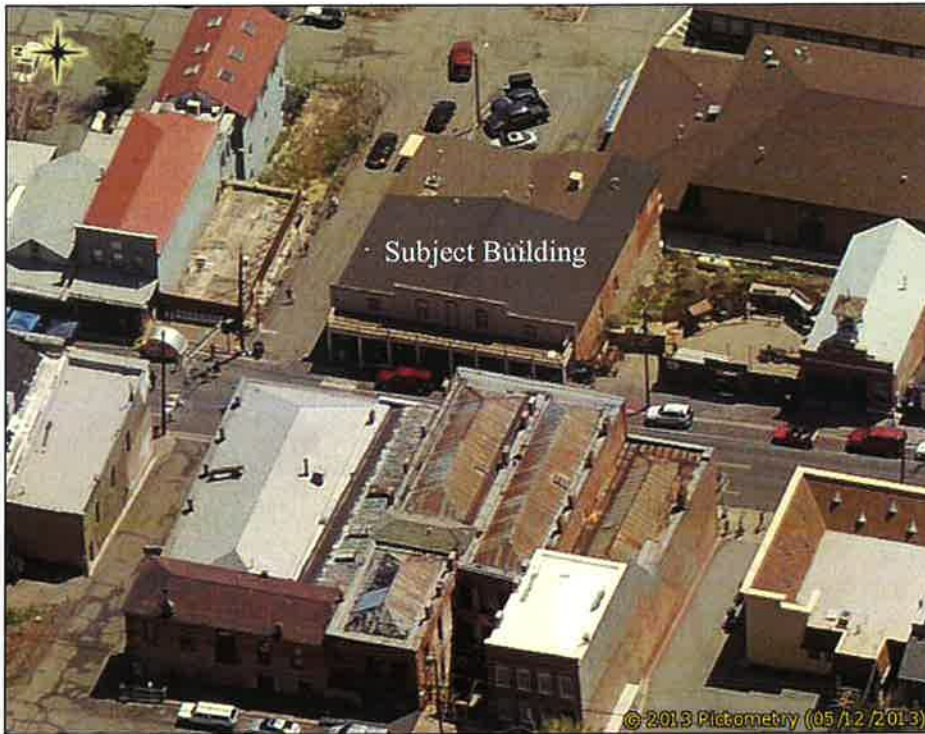


Figure 3 – Pictometry Image



Figure 4 – Site Photo (front)



Figure 5 – Site Photo (back)



Figure 6 – Site Photo (looking north along boardwalk)



Figure 7 – Site Photo (looking south along boardwalk)

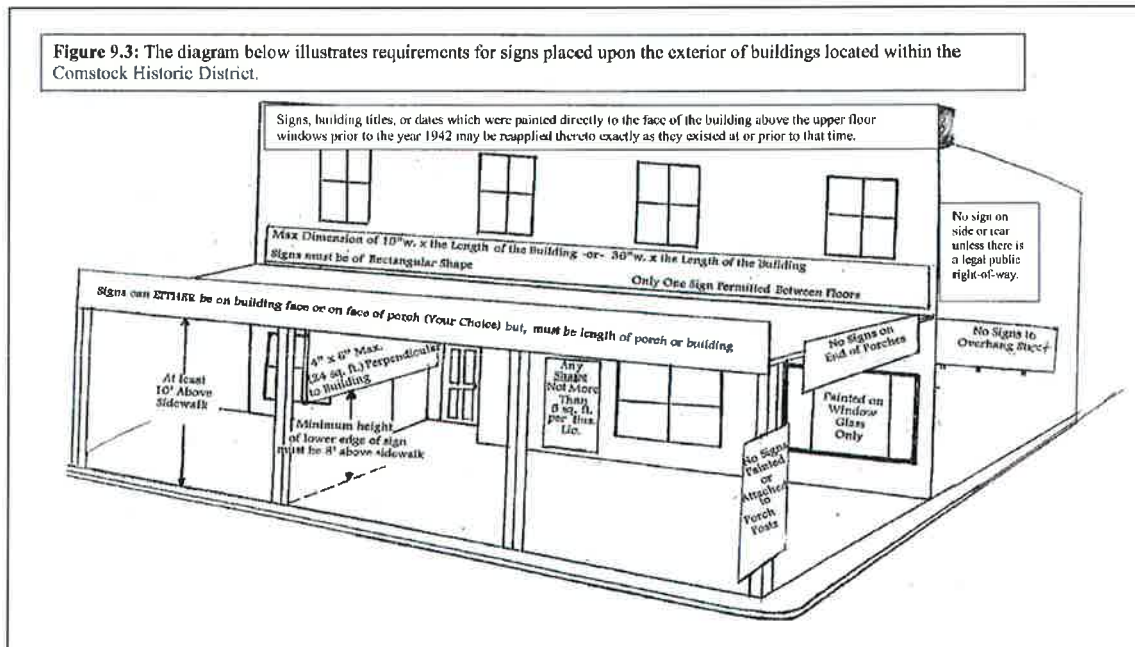


Figure 8 – Sign Graphic from SCC 17.84

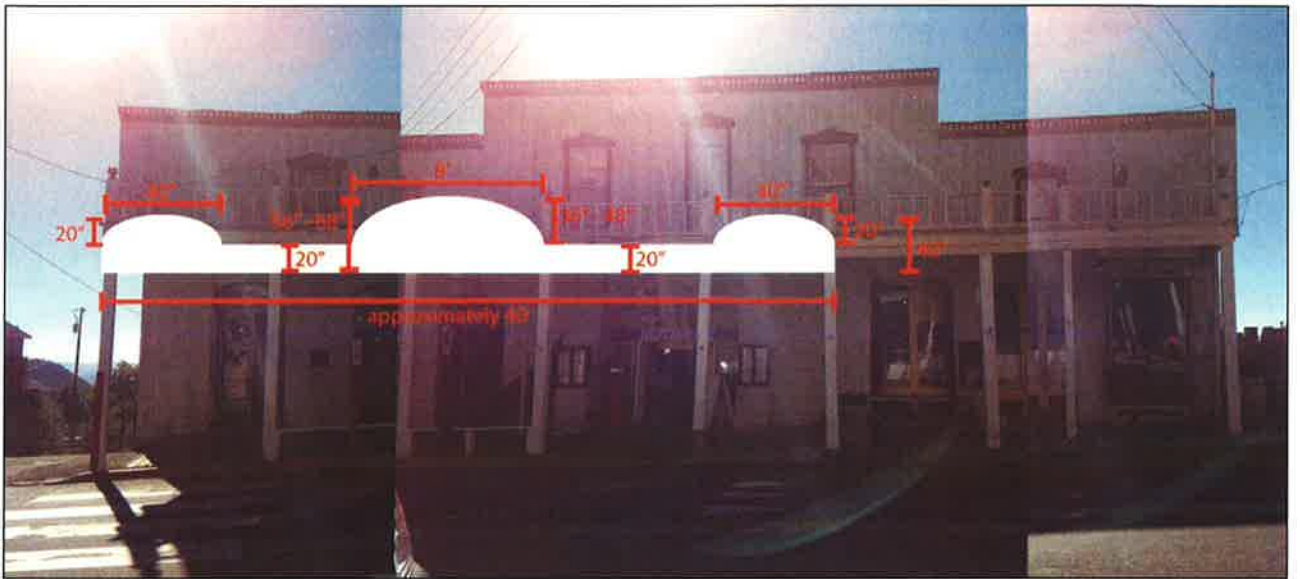


Figure 9 – Sign Silhouette Graphic with Dimensions



Figure 10 – Abutting Land Parcel Uses

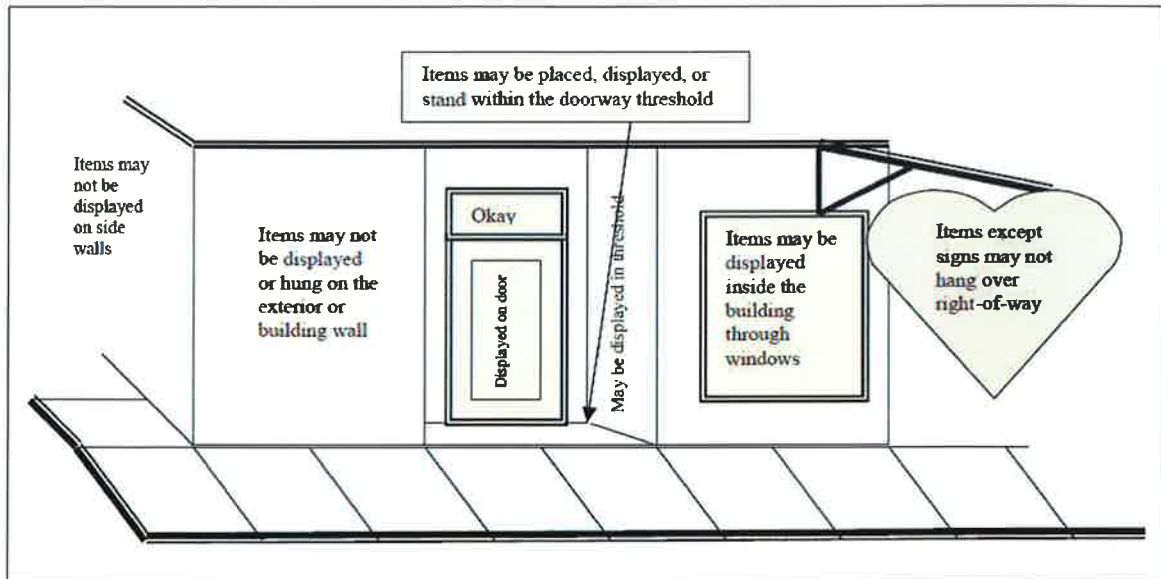


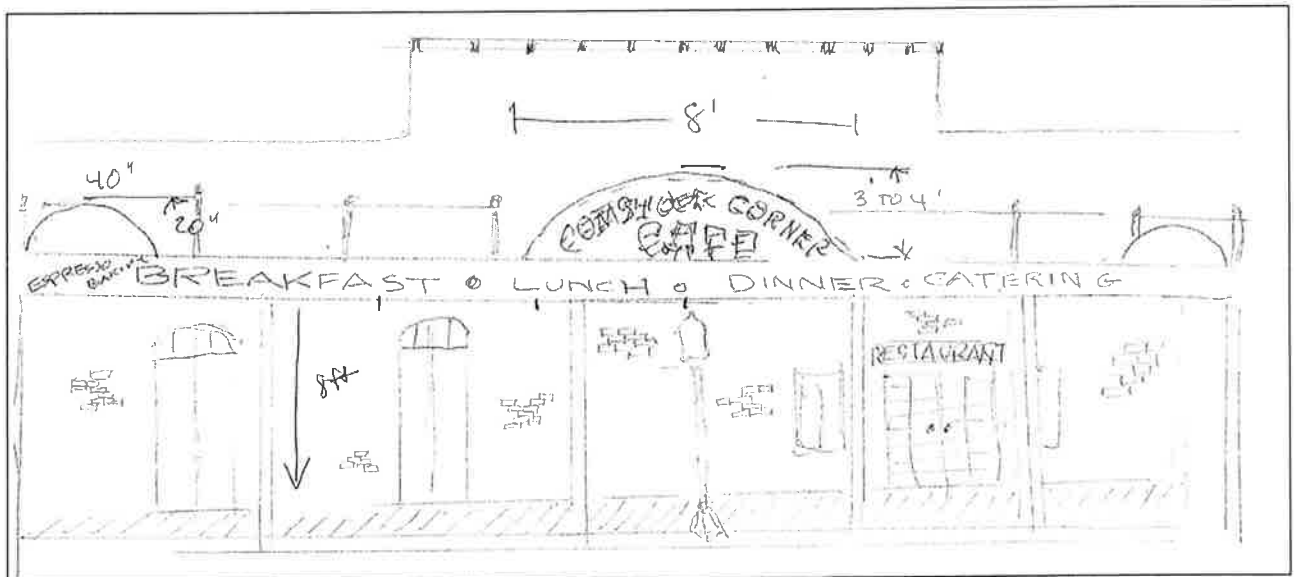
Figure 11 – Graphic from SCC 17.12.100



Figure 12 – Site Photo Showing Congested Boardwalk

Appendix 1 – Justification of Project and Drawing Submitted by Applicant

<u>Detail Description/Justification of Project</u> Attached additional pages as necessary
Detailed Signage to Identify & Make Location Recognizable. Submitting Size adjustment to proportionally fit 109 S "C" St. and allow for Historic Embellishment. Color Samples are Very Close to Existing Building Trim and Boards will cover unsightly porch wraparound. Asking for Variance from 15 to 20 inch high & Embellishment. Building Length covers to Business Asking for Variance to Length of Business



Appendix 2 – Certificate of Appropriateness from the CHDC

STATE OF NEVADA
COMSTOCK HISTORIC DISTRICT COMMISSION
P.O. BOX 128
VIRGINIA CITY, NEVADA 89440

CERTIFICATE OF APPROPRIATENESS

This Certificate verifies that pursuant to Nevada Revised Statutes Section 384.110,

Joyce Kream owner
has made application to the Comstock Historic District Commission for a Certificate of
Appropriateness for work to be conducted on the structure located at:

109 S "C" St VC NV
property address/description

This application has been reviewed by the Comstock Historic District Commission in accordance with Chapter 384 of the Nevada Revised Statutes. The proposed project as described in the application on file with the Commission's office, as amended at the public meeting before the Commission if applicable, has been deemed appropriate to the preservation of the Comstock Historic District. The work specified below or in detail in Exhibit A attached here to and made part thereof, may now be commenced. This certificate shall not be effective without said description or attachment. This certificate will be in force and effect until:

June 2, 2015 unless there is a violation thereof

The observation of work not in keeping with this certificate shall constitute due cause for the issuance of a Stop Work Order and legal action pursuant to NRS 384.190 to 384.200 inclusive

This certificate is not valid or effective until signed by the owner of the property in question or his representative and the Chair of the CHDC or his duly appointed representative.

June 2 2014
Date

Joyce E Kream
Owner

Maß
Chair, CHDC

Sign along
porch Maß

**Appendix 3 – Public Comment Submitted by Cheryl Bailey
(Ponderosa Saloon)**

u

6/4/2014

I have no problem with the
sign proposed by Comstock Cocker
Cafe that will ~~have~~ directly
face my business

Cheryl Bailey
Ponderosa Saloon



Storey County Board of County Commissioners Agenda Action Report

Meeting date: August 19, 2014

Estimate of time required: 20 minutes

Agenda: Consent [] Regular agenda [x] Public hearing required [x]

1. **Title: Special Use Permit 2014-013:** By Mickey Hazelwood (The Nature Conservancy) at properties located on a portion of assessor parcel number (APN) 004-111-33 (approximately 4.08 acres) of Sections 10, 11 and 15 of Township 19 North, Range 21 East and on a portion of APN 004-111-34 (approximately 1.28 acres) located at Section 11, Township 19 North, Range 21 East, in Storey County, Nevada. The overall project also includes a portion of Township 19 North, Range 21 East, Section 11 in former Washoe County, Nevada (Washoe County APN 084-450-02). This portion of the project is part of land that was recently added to Storey County from Washoe County and to which a Storey County current known APN and zoning classification has not yet been assigned. The applicant requests a Special Use Permit to restore and improve portions of the Truckee River and surrounding riparian area near Mustang, Hafed, and McCarran Ranch, Storey County, Nevada. The project will include lowering the existing (abandoned) floodplain, constructing riffles, and grading control structures in and adjacent to the active river channel, lowering an abandoned diversion structure, and sequestering spoils along the floodplain margins in and around the Truckee River.

2. **Recommended motion:** In accordance with the recommendations by the Storey County Planning Commission and Staff, the Findings under Section 6.1 of the Staff Report, and/or other Findings deemed appropriate by the Board, and in compliance with all Conditions of Approval, the Storey County Board of County Commissioners hereby approves with conditions Special Use Permit No. 2014-013.

3. **Prepared by:** Dessie Redmond, Planner

Department: Planning Department

Telephone: 847-1144

4. **Staff summary:** The Applicant requests a Special Use Permit to restore and improve portions of the Truckee River and surrounding riparian area within two parcels of land zoned Agricultural and a portion of newly acquired land from Washoe County to Storey County.

5. **Supporting materials:** Staff report, exhibits and appendices.

6. **Fiscal impact:** None on local government.

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:**

____ District Attorney

8. **Reviewed by:**

 Department Head

Department Name:

 County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.

