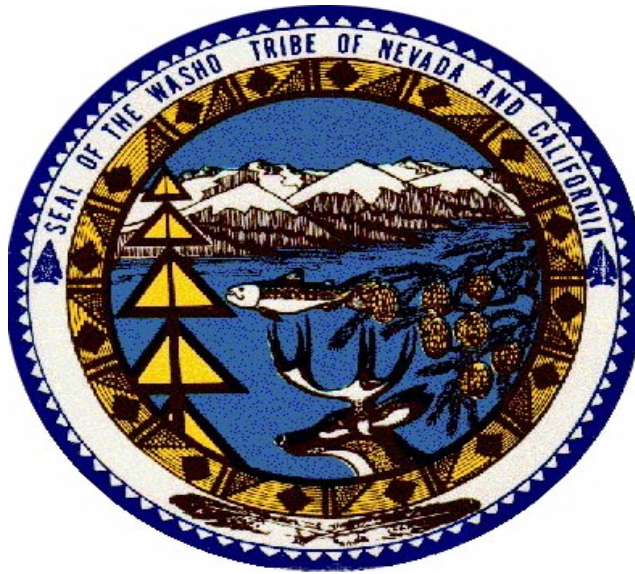


**Washoe Tribe
of
Nevada and California**

Integrated Resource Management Plan

Comprehensive Land Use Plan

Parcel Master Plans



**Washoe Tribal Council
2008**

Tribal Council

Waldo Walker, Tribal Chairman

Aaron Smokey, Vice Chairman

Carson Council Representatives:

Chad Malone

Ellen Fillmore