STOREY COUNTY PLANNING DEPARTMENT

Storey County Courthouse
26 South B Street, PO Box 176, Virginia City, NV 89440
Phone (775) 847-1144 – Fax (775) 847-0949
planning@storeycounty.org



To: Storey County Board of County Commissioners

From: Storey County Planning Department

Meeting Date: August 19, 2014 at 10am

Meeting Location: Storey County Courthouse - 26 South B Street, Virginia City, Nevada 89440

Staff Contact: Dessie Redmond, Planner

File: 2014-013 The Nature Conservancy: West McCarran Ranch/Mustang Ranch

Applicant: The Nature Conservancy (Mickey Hazelwood)

Property Owners: The Bureau of Land Management

Property Location: A portion of assessor parcel number (APN) 004-111-33 (approximately 4.08 acres) of a portion of Sections 10, 11 and 15 of Township 19 North, Range 21 East and on a portion of APN 004-111-34 (approximately 1.28 acres) located at Section 11, Township 19 North, Range 21 East, in Storey County, Nevada. The overall project also includes a portion of Township 19 North, Range 21 East, Section 11 in former Washoe County, Nevada (Washoe County APN 084-450-02). This portion of the project is part of land that was recently added to Storey County from Washoe County and to which a Storey County current known APN and zoning classification has not yet been assigned.

Figures: Figure 1-Vicinity Map; Figure 2-Zoning Map; Figure 3-Storey and Washoe County Delineation; Figures 4 through 9-Site Photos

Appendixes: Appendix 1-TNC Truckee River Project; Appendix 2-BLM and TNC Cooperative Agreement; Appendix 3-Page 4 of the Development Application; Appendix 4-Detailed Description of Project Submitted by the Applicant; Appendix 5-Drawings Submitted by Applicant

Guiding Documents: Storey County Code-Sections 17.03.150 Special Use Permits; 17.03 Administration; 17.24 Agricultural and the Storey County Master Plan

Request: The applicant requests a Special Use Permit to restore and improve portions of the Truckee River and surrounding riparian area near Mustang, Hafed, and McCarran Ranch, Storey County, Nevada. The project will include lowering the existing (abandoned) floodplain, constructing riffles, and grading control structures in and adjacent to the active river channel, lowering an abandoned diversion structure, and sequestering spoils along the floodplain margins in and around the Truckee River.

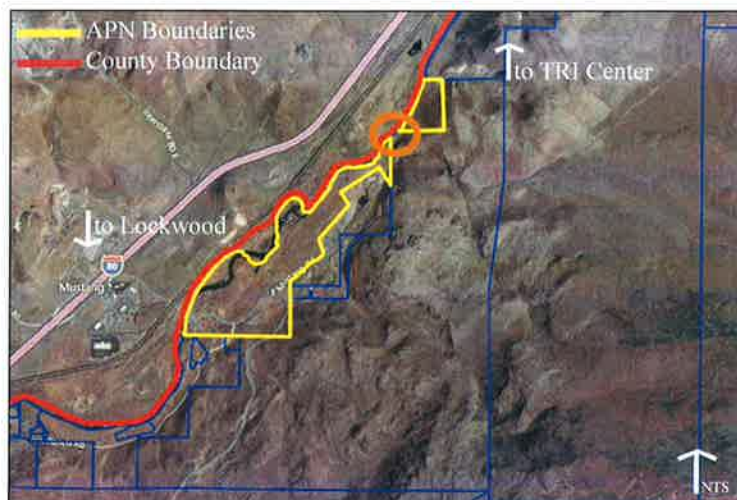


Figure 1 - Vicinity Map

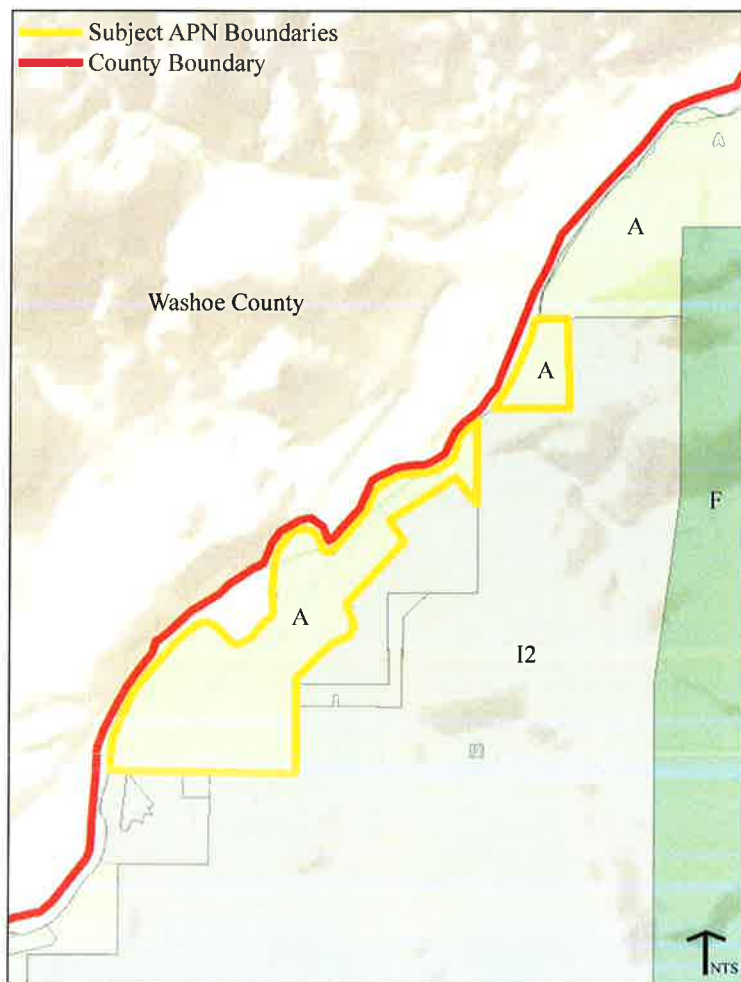


Figure 2 - Zoning Map

1. BACKGROUND & ANALYSIS

1.1 Site Location and Characteristics

The subject properties are located along the Truckee River and Interstate 80 off the Mustang exit in Storey County, Nevada. The subject properties include portions of assessor parcel number (APN) 004-111-33 (approximately 4.08 acres) and APN 004-111-34 (approximately 1.28 acres) and are owned by the Bureau of Land Management (BLM). These subject properties are zoned Agricultural (A) (Figure 2 - Zoning Map) and abut Washoe County on the north side.

The overall project also includes a portion of Township 19 North, Range 21 East, Section 11 in former Washoe County, Nevada (Washoe County APN 084-450-02). This portion of the project is part of land that was recently added to Storey County from Washoe County and to which a Storey County current known APN and zoning classification has not yet been assigned.

Lockwood is approximately four miles to the southwest and USA Parkway is approximately ten miles to the northeast (Figure 1 - Vicinity Map). The subject properties are not within the Tahoe-Reno Industrial (TRI) Center.

1.2 The Nature Conservancy

The Nature Conservancy (TNC) is a worldwide organization that advances conservation and employs conservation projects with many partners, from individuals and governments to local non-profits and corporations. TNC has projects in all 50 States and several other countries across the world.

This specific SUP file: 2014-013 West MaCarran/Must Ranch project is part of a larger overall TNC Truckee River Project that encompasses a larger regional area (Appendix 1 - TNC Truckee River Project).

1.3 BLM and The Nature Conservancy Relationship

The subject properties are owned by BLM. TNC and the BLM have a Cooperative Management Agreement to cover the projects TNC is implementing on BLM’s 102 Ranch and Mustang Ranch properties. This agreement states that TNC will apply for and hold certain permits related to the projects, including this subject project and other related projects (Appendix 2 - BLM and TNC Cooperative Agreement). Therefore, the Applicant has submitted this Cooperative Agreement in lieu of the property owner’s signature on page two of the Storey County Development Application (Appendix 3 - Page 4 of the Development Application). In previous years, TNC had applied for other Special Use Permits (SUPs) in the same vicinity of the subject area. For previous SUPs submitted by TNC, the Cooperative Agreement has been submitted and accepted in lieu of the property owner’s signature.

1.4 The Nature Conservancy Past Special Use Permits in Storey County

In 2006, 2009 and 2013 TNC applied for SUPs in the same vicinity of the subject area. These files were all approved with conditions by the Storey County Planning Commission (Planning Commission) and the Storey County Board of County Commissioners (the Board). These files are available for review in the Storey County Planning Department (the Planning Department). The file numbers are as follows: 2006-065 MaCarran Ranch, 2009-039 Mustang Ranch, 2013-004 Tracy Pond.

1.5 Storey County Code and Uses Subject Special Use Permits

In Light Industrial (I-1), Heavy Industrial (I-2), Heavy Industrial (I-3) and Public (P) Zones Storey County Code (SCC) in the Section, Uses subject to special use permit, states, “natural resources including river and water-way restoration, wetland creation, water restoration and recycling.” However, it does *not* specifically state this use is subject to a special use permit in an Agricultural Zone (or any of the other Zones not listed above). Nonetheless, shown in the table below, for past TNC Applications, the County did require TNC to secure a SUP pertaining to this use and when located in an Agricultural Zone. Therefore, it was Staff’s determination to continue this precedent and require the Applicant to secure a SUP for the proposed project. Further, Staff believes that the letter and spirit of the SCC Title 17 is to protect the pertinent natural resources within the County and to ensure that Staff, County Officials and County Residents understand proposed changes to these natural resources such as the Truckee River.

The Nature Conservancy Summary of SUPs				
Year	File	Name	Zone	Required a SUP
2006	2006-065	MaCarran Ranch	Agriculture	Y
2009	2009-039	Mustang Ranch	Agriculture	Y
2013	2013-004	Tracy Pond	Heavy Industrial/Natural Resource	Y
2014	2014-014	West MaCarran/Mustang Ranch	Agriculture	Y

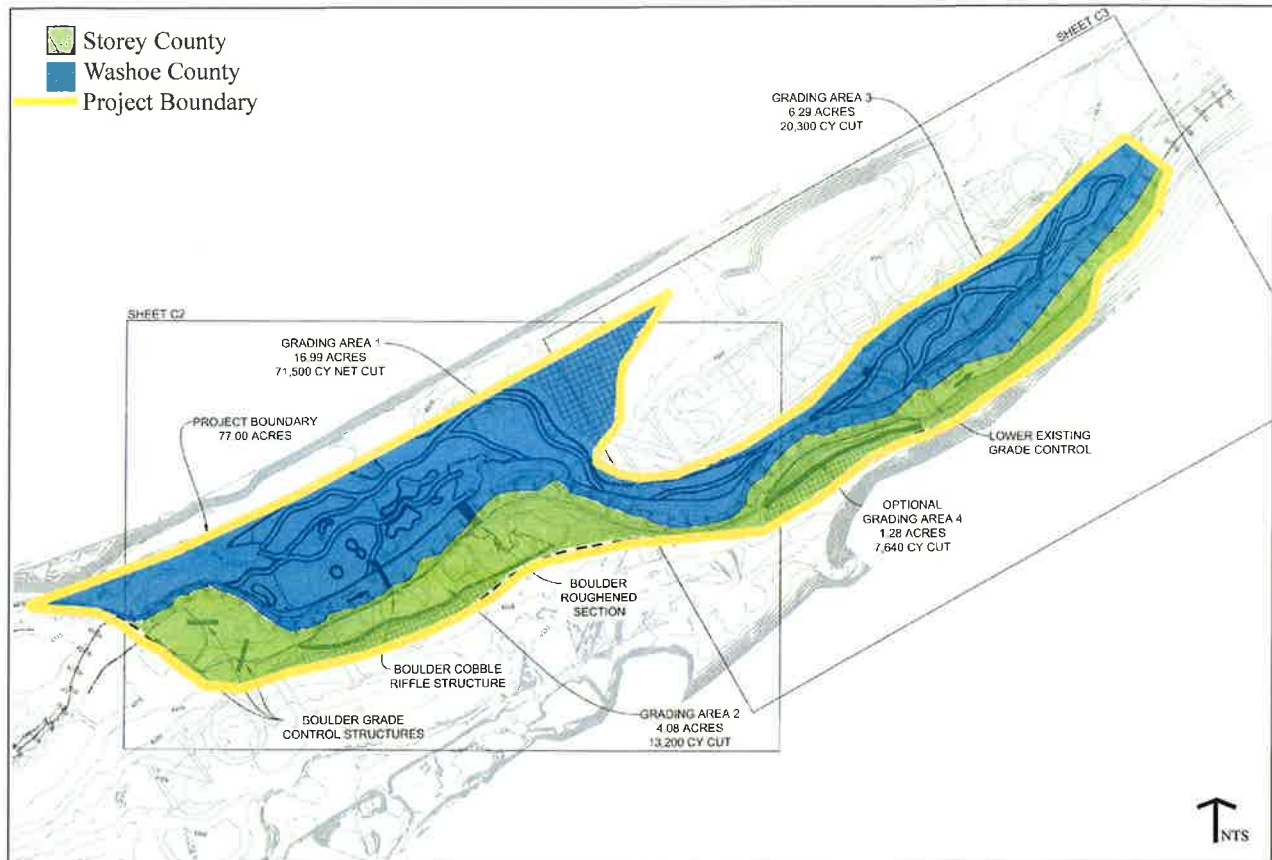


Figure 3 - Storey and Washoe County Delineation

1.6 Subject Project Boundaries

The TNC West MaCarran/Mustang Ranch project area is located in both Storey and Washoe County (Figure 3 - Storey and Washoe County Delineation). Staff did send a notification to Washoe County so they are aware of our process and important dates for hearing this SUP. Washoe County does require a SUP for the project area located within their boundaries. Their public process is similar to our public process and goes through the Washoe County Board of Adjustments.

1.7 Purpose and Intent of the Agricultural Zone

SCC 17.24.015 Purpose and intent states:

“The A Agricultural Zone is intended to protect and preserve areas of prime agricultural soils for continued agricultural and agriculturally oriented uses. These areas consist of the most agriculturally productive soils. Their loss cannot be readily compensated, since these soils are relatively scarce, particularly on the natural level, and poorer soils require more capital energy and nutrients to provide equal productivity.”

1.8 Abutting Land Parcel Uses and Property Owners

The subject properties are mostly surrounded by vacant, industrial and commercial uses (Figure 4 -

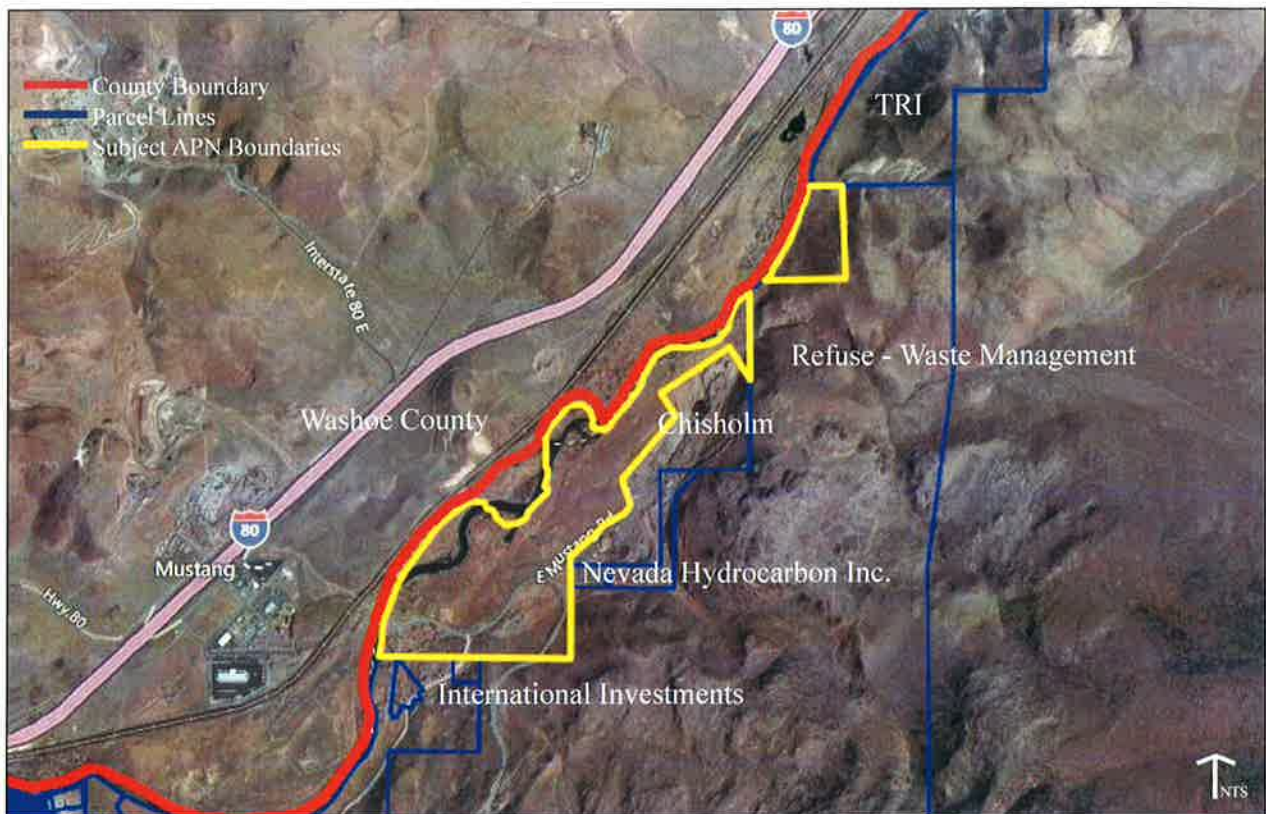


Figure 4 - Abutting Land Uses

Abutting Land Parcel Uses). Abutting property owners, along with BLM, Washoe County and other property owners in the area have been notified regarding the proposed SUP.

1.9 Past Practices and Existing Conditions

Under the authority of the Flood Control Act of 1954, the U.S. Army Corps of Engineers altered the natural flow of the Truckee River between the Truckee Meadows and Pyramid Lake to reduce flooding in the Cities of Reno and Sparks. The river channel was straightened and widened in many sections. The straightening led to channel down-cutting and deepening the groundwater table. These man-made changes to the river environment disconnected the river from the riparian habitat and surrounding floodplains. Without access to groundwater, regeneration of native riparian vegetation has been impaired for decades, and invasive species have begun to dominate the riparian communities along the river's edge (Figures 4 through 9 - Site Photos, on the following pages).

1.10 Land Use Compatibility

The proposed SUP is generally compatible with the abutting land uses, existing uses and allowed uses. Also, it appears that the proposed SUP will generally impose few to no adverse impacts on the abutting land parcels as the proposed project appears to fit within the surrounding environment. In addition, the proposed project will likely enhance the experience of visitors to the area. In order to protect sensitive re-vegetation from human activity and assure a safe public environment, appropriate measurements need to be taken to control public access into and around the proposed project.



Figure 5 - Site Photos



Figure 6 - Site Photos



Figure 7 - Site Photos



Figure 8 - Site Photos



Figure 9 - Site Photos

1.11 Proposed Project Summary

The project proposes to lower the existing (abandoned) floodplain on the project site in order to reconnect it with the Truckee River. The Truckee River water surface elevation will be altered locally through the use of constructed riffles and by lowering an existing (abandoned) diversion dam. Swales and scour channels will be excavated into the designed floodplain surface to provide topographic and hydrologic complexity and to increase flood water storage potential. Grade control structures will step-down the existing upstream riffle, while another rock structure/riffle will partially backwater the existing upstream riffle (Appendix 4 - Detail Description of Project Submitted by the Applicant and Appendix 5 - Drawings Submitted by Applicant).

Appendix 4 outlines details of the proposed project, including the following:

- Pre-construction activities including construction access, location of rock and gravel stockpiles, all construction volumes and areas, staging areas and equipment wash sites and turbidity curtains.
- Construction and BMPs including water and air quality monitoring, floodplain grading, excavation in-channel for the placement of grade control structures, placement of spoils, construction of riffles and grade control, post grading treatment, erosion prevention treatments during construction.
- Post-construction including road surfaces treatments, revegetation/air quality/erosion treatments, and riparian, wetland, upland vegetation restoration.
- Type of equipment used and how it will be operated.

- Proposed project purpose including the background, purpose of need for the proposed action, west McCarran, and timeframe of the project.
- Other Permits and approvals required.

1.12 Newly Acquired Washoe County Land

The overall project also includes a portion of Township 19 North, Range 21 East, Section 11 in former Washoe County, Nevada (Washoe County APN 084-450-02). This portion of the project is part of land that was recently added to Storey County from Washoe County and to which a Storey County current known APN and zoning classification has not yet been assigned.

1.13 Key Issues

1.13.1 Public Safety

Specific requirements regarding public safety should be advised during the installation of the project. These requirements are outlined in the Conditions of Approval in Section 7 of this Staff Report. Staff believes if this SUP is recommended for approval with the Conditions of Approval, the safety requirements recommended will adequately address public safety.

1.13.2 Site Management

A site manager should be present on-site at all times during hours of operation to maintain a safe and orderly environment. The site manager should also have knowledge of access to site facilities, access points, fire and emergency plans.

1.13.3 Emergency Access.

Egress points and routes leading to the site should be well marked. The Applicant should consult with the Storey County Fire District (SCFD) to establish an emergency access plan that becomes part of the SUP.

1.13.4 Special Environmental Consideration

The proposed activities, including overall site and waterway work and management, will be closely monitored and regulated by the Nevada Division of Environmental Protection (NDEP) and applicable State and Federal regulations. The recommended conditions of the SUP serve to require compliance with the regulations and oversight and not become redundant or in conflict therewith.

1.13.5 No-rise

The project and the conditions it creates must not cause a rise in flood waters in the local area or upstream. It will comply with Flood Insurance Rate Map (FIRM) Base Flood Elevation (BFE) requirements of the Federal Emergency Management Agency (FEMA).

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Land Use Compatibility			
Land	Land Use	Master Plan	Zoning
Applicant's Land	Vacant	Agricultural	A
Land to the north	Vacant	Industrial - TRI	A
Land to the east	Industrial	Industrial	I2
Land to the south	Vacant, Old Brothel	Industrial	I2
Land to the west	Washoe County	Rural and Industrial	R/I (Washoe County)

2. GENERAL COMPLIANCE WITH STOREY COUNTY'S GUIDING DOCUMENTS

2.1 Summary Table

The Land Use Compatibility table (on the following page), lists existing land uses, Storey County Master Plan (Master Plan) designations, existing zoning for the Applicant's parcels of land and abutting parcels of land. There appears to be few to no evident conflicts between the proposed SUP, the Master Plan and the abutting land uses.

3. COMPLIANCE WITH THE STOREY COUNTY CODE

3.1 SCC 17.25 Agricultural Zone

As explained earlier in this Staff Report, in Light Industrial (I-1), Heavy Industrial (I-2), Heavy Industrial (I-3) and Public (P) Zones Storey County Code (SCC) it states in the proposed use is permitted subject to securing a SUP. However, it does not specifically state the proposed use is subject to a SUP in an Agricultural Zone. Nevertheless, in past Applications similar to the proposed Application, the County did require securing an SUP in the Agricultural Zone for the proposed use. Therefore, it was Staff's determination to continue this precedent and require the Applicant to secure a SUP for the proposed project. Further, Staff believes that the letter and spirit of the Code is to protect the pertinent Natural Resources within the County and to ensure that Staff, County Officials and County Residents understand proposed changes to these Natural Resources such as the Truckee River.

3.2 Compliance with SCC Chapter 17.24

3.2.1 SSC 17.24.030 Minimal Parcel Area

"Parcels Zoned Agricultural must be no less than three acres and must not be allowed to be reduced to less than the minimum area required by this chapter."

Subject property APN 004-111-34 is approximately 23.010 acres. Subject property APN 004-111-33 is approximately 182.360 acres.

The subject properties are **in compliance** with this standard.

3.2.2 SCC 17.24.040 Setback Requirements

There are setback requirements for residential dwelling units and accessory structures. This project does not propose and dwelling units or structures.

The subject properties are **in compliance** with this standard.

3.2.3 SCC Height of Buildings and Structures

No building, manufactured building, manufactured home, or structure may exceed a height of three stories or 35 feet, whichever is higher. This project does not propose and dwelling units or structures.

The subject properties are **in compliance** with this standard.

4. COMPLIANCE WITH THE STOREY COUNTY MASTER PLAN

On page 30 in Chapter 5:Conservation and Natural Resources, of the Storey County Master Plan (the Master Plan) it states:

“One of the key elements of maintaining a healthy environment in an area as fragile as Storey County is to insure protection of the natural vegetation. In reseeding disturbed land areas, reclamation plans are most successful when vegetation native to the area are planted.”

Staff believes that the proposed project will help to restore a healthy and native environment to the project area. The project proposes to remove invasive plant species and plant native plant species in the floodplain and upland areas. Further, the project proposes to enhance a portion of Truckee River and its floodplain which are vital natural resources within the County. Therefore, the proposed project supports the goals, objectives and recommendations of the Master Plan.

5. PUBLIC COMMENT

As of posting date as of posting date, Staff has not received any public comment for this file.

6. FINDINGS

6.1 Motion for Approval

The following Findings are evident with regard to the requested SUP when the recommended conditions of approval in Section 7 - Recommended Conditions of Approval of this Staff Report are applied:

6.1.1 The proposed SUP complies with the general purpose, goals, objectives, and standards of the county master plan, this Title 17, and any other plan, program, map, or ordinance adopted, or under consideration pursuant to official notice by the county.

6.1.2 The proposed SUP will be compatible with existing adjacent land uses and will not cause substantial negative impact on adjacent land uses or other properties in the vicinity.

6.1.3 The proposed use in the proposed area will be adequately served by and will impose no undue

burden or any of the improvements, facilities, utilities, or services provided by the county or other governmental agency having jurisdiction in the county.

6.1.4 The proposed SUP will not impose substantial adverse impacts or safety hazards on the abutting properties.

6.1.5 The Conditions of Approval of the SUP require compliance with the applicable codes.

6.1.6 The Conditions of Approval of the SUP do not conflict with the minimum requirements in SCC Chapter 17.24 Agricultural or Chapter 17.03.150 Special Use Permits.

6.1.7 The proposed SUP will not cause uses that will negatively impact existing or planned public services or facilities and will not adversely impact the public health, safety and welfare.

6.1.8 The proposed SUP will not create any non-conforming conditions, such as non-conforming setback distances or minimum parcel area and width requirements.

6.1.9 The proposed SUP is in substantial compliance with and supports the goals, objectives and recommendations of the Master Plan.

6.1.10 The proposed SUP conforms to the purpose and intent, as well as the letter and spirit, of the Storey County Zoning Ordinance (Title 17), and conforms with consistent past practices of the Planning Commission and the Board with regard to requiring an SUP for river restoration projects and other land use proposals that substantially alter the Truckee River in Storey County.

6.2 Motion for Denial

Should a motion be made to deny the SUP request, the following Findings with explanation of why should be included in that motion.

6.2.1 The proposed SUP, even with reasonable conditions and mitigation, will conflict with the purpose, intent, and other specific requirements set forth in the Agricultural Zone in which it will be located.

6.2.2 The proposed SUP, even with reasonable conditions and mitigation, will cause adverse impacts to surrounding existing land uses, future land uses, or land use entitlements in the Agricultural Zone.

6.2.3 Substantial evidence shows that the SUP may conflict with the purpose, intent, and other specific requirements of SCC Chapter 17.24 Agricultural Zone or Chapter 17.03.150 Special Use Permits and or other Federal, Nevada State, or Storey County regulations.

6.2.4 The conditions of approval under the SUP do not adequately mitigate potential adverse impacts on surrounding uses or protect against potential safety hazards for surrounding uses.

6.2.5 No reasonable level of conditions of approval imposed on this SUP would be sufficient to reasonably mitigate visual, safety or other potential impacts on adjacent and surrounding land uses.

6.2.6 The proposed SUP will not provide for land uses compatible with existing adjacent land uses and will have detrimental impacts to other properties in the vicinity.

6.2.7 The proposed SUP will negatively impact existing or planned public services or facilities and will adversely impact the public health, safety and welfare.

6.2.8 The proposed SUP is not in substantial compliance with and does not support the goals, objectives and recommendations of the Master Plan.

6.2.9 The proposed use does not expressly require securing a SUP pursuant to SCC Title 17. Therefore, the Board wishes not to act on the SUP because it is not expressly required in SCC Title 17.

7. RECOMMENDED CONDITIONS OF APPROVAL

All conditions must be met to the satisfaction of each applicable County Department, unless otherwise stated.

1. **Special uses.** This SUP is for the purpose of lowering the existing (abandoned) floodplain on the project site in order to reconnect it with the Truckee River. Also, for altering the Truckee River water surface elevation and to project topographic and hydrologic complexity to increase flood water storage potential. The operations for the purpose of the proposed project will comply with all of the requirements under this SUP and Federal, State, and County regulations.
2. **Property rights.** Issuance of this SUP does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of State or County laws or regulations.
3. **Permits and expiration.** The Permit Holder must apply for all grading permits and other applicable permits within 24 months from the date of Board approval. This SUP will remain valid as long as the Permit Holder complies with the terms of this SUP and Federal, State, and County regulations. No construction or permitting for construction may commence prior to issuance of this SUP and granting of required grading permits and other applicable permits.
4. **Transfer of rights.** This SUP will inure to the recorded owner of the subject property (BLM) and to the Permit Holder (TNC) and will run with the land. Any and all transfers of this SUP to other persons, agencies, or entities must be advised in writing by certified mail to the Building and Planning Departments at least 90 days prior to the new property owner and/or Permit holder taking over the project. The new owners and/or Permit Holder must sign and accept all conditions and requirements of this SUP.
5. **Indemnification and insurance.** The Permit Holder warrants that the future use of land will conform to Federal, State, and County requirements. Further, the Permit Holder warrants that continued and future use of the land shall so conform. The Permit Holder and property owner agree to hold Storey County, its officers, and representatives harmless from the costs and responsibilities associated with any damage or liability, and any/all other claims now existing or which may occur as a result of this SUP. The Permit Holder must maintain satisfactory liability insurance for all aspects

of this operation under this SUP for a minimum amount of \$1,000,000.00 (one million dollars) and provide proof thereof to Storey County prior to securing rights to this SUP.

6. **Site supervision.** A staff manager must be present on the premises at all times during operations. That person must have knowledge of and immediate access to restrooms, fire suppression devices, First-Aid kits, and all locked gates. While on the premises, the on-site manager must possess a cellular telephone with adequate signal to send and receive signals to and from Emergency 9-1-1 and Storey County Emergency Services direct-connect 775-847-0950. All staff using cellular phones must be directed by the Permit Holder or his/her designee to dial Storey County emergency services direct-connect (775) 847-0950 (in lieu of 9-1-1) in case of emergency. Emergency 9-1-1 still is appropriate from land-line telephones.
7. **Fire suppression.** The Permit Holder must maintain fire extinguishers and other require fire regulations throughout the premises to the satisfaction of the SCFD.
8. **Egress and circulation.** The Permit Holder must coordinate an emergency access plan with the SCFD prior to project commencement. All access and circulation routes must meet the requirements for hard-surfacing sufficient to support the weight of a fire engine as approved by the SCFD.
9. **Roadway approaches.** Egress points must include an approach sufficient in design to prevent mud and debris tracking from the site onto the public roadway. This shall be to the satisfaction of the Storey County Public Works (Public Works) Department. Any mud or debris tracked onto the roadway must be removed by the contractor immediately as allowable by the Nevada Division of Environmental Protection (NDEP) and the National Environmental Policy Act (NEPA) regulations. Mud, sand, and debris must not be allowed to adversely impact existing drainage systems.
10. **Signage.** A legible sign must be placed at each entry of the premises during project phases stating the name of company/organization responsible for construction, street address and number of the project site, and contact phone number(s). Sign dimensions must be at least 2 feet by 3 feet. Appropriate signage must be installed on and around the premises stating rules for entry and circulation (e.g., no trespassing, travel permitted only on designated pathways, etc.). The Public Works Director may require that temporary signs (e.g., sandwich-boards) indicating crossing truck traffic (i.e., "Truck Crossing") be installed along vehicular lanes.
11. **Restrooms.** The Permit Holder must provide properly maintained restroom facilities (porta-potties) and wash stations adequate to meet the sanitation needs of persons on the premises during project construction phases. The number of restroom facilities provided during this period is pursuant the projected number persons on the premises at any given time, as recommended by the Portable Sanitation Association International (PSAI). Each restroom must include a properly maintained alcohol-based gel hand sanitizer dispenser.
12. **Cultural resources plan.** A comprehensive archeological, historic, and cultural resources study must be performed on the premises as required and directed by the Nevada State Department of Cultural Affairs at the expense of the Permit Holder in order to determine the presence of any paleontological resources (historic or prehistoric site or artifacts) that may be located on the premises. Should any

prehistoric or historic remains/artifacts be discovered during development or excavation, work must temporarily be halted at the specific site and the Building and Planning Departments must be notified in order to evaluate the site and, if deemed necessary, to record and photograph the site in question. The period of temporary delay will be limited to a minimum of two working days from the date of notification, unless it is a significant find and it is deemed necessary to provide more time to evaluate and protect historical remains or artifacts.

13. ***No-rise.** The project and the conditions it creates must comply with the Federal Insurance Rate Map (FIRM) Base Flood Elevation (BFE) requirements (e.g., “No Rise Certification”) of the Federal Emergency Management Agency (FEMA). The Applicant shall submit to the Building Department the “No Rise Certification” upon receiving the Certification.
14. **Release of species.** No species listed as “threatened” or “endangered” pursuant to the U.S. Endangered Species Act may be brought to or released on or near the subject property. Species include, but are not limited to, Sage Grouse.
15. **Environmental controls.** The Permit Holder must obtain an NDEP Dust Control Permit and furnish the Building and Planning Departments a copy of the permit. All non-vegetated surfaces must be appropriately and consistently treated to mitigate fugitive dust and sand. Best Management Practices (BMPs) must be employed throughout the entire project premises and egress points. At no time may secondary effluent be applied to surfaces within the premises, including for dust control, vehicle and equipment washing, and other activities. BMPs and other environmental controls in and around the Truckee River and the project site must comply with the detailed plans contained in SUP Application No. 2014-013, unless required otherwise by a Federal or State agency.
16. **Vegetation.** Trees, shrubs, and other native vegetation and ground surfaces must be preserved to the extent feasible. All invasive plant species must be properly disposed.
17. **Vehicle and equipment storage.** Inactive vehicles and equipment must be stored within a protected staging areas located a minimum of 100 feet from natural water bodies. To minimize the potential for discharge of fuel spills and other pollutants into the river, the staging area must be located and graded such as to contain and prevent potential contaminants from entering natural water bodies.
18. **Sales tax reporting.** All material and equipment purchased for the project must as possible be received in Storey County and the value reported as “County-of-Delivery” on the Nevada Department of Taxation Form TPI-02.01 “Combined Sales and Use Tax Return”. The Permit Holder must also report the value for all materials and equipment (personal and rented) “used” on this project as “Use Tax” on TPI-02.01 or TPI-02.02
19. **Spillage.** Any hydrocarbon or environmental spill incidents involving 25 gallons or more of any petroleum product (e.g., gasoline, diesel, and hydraulic fluid) or 3 or more cyds of contaminated material, or any presence of such material on or in ground/surface water must be reported immediately to Storey County Emergency Services (775) 847-0950 (in lieu of 9-1-1). Additionally, under Nevada State Law, the incident must be immediately reported to the Local Emergency Planning Committee (Emergency Management Director), Building and Planning Departments,

and the NDEP. The Applicant must comply with the NDEP's clean-up requirements with regard to disease vector control and mitigation and provide said County departments a copy of NDEP's completion of remediation. All hazardous materials incident clean-up and response costs are borne by the Permit Holder as part of this SUP.

20. *Easements. The use will not affect any easements, including but not limited to, irrigation and other easements, existing on the subject properties. The use may cause the easement to be altered or realigned, but will not cause the elimination of, or the inability to use for irrigation and other water conveyance, any existing irrigation ditch or irrigation canal existing on the subject properties within the jurisdiction of the County.

21. Title 15.20 Flood Damage Prevention. Prior to applying for any permits the Applicant will work with the Building Department to comply with SCC Title 15. 20 Flood Damage Prevention.

22. Washoe County Health District. The Applicant shall work with the Washoe County Health District during the planning, implementing and maintenance of the project.

*These conditions were revised during the August 7, 2014 Planning Commission meeting. They are listed in this Staff Report as recommended by the Planning Commission.

8. POWER OF THE BOARD & PLANNING COMMISSION

At the conclusion of the hearing, the Planning Commission must take such action thereon as it deems warranted under the circumstances and announce and record its action by formal resolution, and such resolution must recite the findings of the Planning Commission upon which it bases its decision. The decision of the Planning Commission in the matter of granting the SUP is advisory only to the Board of County Commissioners and that governing body must consider the report and recommendation and must make such a decision thereon as it deems warranted.

9. AUGUST 7: PLANNING COMMISSION MEETING

On August 7, 2014, in accordance with the recommendation by Staff, the Findings under 6.1 of this staff report and in compliance with all conditions of approval (1-22), the Storey County Planning Commission voted unanimously to recommend approval with conditions for Special Use Permit 2014-013 (yes = 7, nay = 0, absent = 0).

10. PROPOSED MOTIONS

This section contains three options from which to choose. The motion for approval is recommended by Staff in accordance with the Findings under section 6.1 of this Staff Report. Those Findings should be made part of that motion. A motion to deny the proposed SUP may be made and that motion should cite one or more of the findings shown in section 6.2. Other findings determined appropriate by the Board

should be made part of either motion. A motion of no recommended action on the Special Use Permit pursuant to the proposed application meets the requirements of Storey County Code Chapter 15.20 Flood Damage Prevention..

10.1 Recommended Motion

In accordance with the recommendation by the Planning Commission and Staff, the Findings under Section 6.1 of this Staff Report and/or other Findings deemed appropriate by the Board, and in compliance with all Conditions of Approval, the Storey County Board of County Commissioners hereby approves Special Use Permit Number 2014-013.

10.2 Alternative Motion

In accordance with the findings under Section 6.2 of this Staff Report and/or other Findings deemed appropriate by the Board, the Storey County Board of County Commissioners hereby denies Special Use Permit Number 2014-013.

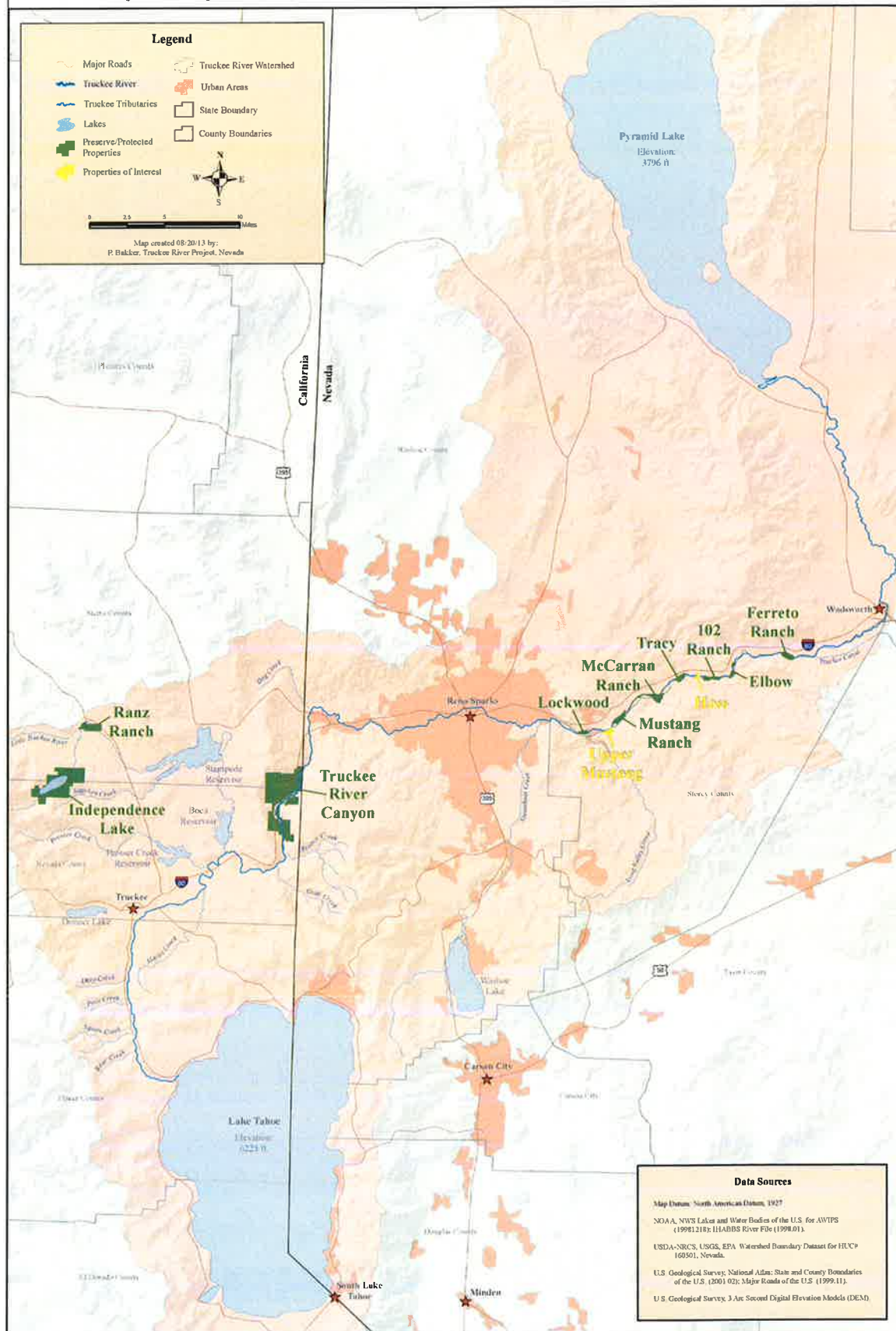
10.3 Alternative Motion

In accordance with Storey County Code Title 15 Building and Construction, Section 15.20 Flood Damage Prevention, the Storey County Board of County Commissioners hereby finds that the use described in Special Use Permit Application Number 2014-013 meets the requirements of Storey County Code Chapter 15.20. Accordingly, the Board believes against the Findings presented by Staff in Section 6.1 of this Staff Report, and that a Special Use Permit is not required for the proposed use. Pursuant thereto, the Board hereby motions no recommended action on Special Use Permit Application Number 2014-013.

Prepared by: Dessie Redmond
Storey County Planner

APPENDIX 1: TNC TRUCKEE RIVER PROJECT

Truckee River Project



APPENDIX 2: BLM AND TNC COOPERATIVE AGREEMENT

Cooperative Management Agreement
between
Bureau of Land Management, Carson City Field Office
and
The Nature Conservancy

I) PURPOSE

This Cooperative Management Agreement (CMA) establishes a framework and authority for shared management of public lands within the Mustang Ranch and 102 Ranch properties (Management Area) on the Truckee River east of Sparks, Nevada, which is generally described on Exhibit A and depicted on Exhibits B1 and B2, all of which are attached hereto and incorporated herein by this reference. The agreement is entered into by the Bureau of Land Management (BLM), Carson City Field Office, and the Nevada Chapter of The Nature Conservancy (TNC), a not-for-profit corporation. The parties to this agreement are known collectively as the Parties.

The Nature Conservancy is engaged in planning and implementing a Lower Truckee River Restoration Program along the Truckee River between Sparks and Wadsworth. Extensive restoration work has been completed at the McCarran Ranch property in this stretch of the Truckee River and planning is currently underway to enter the next phase of restoration, which involves the Management Area.

As part of TNC's larger river restoration program, the Parties wish to improve management of the Management Area to protect and enhance the natural, cultural and open space resources present and to provide greater opportunities for the public to enjoy their public lands. The Parties expect that management under this agreement will exceed the custodial level of management currently afforded by BLM.

The Parties will work cooperatively on conservation planning, site-specific plans to restore healthy plant and wildlife communities, and implement restoration programs to conserve, restore and manage biological and ecological resources on the Management Area. This land management will, as a main component, include river restoration, the restoration of physical and ecological processes that are able to recover and sustain the ecosystem's indigenous organisms and promote the resource's value for humans. This includes developing, coordinating, and managing programs for the conservation and restoration of native fish, wildlife, plants, communities and ecosystems.

II) AUTHORITY

Legal authority for the Parties to enter into and execute the terms of this CMA include:

Lower Truckee River Restoration Project

A) BLM

- 1) Federal Land Policy and Management Act of 1976 (FLPMA), Public Law 94-579, section 307 (b), 43 U.S.C. 1737 (b) dated October 21, 1976.
- 2) BLM Carson City Field Office Consolidated Resource Management Plan and Southern Washoe County Urban Interface Plan Amendment [to the Lahontan Resource Management Plan].

B) TNC

TNC is a District of Columbia non-profit corporation, authorized to do business in the State of Nevada under its corporate bylaws and its mission, which is to preserve the plants, animals and natural communities that represent the diversity of life on Earth by protecting the lands and waters they need to survive.

III) AGREEMENT

The BLM authorizes TNC to occupy and use the Management Area to carry out the land use activities described below. BLM will maintain management authority over all other activities not identified below.

The Parties will coordinate and collaborate on overall management, and will periodically review project plans and evaluate the need for future planning. The Parties will meet formally not less than two times annually.

A) SITE DESCRIPTION

The public lands, owned by the United States, and managed by BLM, consist of approximately 408 acres of land located along the lower Truckee River in Washoe and Storey Counties, downstream from the urban Reno/Sparks area (Exhibit B1 & B2). These lands are known as the Mustang Ranch and 102 Ranch properties and are generally described on Exhibit A.

B) TNC AGREES

TNC agrees to perform the following activities, subject to availability of funding:

- 1) Land Management Activities – TNC will perform and/or oversee the planning, design and execution of a program for restoration of the ecosystem within the Management Area, consistent with the actions described in the Environmental Assessment for Truckee River Restoration Projects (EA-NV-030-08-013). This includes the following activities:
 - (a) Develop and implement habitat enhancement/restoration activities on the Management Area.

Lower Truckee River Restoration Project

- (b) Activities to restore and maintain natural ecological processes, including revegetation efforts and measures to control noxious weeds.
 - (c) Facilitate broad public support for habitat restoration programs developed jointly by the BLM and TNC, including coalition building, and preparation and dissemination of educational materials.
 - (d) Conduct habitat and population assessments, studies, research and inventories.
 - (e) Secure public and private grants and contracts to leverage BLM's investment in achieving conservation goals.
- 2) Permits – With BLM cooperation and participation as may be required by the permitting agency, TNC will apply for and hold those permits or authorizations necessary for completion of the above activities, including, but not limited to, the following permits:
- (a) Temporary Working in Waterways Permit – Nevada Division of Environmental Protection
 - (b) 401 Water Quality Certification – Nevada Division of Environmental Protection
 - (c) Stormwater General Permit – Nevada Division of Environmental Protection
 - (d) Clean Water Act 404 Permit – U.S. Army Corps of Engineers
 - (e) Special Use Permit – Storey County (Mustang Ranch)
 - (f) Grading Permit – Washoe County (Mustang & 102 Ranches); Storey County (Mustang Ranch)
 - (g) Dust and Vector Control Permits – Washoe County
 - (h) Letters of Permission – Nevada State Engineer, Nevada Department of Wildlife
- 3) Environmental Education – As funding and staff time allow, TNC will manage a program for environmental education and natural resources interpretation. The program will encourage the participation of school programs, civic groups and the general public.
- 4) Volunteer Activities – As funding and staff time allow, TNC will coordinate use of volunteers for appropriate activities, including planting and clean-up events. TNC will be the point of contact with civic groups and organizations and will coordinate the events with BLM.

Lower Truckee River Restoration Project

- 5) Routine Maintenance – As funding and staff time allow, TNC will assist in maintaining trails, roads, fences, signs, and other improvements. TNC will organize or coordinate volunteer projects to accomplish routine maintenance.
- 6) Weed Management – In addition to performing weed control activities as part of the land management and restoration objectives described above, TNC will cooperate on any larger scale noxious weed control projects for the Management Area that may be involved in or integral to the larger Truckee River watershed.

C) BLM AGREES

The BLM agrees to perform the following management actions:

- 1) Land Tenure – BLM will retain the public lands within the Management Area for public uses as identified in current BLM land use management plans.
- 2) Permits – BLM will apply for and hold those permits or authorizations necessary for completion of restoration projects that fall under BLM purview as landowner and as the federal agency with jurisdiction over the Management Area. These include, but are not limited to, the necessary Flowage Easements between BLM and the Nevada Division of State Lands.
- 3) Federal Law – BLM will ensure compliance with applicable federal laws, such as the National Environmental Policy Act, National Historic Preservation Act, Endangered Species Act and the Federal Land Policy and Management Act.
- 4) Fire Suppression – BLM will perform wild land fire suppression on public lands within the Management Area.
- 5) Law Enforcement – BLM will enforce federal laws and rules which are not within the jurisdiction of local authorities. BLM will assist local authorities as necessary.
- 6) Project Assistance – BLM will assist the Parties with projects and events, as funds and resources allow. This may include the use of materials, equipment and personnel. BLM will regularly assess the Management Area to identify projects for TNC and their volunteers.

Lower Truckee River Restoration Project

D) PARTIES MUTUALLY AGREE:

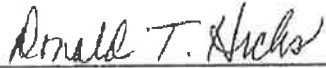
- 1) Nothing herein shall be construed by the Parties as obligating BLM to expend funds in violation of the Anti-Deficiency Act, 31 U.S.C. §1341 *et seq.*, or other applicable law.
- 2) This CMA and the actual use, operation and management of the Management Area, shall undergo administrative review every two years, or as deemed necessary by either party to ensure consistency with BLM plans and management objectives and the purpose and need for which the CMA was established.
- 3) Notwithstanding any other provision of this CMA, TNC makes no warranty as to the proposed restoration outcomes of the activities and projects to be carried out in the Management Area.
- 4) The Parties contemplate that the duration of the CMA will be at least 10 years. Notwithstanding this understanding, this CMA may be terminated by either party to the agreement after written notice to the other Party.
- 5) Any cultural or paleontological resources (historic or prehistoric site or object) discovered by TNC, or any person working or using the public lands on their behalf, shall be immediately reported to BLM. TNC shall suspend all operations and uses within a 100-yard vicinity of the discovery. The BLM shall evaluate the discovery pursuant to the National Historic Preservation Act, 16 U.S.C. § 470 *et seq.*, and its implementing regulations, 36 C.F.R. Part 800, to document and evaluate the discovery relative to listing in the National Registry of Historic Places, to determine effect, and, as necessary, to develop appropriate mitigation measures to protect the discovery. Mitigation measures necessary to resolve any adverse effect(s) will be prescribed and/or implemented by BLM after consulting with TNC. TNC and BLM will share equally in the cost of the documentation, evaluation, and any subsequent resolution of adverse effect. Project operations may resume only upon written authorization from BLM. The Parties will comply with any Programmatic Agreement developed for this project.
- 6) The Parties will comply with the conditions of the Biological Opinion of June 17, 2008, prepared by the United State Fish and Wildlife Service under the Endangered Species Act.
- 7) The Parties agree that to the extent not prohibited by law, while this CMA is in effect, TNC shall be responsible for and shall indemnify, defend and hold harmless the United States from any costs, damages, claims, causes of action, penalties, fines, liabilities and judgments of any kind or nature (collectively "liability") to the extent such liability arises from or in connection with TNC's negligent use, operation, management or maintenance of the Management Area. TNC's indemnity liability shall not extend to the negligent or willful acts or omissions of BLM, its employees and agents as provided for in the

Lower Truckee River Restoration Project

Federal Torts Act, 28 U.S.C. § 2671 *et seq*, or for acts or omissions by a member of the general public.

- 8) This Agreement shall not, nor be deemed nor construed to, confer upon any person or entity, other than the Parties hereto, any right or interest, any third party beneficiary status or any right to enforce any provision of this Agreement
- 9) The Parties agree that as the administrator of the federally owned public land in the Management Area, BLM will have the ultimate authority to determine whether the actions under the CMA are consistent with the applicable land management plans, policy, law and regulation. To this extent, TNC agrees to abide by and comply with determinations made by BLM regarding the Management Area.
- 10) This CMA becomes effective on the date of the last signature below.

IV) APPROVAL



Donald T. Hicks
Field Manager, Carson City Field Office
Bureau of Land Management

6/30/2008
Date



Kathryn Landreth
Nevada State Director
The Nature Conservancy

7/2/08
Date

Lower Truckee River Restoration Project

Exhibit A Property Descriptions

Mustang Ranch

The Mustang Ranch property, within Assessor's Parcel Number 004-111-04, is located along the Truckee River approximately 10 miles east of Sparks, Nevada and adjacent to Interstate 80. Latitude and longitude coordinates are 39°31'30", 119°36'39". It occurs in both Washoe and Storey Counties, on the Patrick, Nevada USGS Quadrangle, as described below:

SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2, Township 19 North, Range 21 East
S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 10, Township 19 North, Range 21 East
W $\frac{1}{2}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$, Section 11, Township 19 North, Range 21 East
NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 14, Township 19 North, Range 21 East
NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15, Township 19 North, Range 21 East

102 Ranch

The 102 Ranch property, Assessor's Parcel Number 084-120-27, is located along the Truckee River approximately 14 miles east of Sparks, Nevada and adjacent to Interstate 80. Latitude/Longitude Coordinates are 39°33'53", 119°30'12". The property lies in Washoe County, on the Derby Dam/Patrick, Nevada USGS Quadrangle, as described below:

S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 26, Township 20 North, Range 22 East
S $\frac{1}{2}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 27, Township 20 North, Range 22 East
N $\frac{1}{2}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 34, Township 20 North, Range 22 East
N $\frac{1}{2}$ NW $\frac{1}{4}$, Section 35, Township 20 North, Range 22 East

Path: Projects\50833 Trudree River\GIS\Mustang\50833_Must_Fig-3_Must_Location.mxd Source: NSR, Inc.; USGS 01-08-07 ed

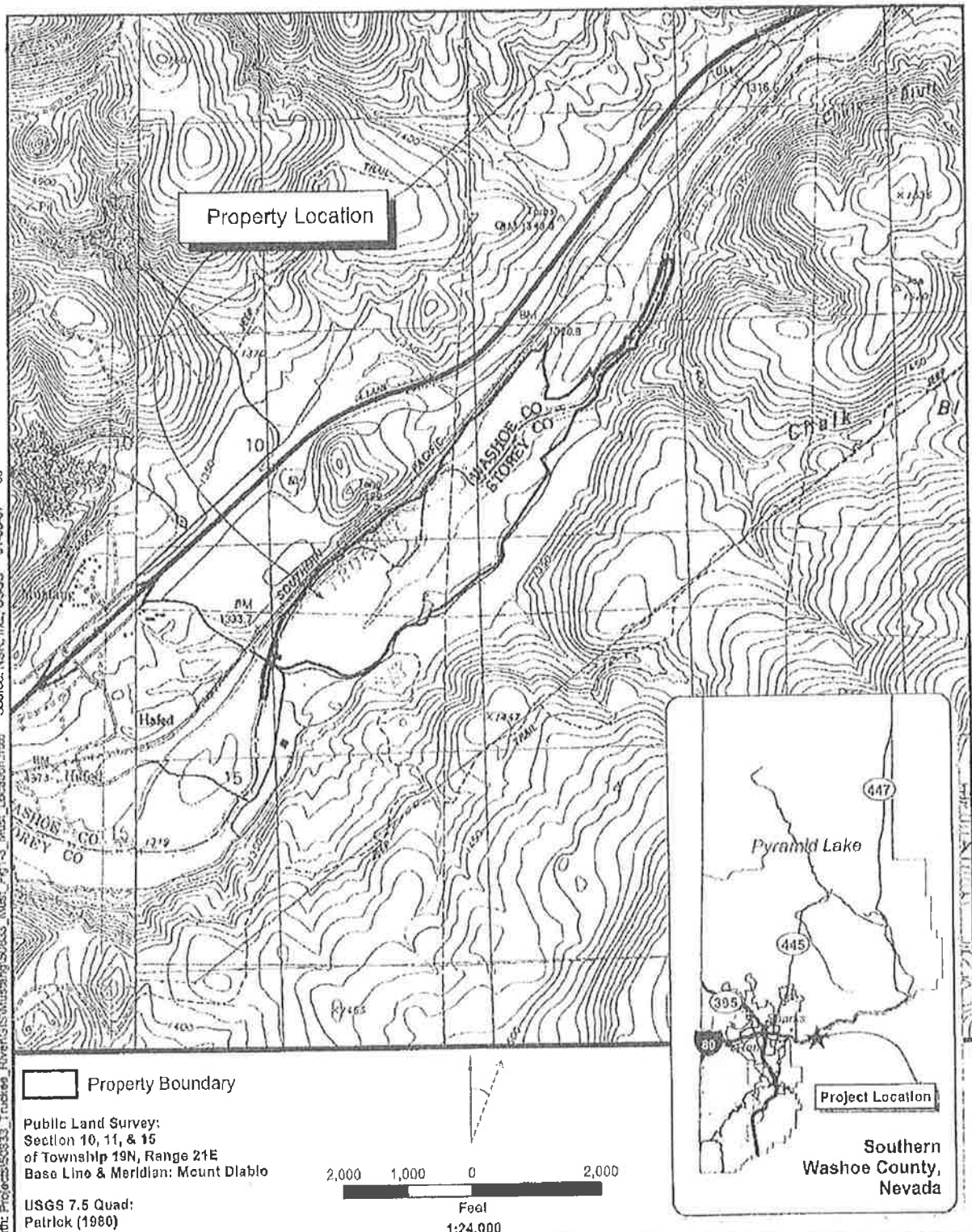


Exhibit B-1
Mustang Ranch Property Location Map

Path: Projects\50603 Trudnee River\GIS\50603_Fig1-4_102_Location.mxd Source: NSR, Inc.; USGS 01-09-03 ed

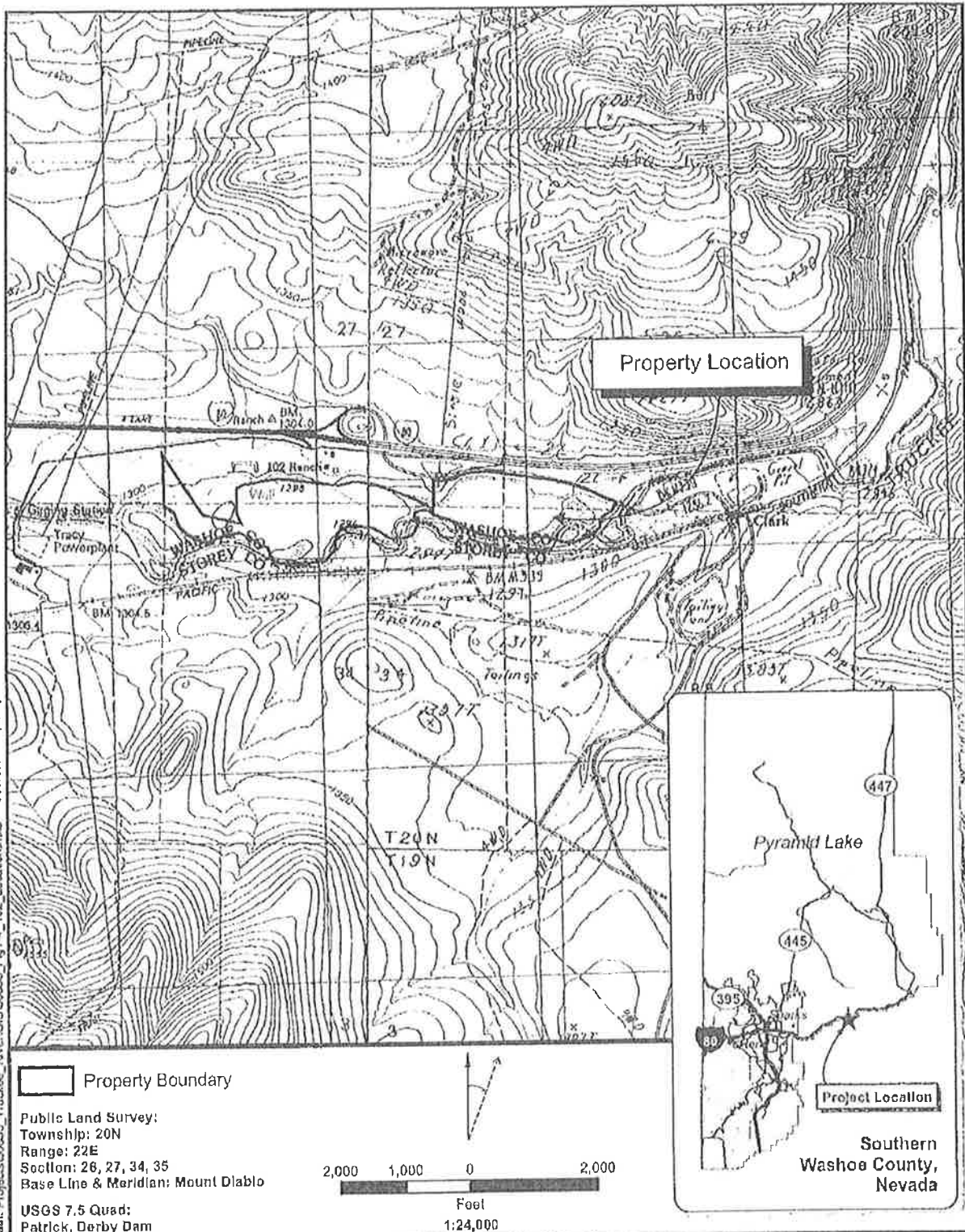


Exhibit B-2
102 Ranch Project Location Map

APPENDIX 3: PAGE 4 OF THE DEVELOPMENT APPLICATION

Storey County Development Application

Professional Consultant/Representative(s)

Name: _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Phone: _____ Email: _____ Cell: _____

Applicant's Affidavit:

I, Mickey Hazelwood, being duly sworn, depose and say that I am the applicant of the described
 (Printed name)
 project and/or request, and all the statements and answers herein contained and the information herewith submitted are in
 all respects complete, true and correct to the best of my knowledge and belief. I understand that no assurance or guarantee
 can be given by members of the Storey County Planning Department Staff.

Mickey Hazelwood
 Signature of Applicant

6/25/14
 Date

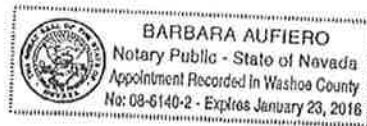
State of Nevada,
 County of Storey

Signed and sworn to before me on June 25, 2014 by,

Michael Hazelwood

Barbara Aufiero
 Notary's Signature

January 23, 2016
 My Commission Expires



Property Owner's Affidavit:

I, _____, being duly sworn, depose and say that I am an owner* in fee of the described
 (Printed name)
 property involved in this application, that I have knowledge of, and agree to, the filing of this application, and that the
 statements and answers herein contained and the information herewith submitted are in all respects complete, true and
 correct to the best of my knowledge and belief. I understand that no assurance or guarantee can be given by members of
 the Storey County Planning Department Staff.

 Signature of Applicant

 Date

State of Nevada,
 County of Storey

Signed and sworn to before me on _____ by,

 Notary's Signature

 My Commission Expires

APPENDIX 4: DETAILED DESCRIPTION OF PROJECT SUBMITTED BY THE APPLICANT

Storey County Special Use Permit Application Truckee River Restoration Program West McCarran Ranch/Mustang Ranch Project

Nature of Activity

The project proposes to lower the existing (abandoned) floodplain on the project site in order to reconnect it with the Truckee River. The Truckee River water surface elevation will be altered locally through the use of constructed riffles and by lowering an existing (abandoned) diversion dam. Swales and scour channels will be excavated into the designed floodplain surface to provide topographic and hydrologic complexity and to increase flood water storage potential. Grade control structures will step-down the existing upstream riffle, while another rock structure/riffle will partially backwater the existing upstream riffle.

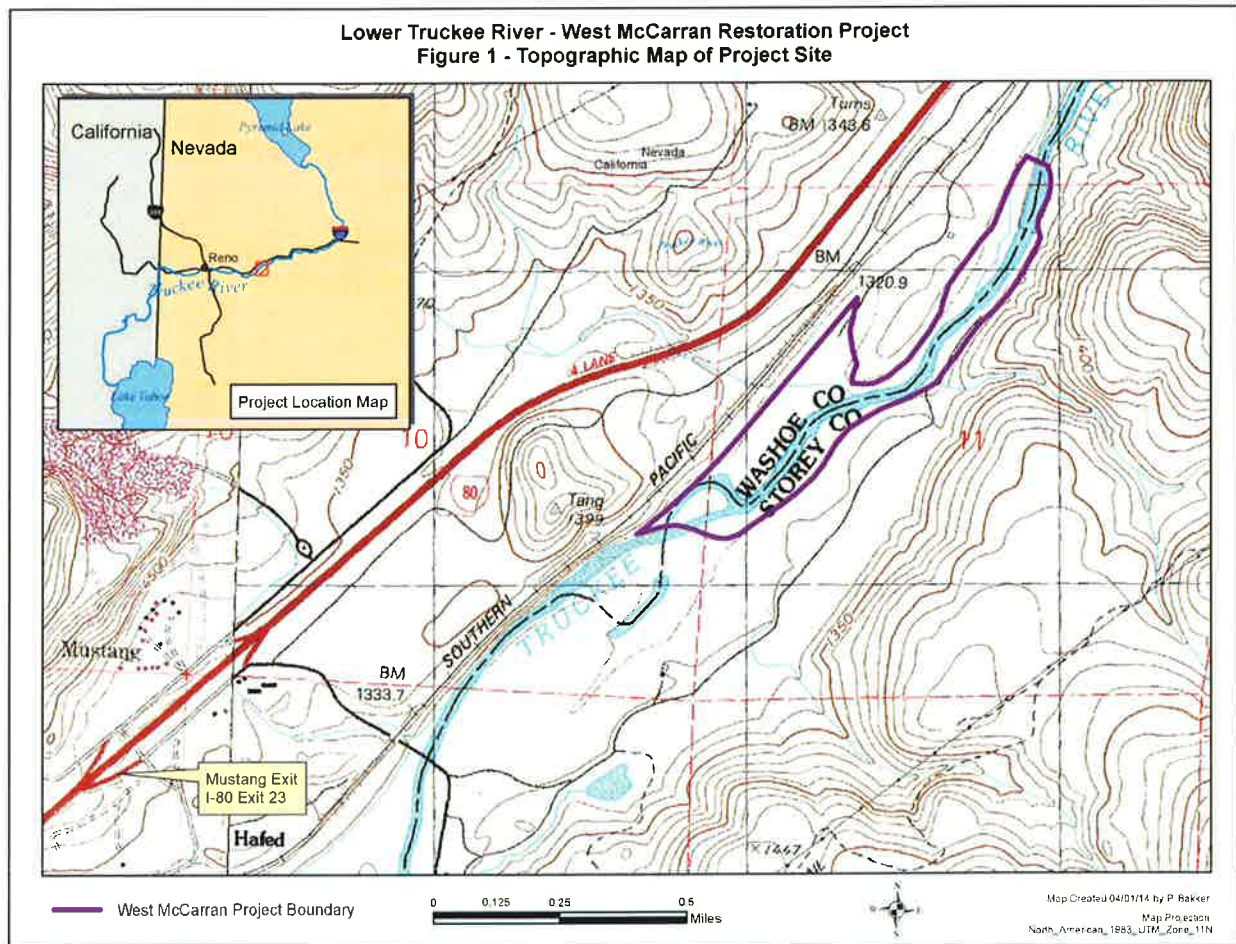


Figure 1. Topographic Map of Project Site

Primary elements of this project include:

- Lowering the floodplain
- Construction of riffles and grade control structures in and adjacent to the active channel
- Lowering an abandoned diversion structure
- Sequestering spoils along floodplain margins

A. Pre-construction Activities and Best Management Practices (BMPs)

Phased construction will combine various activities and BMPs to minimize surface water contact with exposed cuts and fills, and reduce or prevent associated impacts. The following Pre-construction, construction and Post-construction BMPs will be implemented.

1. Construction Access

Primary access to the site is along the established road through the previously-constructed Mustang Ranch project site, along the north side of the river. It is a 10 foot wide compacted and graveled roadbed suitable for heavy equipment. Two potential staging areas exist along this road. The south side of the river may be accessed by Mustang Ranch Road as it exits the paved portion approximately ½ mile south of the bridge over the Truckee River. Additional secondary access roads will be graded as needed on floodplains and will have a native surface which can be watered and re-graded as necessary during construction.

2. Location of Rock and Gravel Stockpiles

Gravel and cobble can be end-dumped and loaded in areas with good turnaround access along the north and south sides of the river. Riprap materials will be stored near the placement sites. All materials to be placed in the river will be washed by spraying the stockpiles with the water trucks. Washing will be repeated as piles are depleted.

3. All Construction Volumes and Areas

Table 1. Estimated construction materials volumes for Truckee River near West McCarran

Project Element	Material Type	Total Volume (CY)	Total Weight (tons)
Boulder	1-2 ton rock	2310	3601
Gravel/Cobble Mix	2-12 inch gravel/cobble mix	1900	3386

Note: Materials volumes assume solid volumes; quantities assume 30% voids for boulders and 20% voids for gravel/cobble.

Table 2. Computed cut volumes

Area	Cubic Yards
Project Total	105,200 – 112,840
North Side (Washoe County)	92,000
South Side (Storey County)	13,200 – 20,840

4. Staging Areas and Equipment Wash Sites

The staging areas will double as equipment wash sites. Parking surfaces will be graded to contain runoff and will be covered with gravel. Straw wattles (fiber rolls) will be staked along perimeters to further facilitate containment.

5. Turbidity Curtains

To minimize turbidity impacts during floodplain grading, Type II heavy duty turbidity curtains (Figure2) will be installed parallel to the Truckee River stream bank. If both floodplains are graded simultaneously, the Type II turbidity curtains will be staked along both banks. A floating Type III heavy duty turbidity curtain will be installed across the channel downstream of the project site.

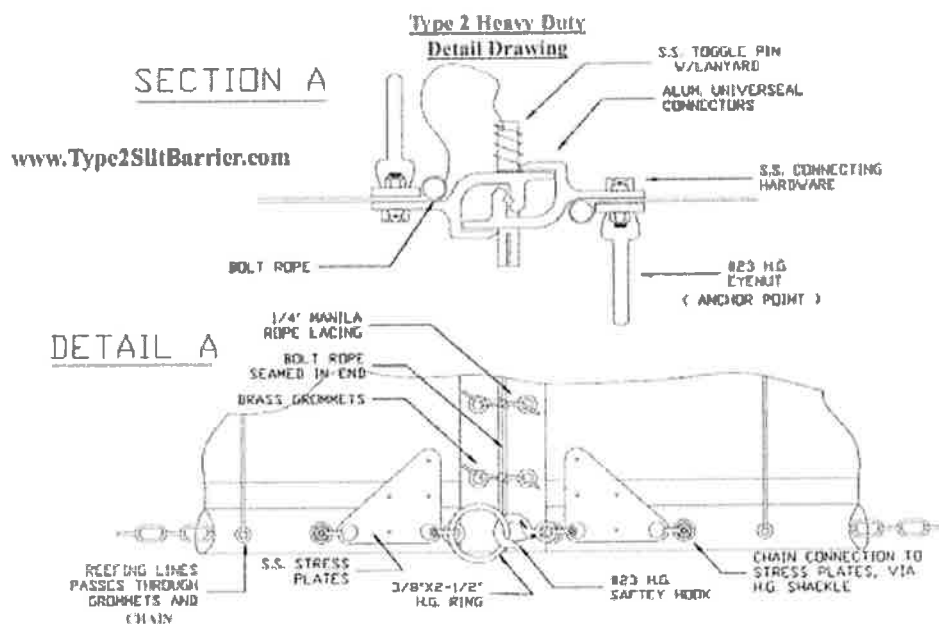


Figure 2. Detail of Type II heavy duty turbidity curtain, courtesy Granite Environmental

6. Sensitive Areas

No disturbance will take place outside the project boundaries. Riparian save areas within the project footprint will be fenced, flagged and avoided as delineated in final plans.

B. Construction and BMPs

1. Water and Air Quality Monitoring

Background turbidity samples will be collected twice per day upstream of all planned activities, above the upstream grade control structure. Downstream samples will be collected at a location determined by NDEP below the downstream grading boundary of the project. Samples will be collected at the downstream site before, during and after construction activities each day at a sampling frequency of approximately once per hour.

Air quality will be qualitatively monitored by the contractor during all ground disturbance activities. Water trucks will be deployed as necessary to keep the production of air borne particulates to a minimum.

2. Floodplain Grading

The starting location and progression of floodplain grading will be chosen by the contractor. Excavators or scrapers will likely be used to lower the floodplains to the design grade. When gravel or cobble lenses are encountered, these materials should be screened and separated for potential use in cobble blankets.

3. Excavation of Swales and Scour Channels

After the floodplain is lowered to the designed grade, new features will be cut into the landscape as detailed in the (final) plan and under supervision from TNC staff. The primary elements of such features are to provide seasonal hydrologic connectivity to water in the main river channel: swales will be wet during spring runoff and scour channels will flow during flood events, serving to slowly return water from floodplains back to the main channel.

4. Excavation in-Channel for the Placement of Grade Control Structures

Grade control materials will be stockpiled near the existing channel location and excavation will likely proceed from upstream to downstream to minimize potential difficulties due to backwatering effects during construction. K-rails or other diversion structures may be deployed as velocity barriers at the contractor's discretion. It is understood that water depth may preclude cross-channel notching in some cases and that grade control materials (1-2 ton boulders) may be worked into the bed as required.

5. Placement of Spoils

Some spoiled material may be screened and used to construct riffles and some will be sequestered at the toes of slopes along the project boundary near the stockpiling sites and as detailed in the Final 100% plans. Spoiled material volumes are estimated not to exceed 121,290 CY.

Stockpiling of spoils will occur near the interfaces of floodplain/native slopes and will be blended to the existing bank slopes.

6. Construction of Riffles and Grade Control

All materials will be washed prior to placement in the channel. Riffles shall consist of the streambed over-excavated to accommodate boulders or cobble blankets on the downstream slope such that the finished surface of cobble is at design grade, typically 2-3 feet above existing grade (Design Sheet C7). Cobbles and gravel can be delivered to the riffle locations by driving trucks along the newly excavated floodplain (soil conditions permitting). Spreading and grading can be accomplished from either bank with an excavator. Depth of cobbles in riffles shall be at least 2 feet and boulder depths will be up to 5 feet and may protrude above existing grade. Large boulders will be placed as directed to provide complexity in constructed riffles. The length of cobble blankets over the downstream face of riffles will vary but will average approximately 100 feet. A gravel blanket (3/8-3" size range) will be placed along the upstream slope of the riffle to a depth of at least one foot overlapping the cobble blanket and extending upstream approximately 50 feet. Toes of gravel riffles must be backwatered by the next riffle crest downstream. Placement volumes will vary with the size of the feature; gravel and cobble will be incorporated into the grade control matrices (Table 1).

The grade control structures (Design Sheet 7) are intended to (1) protect the channel from headcutting and (2) to elevate the water surface to activate topographic features along the floodplain. Voids must be backfilled with gravel and cobble prior to placement of the next layer of 1-2 ton boulders if more than one course is required. The finished structures will protrude above the grade of the riverbed and will blend into the upstream and downstream regions with sloping gravel/cobble riffles.

7. Post Grading Treatment

TNC assumes responsibility for post grading soil treatments to reduce short term erosion. Such treatments may include; pole plantings, containerized seedlings, water jetted cuttings, and seeding. Mulch can be added to facilitate water retention, reduce erosion and inhibit colonization by undesired species. Given the extremely windy conditions which often occur in the region, a tackifier will be added as needed.

8. Erosion Prevention Treatments during Construction

All large disturbance areas will be fenced with wire backed silt fencing which provides extra strength in windy areas. Spacing of steel posts will not exceed 8 feet. Wire fencing will be installed on the downhill side of the filter fabric, between the fabric and the posts and the fabric will be anchored in a 12 inch deep ditch (Nevada BMP Guide, June 2008). Some areas (e.g. long slopes along floodplain boundaries and spoils sequestration areas) may be protected with rows of straw wattles (fiber rolls), staked in place along level contours. Rolls should be keyed in to the ground surface 2-4 inches and staked at least every 4 feet with the space between rows not to exceed 20 feet (Nevada BMP Guide, June 2008).

C. Post-construction

1. Road Surfaces Treatments

Primary haul roads along both north and south sides of the river will be graded and watered regularly, and track-out areas will be graveled with ¾ inch road base rock as needed. Temporary construction roads of native surface will be ripped or disked to reduce compaction in preparation for TNC revegetation efforts.

2. Revegetation/Air Quality/Erosion Treatments

Silt fencing and fiber rolls located in non-flood prone areas will remain on site until vegetation becomes established. BMP's located along the river's edge and on the lowest floodplain surfaces will be removed following construction. Under TNC direction a spray mulch/tackifier mixture may be applied to exposed soils to reduce wind-blown soils. Weed free straw mulch may also be applied.

3. Riparian, Wetland, Upland Vegetation Restoration

In riparian and wetland areas revegetation will occur as a combination of natural recruitment and TNC planting efforts. Floodplain and upland plantings will need to be watered for the first few years following construction as in other TNC restoration projects, such as Mustang and 102. Removal of invasive species will be a component of TNC's Vegetation Restoration Plan.

D. Type of equipment to be used and how it will be operated

The excavation of the floodplain, the placement of riffle rock, and other activities at the site will require the hiring of an excavation crew. The equipment listed below, or its equivalent, is expected to be used throughout the site.

Cat 330 Excavator
Cat 973 Loader
Cat D400
Cat D7 Dozer
Cat 14G Grader
4000 gal water truck

E. Proposed Project Purpose

Background

Over the past century, the lower Truckee River downstream from Vista has suffered from many human-caused changes, which have greatly altered the ecological integrity and functioning of the river. Truckee River flows are regulated by a number of agreements, decrees, and river operating requirements.

Well intended but failed efforts at flood control in the early 1960s led to exacerbated channel down cutting along the lower Truckee River and as a result, depression of the groundwater table. The lowered groundwater depth and deeply incised channel has disconnected the river from the riparian habitat and surrounding floodplains. Without access to groundwater, regeneration of native riparian vegetation has been impaired for decades, and invasive species have begun to dominate the riparian communities along the river's edge.

Land use practices along the Truckee River have altered the flow regimes, also causing the condition of riparian vegetation to decline and resulting in a significant reduction of important habitat for birds, mammals, reptiles, and amphibians. Urban growth and development in the cities of Reno and Sparks have increased the amount of impervious surfaces, affecting water quality and the extent and timing of flooding.

Since 2003, TNC and its partner agencies have demonstrated river restoration techniques on the lower Truckee River through two projects at TNC's McCarran Ranch Preserve, the Lockwood site, the lower Mustang Ranch site, the Tracy site, and the 102 Ranch site. The site proposed for restoration is within the same reach of the lower Truckee River as the completed restoration sites. The restoration activities at McCarran Ranch included the creation of a new river meander; approximately one mile of new channel and riffle construction; revegetation of approximately 120 acres; creation of wetlands and ponds, including oxbow wetlands; and a variety of wildlife nesting, cover, and shelter improvements. The constructed riffles raised the water surface level and promoted more frequent overbank flooding within the project areas. The localized overbank flooding of these uninhabited floodplain areas improved soil fertility and ecological productivity, while attenuating downstream flooding. Restoration activities at the other restoration sites followed suit with those that were successful at McCarran Ranch.

These river and riparian restoration measures are correcting the undesirable effects of channelization and river entrenchment, while retaining the benefits of flood flow attenuation. Restoration work to date is resulting in the recovery of the groundwater table in the project areas, increased populations and survivorship of native plants, and increased fish and native bird populations. The decreased channel width promotes improved hydraulic connection between the river channel and its floodplain to better support wetland habitat.

Purpose of and Need for the Proposed Action

The primary purpose of the project is to contribute to the ecological restoration of the lower Truckee River. Overall, the project is intended to help restore basic physical and biological functions to a more natural condition so that the ecological systems and native organisms can depend on those functions. Generally, the restoration project will involve the creation of new areas of aquatic and terrestrial habitat, including river channel modifications, scour channels and swales, and areas of native vegetation, for the purposes of restoring the degraded ecosystem to a more natural condition. Monitoring results support the effectiveness of TNC's restoration projects since 2003 and the need for continued, well-designed restoration projects at high priority sites on the lower Truckee River.

The West McCarran site was selected by TNC and cooperating agencies in order to restore the river channel, floodplain, and riparian forest and to undo the damage of the human-caused changes. The proposed channel-and-floodplain restoration work to be implemented at the site would create a variety of benefits in terms of long-term floodwater flow attenuation, water quality, habitats for native plants and animals including special-status species, biological productivity and diversity, noxious weed reduction and control, and restoration of native species. The proposed project would continue TNC's program of restoration on key reaches of the lower Truckee River and provide linkage and continuity with the previously restored sites.

The decision to propose this site, as well as previous projects for restoration, was based in part on their relatively high scores in a report prepared by Otis Bay Ecological Consultants (Otis Bay Ecological Consultants 2007) for the U.S. Army Corps of Engineers. The report includes a ranking of the ecological restoration potential of 20 sites along the lower Truckee River based on field and aerial observations. The criteria included flow regime, average floodplain width and potential for floodplain expansion, riparian forest and potential for recovery, existing aquatic habitat diversity and potential to increase hydraulic habitat diversity, encroachments into the channel and floodplain, existing entrenchment, floodplain reconnection potential, and connection to natural features.

West McCarran

TNC acquired the McCarran Ranch riverfront with the purpose of restoring the health of the river and associated riparian and wetland habitats. The Truckee River at West McCarran has a deeply incised straight channel, a disconnected floodplain, and backwater effects of a downstream weir. The site also contains existing elements such as functional historic swales, remnant late seral cottonwoods, and relict wetlands, which would accelerate the restoration process.

The West McCarran site is immediately downstream of the Lower Mustang project, where extensive restoration work was done in 2009 to lower the floodplain, realign the channel, and restore native riparian vegetation. The 1-mile West McCarran reach is the upstream segment of TNC's McCarran Ranch Preserve, which totals nearly five river miles. Most of the downstream portion of the river frontage was restored from 2003 to 2006. The purpose and need for restoration proposed at West McCarran Ranch is to provide river and ecological restoration, and to provide physical and biological continuity with previously restored sites upstream and downstream of the West McCarran reach.

Timeframe of the proposed project

January-August 2014 Finalize design and secure permits.

September-December 2014 Site preparation; rock stockpiling; plant salvage; excavation of floodplains; construction of grade control structures and riffles.

F. Other Permits and Approvals Required

The construction work associated with restoring this site requires a series of federal, state, and local permits, as well as letters of permission and easements. As of March 2014, the permit application process is in the initial stages, and all permits are expected to be in-hand by late August 2014. The 2003 and 2006 McCarran Ranch projects served to demonstrate exactly which permits and easements were needed, and they are as follows:

1. Temporary Working in Waterways (Rolling Stock) Permit – issued by NDEP.
2. 401 Water Quality Certification – issued by NDEP.
3. Stormwater General Permit – issued by NDEP.
4. Letters of Authorization from State of Nevada – both the State Engineer (Division of Water Resources) and Department of Wildlife must approve the project. State Engineer Contact: Robert Martinez (775) 684-2735; NDOW Contact: Laura Richards (775) 688-1996.
5. Grading Permits – issued by Washoe and Storey Counties. Washoe County Contact: Don Jeppson, AIA (775) 328-2020; Storey County contact: Dean Haymore (775) 847-0966.
6. Special Use Permits – issued by Storey and Washoe Counties. Washoe County Contact: Roger Pellham, (775) 328-3622; Storey County Contact: Dessie Redmond (775) 847-1144.
7. Dust Control and Vector Control Permits – Washoe County District Health Department. Contact: Air Quality Management Division (775) 784-7200.

8. Right of Entry and Construction Authorization – Division of State Lands. Division of State Lands
Contact: David Marlow (775) 684-2720.

TNC will be responsible for preparing and submitting all necessary materials to secure these permits and easements. TNC will be named on each permit for the project (as will contractors as appropriate).

APPENDIX 5: DRAWINGS SUBMITTED BY APPLICANT

TRUCKEE RIVER RESTORATION THE NATURE CONSERVANCY

WEST MCCARRAN SITE
STOREY AND WASHOE
COUNTIES, NEVADA



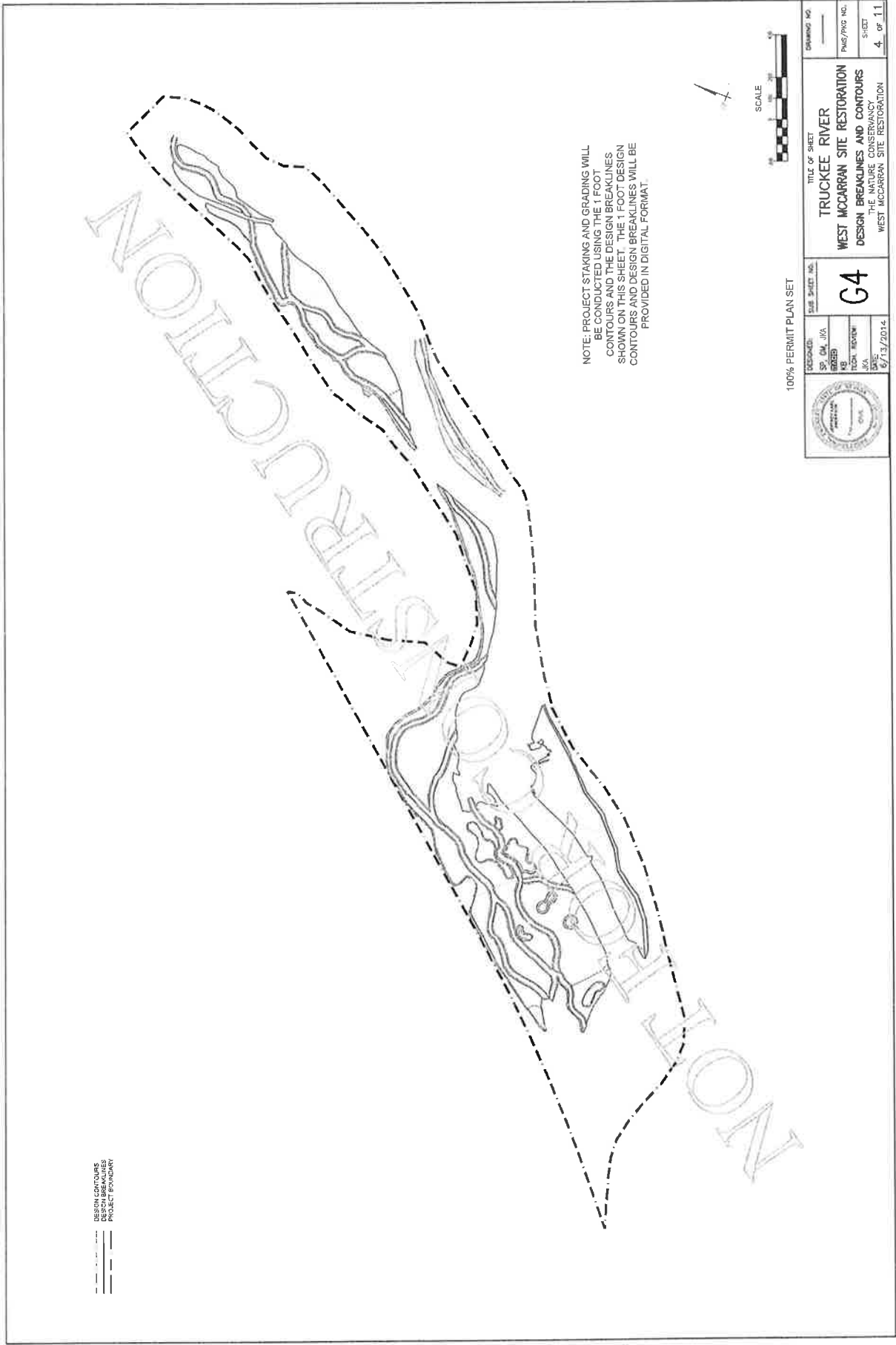
SHEET INDEX

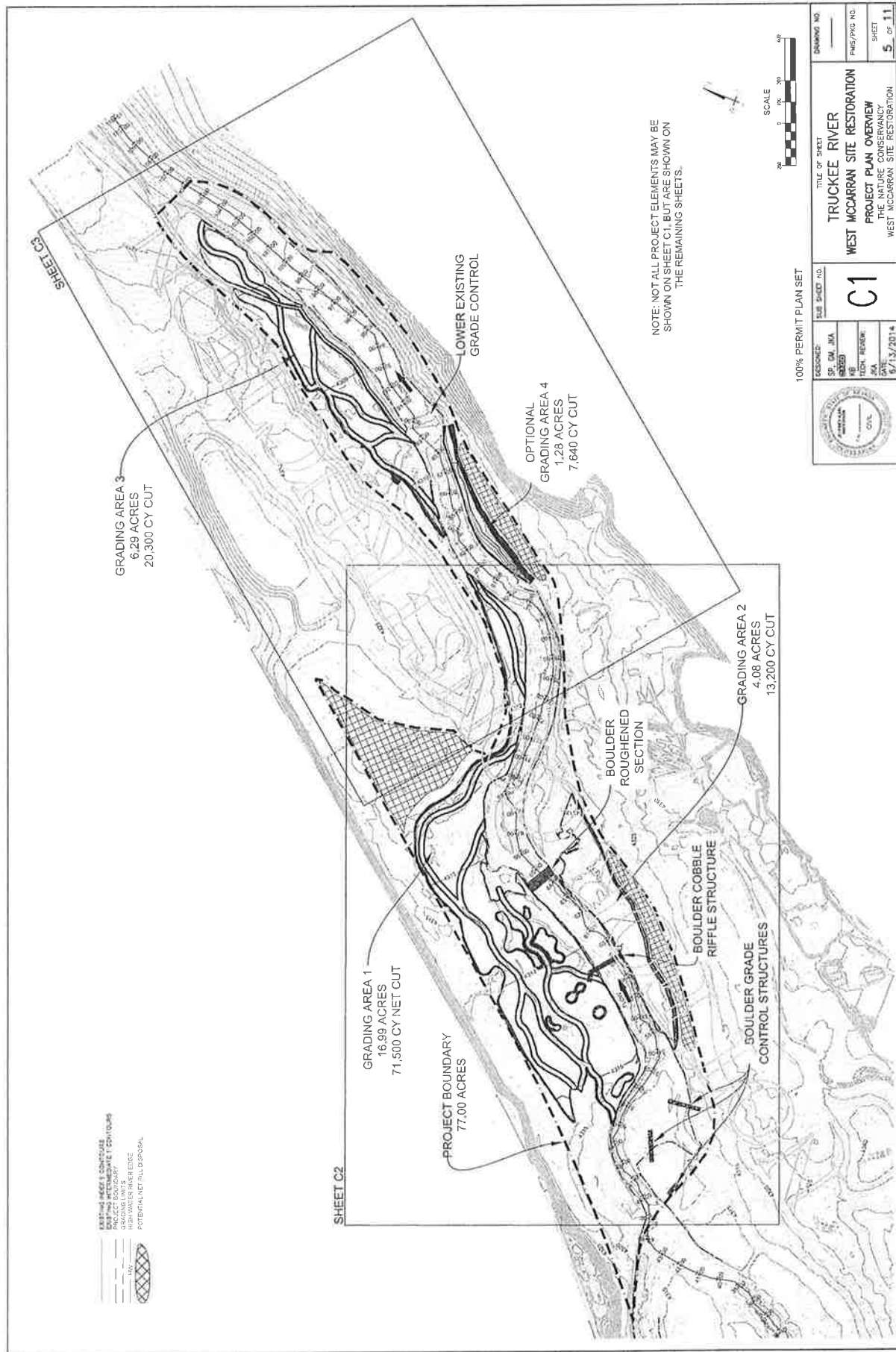
SHEET	DESCRIPTION
C1	COVER SHEET
C2	NOTES
C3	EXISTING SITE PLAN AND BOUNDARIES
C4	DESIGN BREAKLINES AND CONTOURS
C5	PROJECT PLAN OVERVIEW
C6	UPSTREAM CROSS SECTION
C7	UPSTREAM GRADING PLAN
C8	UPSTREAM CROSS SECTIONS
C9	DOWNSTREAM CROSS SECTIONS
C10	THALWEG PROFILE
C11	DETAILS

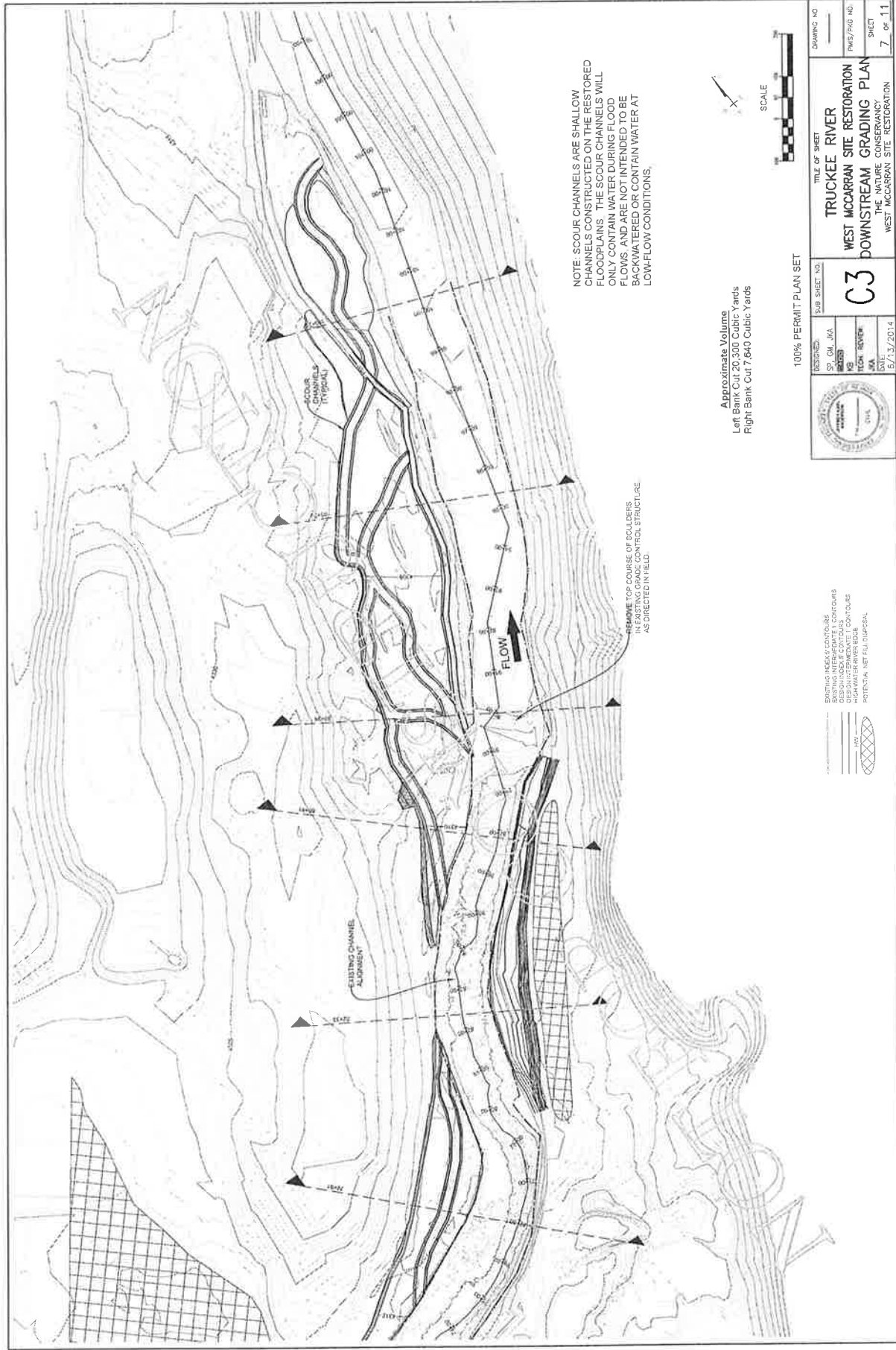
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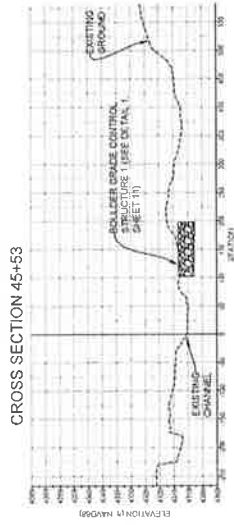
	Northern Hydrology and Engineering Engineering - Hydrology - Geomorphology - Water Management PO BOX 2315 MCINNEYVILLE, CA 95519 (707) 639-2115	TRUCKEE RIVER RESTORATION WEST MCCARRAN SITE THE NATURE CONSERVANCY COUNTY: STOREY STATE: NEVADA	SHEET 1 of 11
		GMA GRAHAM MATTHEWS & ASSOCIATES Hydrology - Geomorphology - Stream Restoration P.O. Box 1586, Waverly, CA 94981-1516 (707) 875-1111 gmatthews@earthlink.net	



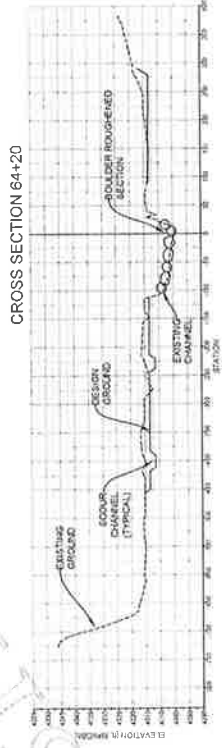
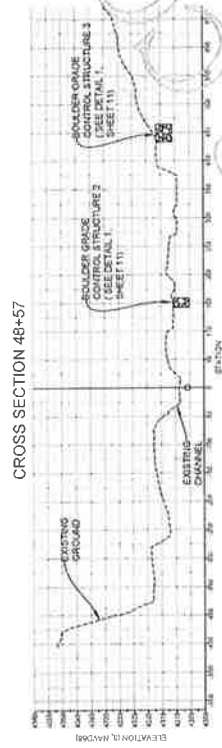




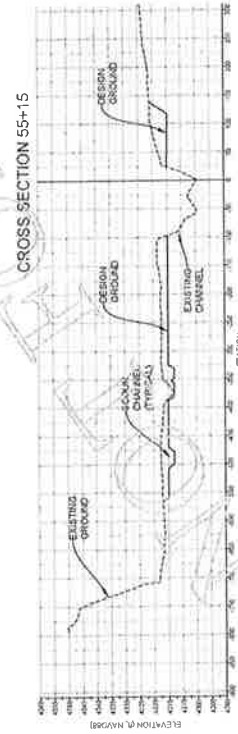




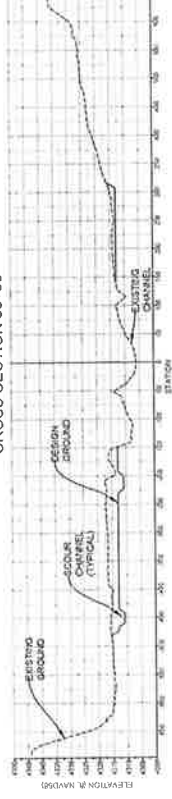
CROSS SECTION 59+01



CROSS SECTION 64+20



CROSS SECTION 66+93

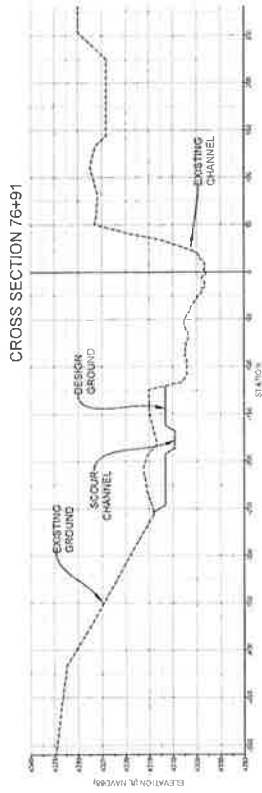


HORIZONTAL SCALE: 1"=100'
VERTICAL SCALE: 1"=500'

100% PERMIT PLAN SET



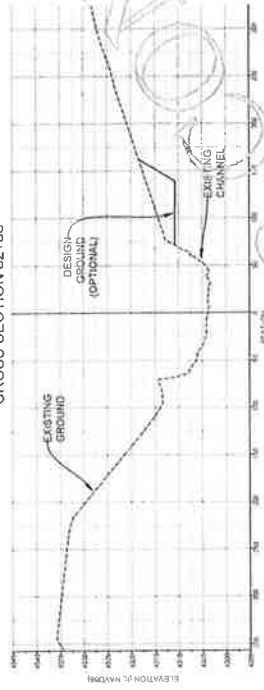
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CHECKED: JVA	DATE: 6/13/2014		
APPROVED: JVA			



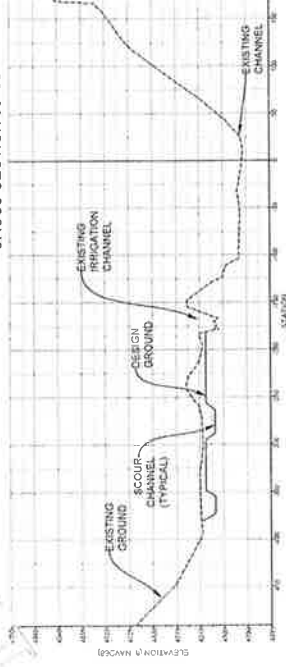
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CROSS SECTION 82+33



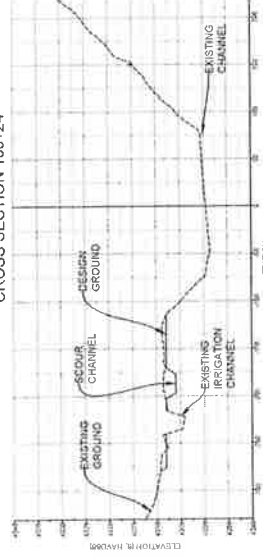
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CROSS SECTION 86+81



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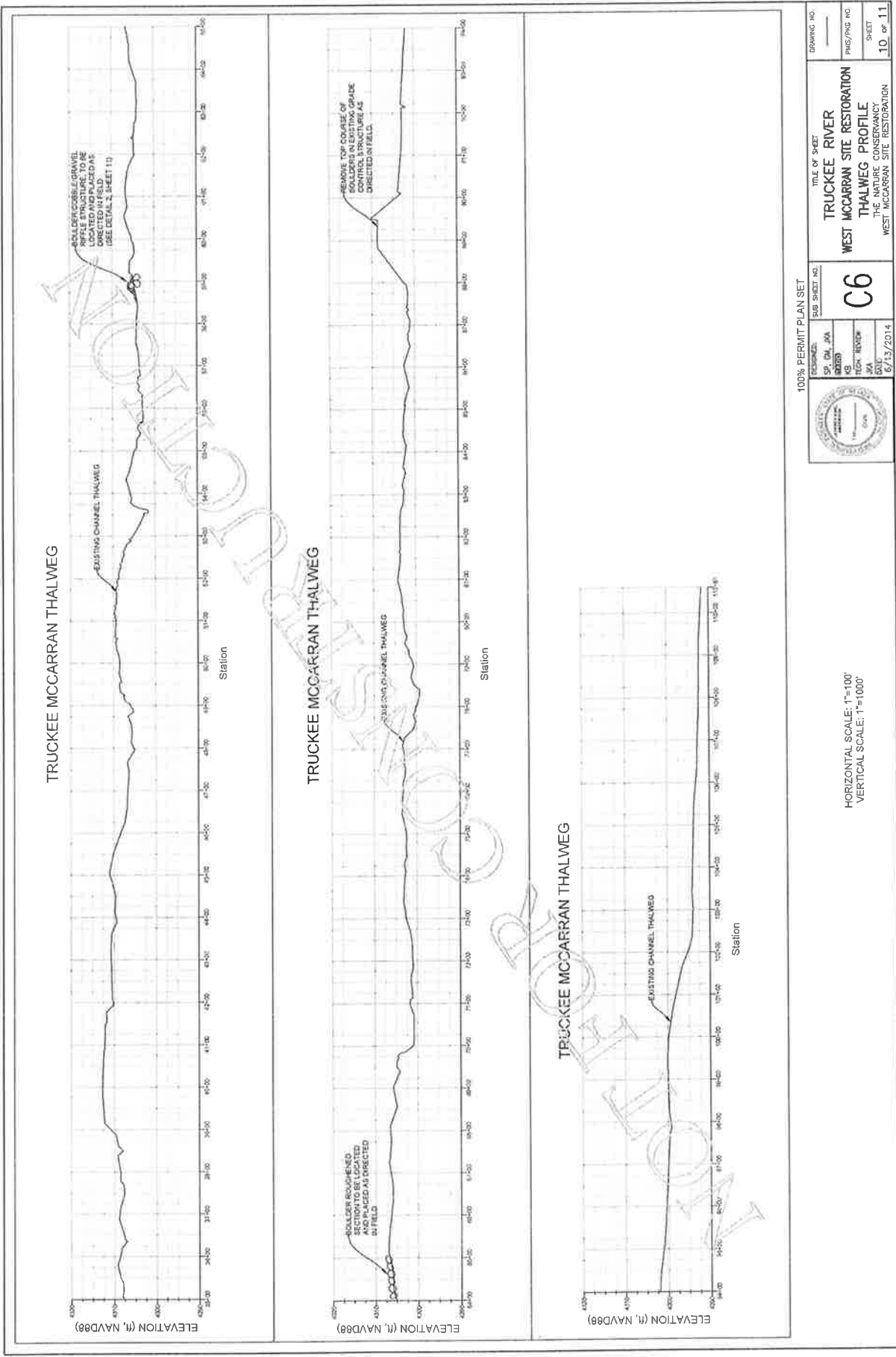


HORIZONTAL SCALE: 1"=50'
VERTICAL SCALE: 1"=300'

100% PERMIT PLAN SET



DESIGNED BY SP. OM. MA JES	TITLE OF SHEET TRUCKEE RIVER WEST MCCARRAN SITE RESTORATION DOWNSTREAM CROSS SECTIONS	DRAWING NO. PAC/PAC NO. SHEET
CHECKED BY SP. OM. MA JES	C5	9 of 11
DATE 6/13/2014	THE NATURE CONSERVANCY WEST MCCARRAN SITE RESTORATION	



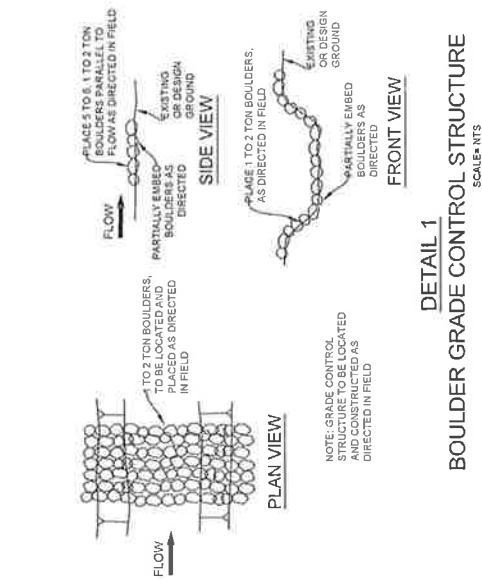
100% PERMIT PLAN SET

PROJECT: SP, DM, JWA
SHEET NO: C6
DATE: 6/13/2014

TITLE OF SHEET: TRUCKEE RIVER
WEST MCCARRAN SITE RESTORATION
THALWEG PROFILE
THE NATURE CONSERVANCY
WEST MCCARRAN SITE RESTORATION

DRAWING NO. _____
PAGE/FIG NO. _____
SHEET 10 of 11

HORIZONTAL SCALE: 1"=100'
VERTICAL SCALE: 1"=1000'



DETAIL 1

BOULDER GRADE CONTROL STRUCTURE

SCALE = NTS

DETAIL 2

BOULDER/COBBLE/GRAVEL RIFFLE

SCALE= NTS

	DESIGNED BY CO. 004, JWA	DATE 12/1/2014	100% PERMIT PLAN SET	TITLE OF SHEET TRUCKEE RIVER WEST MCCARRAN SITE RESTORATION C7 DETAILS THE NATURE CONSERVANCY WEST MCCARRAN SITE RESTORATION	DRAWING NO. _____ PWS/PWC NO. _____ SHEET 11 of 11
	PREPARED BY JWA	CHECKED BY JWA			



Storey County Board of County Commissioners Agenda Action Report

Meeting date: 8/19/14

Estimate of time required: 0 - 5

Agenda: Consent ☐ Regular agenda ☒ Public hearing required ☐

1. **Title:** Business License Second Readings -- Approval

2. **Recommended motion:** Approval

3. **Prepared by:** Stacey Bucchianeri

Department: Community Development

Telephone: 847-0966

4. **Staff summary:** Second readings of submitted business license applications are normally approved unless, for various reasons, requested to be continued to the next meeting. A follow-up letter noting those to be continued or approved will be submitted prior to Commission Meeting. The business licenses are then printed and mailed to the new business license holder.

5. **Supporting materials:** See attached Agenda Letter

6. **Fiscal impact:** None

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:** None

____ District Attorney

8. **Reviewed by:**

☒ Department Head

Department Name: Community Development

☒ County Manager

Other agency review: _____

9. **Board action:**

☐ Approved
☐ Denied

☐ Approved with Modifications
☐ Continued

Agenda Item No.

Storey County Community Development

Business Licensing



P O Box 526 • Virginia City NV 89440 • (775) 847-0966 • Fax (775) 847-0935 • buslic@storeycounty.org

To: Vanessa Stephens, Clerk's Office
Pat Whitten, County Manager

August 11, 2014
Via email

Please add the following item(s) to the **August 19, 2014**, COMMISSIONERS Agenda:

Storey County Building Department has inspected and found that the following businesses meet code requirements necessary to operate in the county:

LICENSING BOARD SECOND READINGS

- A. **EAGLES CREST, INC.** – Contractor / 4865 Joule Street #C6 ~ Reno (contractor)
- B. **ARDAGH METAL PACKAGING USA, INC.** – General / 900 Waltham Way (can mfg) **TRI**
- C. **W G YATES & SONS CONST CO** – Contractor / 2641 Portofino Drive (contractor) **TRI**
- D. **SILEGACY FLOOR FINISHING, LLC** – Contractor / 750 Freeport Blvd ~ Sparks (contractor)
- E. **JAMES PAT COLONNA** – Home Business / 21217 Highland Road ~ VC Highlands (CPA)
- F. **CARSON CITY VENDING, LLC** – General / 4083 Montez Drive ~ Carson City (vending service)
- G. **DIRECT FORCE MAINTENANCE, LLC** – Contractor / PO Box 5611 ~ Fallon (mining support)
- H. **HILL & HILL CONSTRUCTION, LLC** – Contractor / 8965 Mohawk Street ~ Las Vegas (contractor)
- I. **A-Z WELDING & FABRICATION, LLC** – General / 1215 Alexandria (welding fab) **TRI**
- J. **STEEL KING INDUSTRIES, INC.** – Contractor / 2700 Chamber St ~ Stevens Point, WI (contractor)
- K. **HIGH DESERT PLUMBING** – Contractor / 131 Coney Island Dr ~ Sparks (contractor)
- L. **CH2MHILL ENGINEERS, INC.** – Contractor / 50 West Liberty ~ Reno (contractor)
- M. **ROSSCO ENT., dba AP STAINLESS MFG** – General / 1215 Alexandria (manufacturing) **TRI**
- N. **SUPERIOR INSTALLATION SERVICES, INC.** – Contractor / 1230 Crowley Cir ~ Carrollton, TX (cont)
- O. **CASEY INDUSTRIAL, INC.** – Contractor / 1400 W 122nd Ave ~ Westminster, CO (contractor)
- P. **RITCHIE BROS AUCTIONEERS** – General / 20202 East Highway 80 **MCC**
- Q. **DATA SALES CO., INC.** – General / 3450 West Burnsville Pkwy ~ Burnsville, MN (equip lease)
- R. **VEGA ASPHALT PAVING, INC.** – Contractor / 385 Freeport Blvd ~ Sparks (contractor)
- S. **A.S.A.P. PUMP & WELL SERVICE, LLC** – Contractor / 10230 Laurent Drive ~ Reno

Inspection Required

cc: Shannon Gardner, Building Dept.
Austin Osborne, Planning Dept.
Dean Haymore, Economic Dev.

Gary Hames, Fire Dept.
Patty Blakely, Fire Dept.
Assessor's Office

Sheriff's Office



Storey County Board of County Commissioners

Agenda Action Report

Meeting date: 08/19/14

Estimate of time required: 60 min.

Agenda: Consent ☐ Regular agenda ☐ Public hearing required ☐ (x **Closed Session**)

1. **Title:** Call to Order Closed Session meeting pursuant to NRS 288.220 for the purpose of conferring with county management and legal counsel regarding labor negotiations between Storey County (Employer) and the Storey County Sheriff's Office Employees' Association/Operating Engineers Local Union No. 3 (Sheriff's Office Employees' Association), and possible Memorandum of Understanding to clarify salary benefits as applicable to the 2014-2017 Bargaining Agreement between the Employer and the Storey County Firefighters' Association IAFF Local 4227 (Firefighters' Association). Closed-session will commence immediately following the 08/19/14 general session meeting of the Board of County Commissioners.

2. **Recommended motion.** No action

3. **Prepared by:** Austin Osborne, Administrative Officer

Department: Human Resources

Telephone: 775.847.0968

4. **Staff summary:** Pursuant to NRS 288 and Article 1 of the Bargaining Agreement between the Employer and the Sheriff's Office Employees' Association, the existing 2011-2014 Agreement is proposed by management to the Board of Commissioners to be modified. Bargaining is in-progress and there is no tentative agreement between the Employer and the Sheriff's Office Employees' Association at this time. For the Bargaining Agreement between the Employer and the Firefighters' Association, clarification is needed regarding salary benefits as applicable to employee anniversary/hiring dates.

5. **Supporting materials:** Applicable materials to be presented during closed-session.

6. **Fiscal impact:**

Funds Available:

Fund:

____ Comptroller

7. **Legal review required:**

____ District Attorney

8. **Reviewed by:**



Department Head

Department Name: Commissioner's Office

____ County Manager

Other agency review: _____

9. **Board action:**

☐

Approved

☐

Approved with Modifications

☐

Denied

☐

Continued

Agenda Item No.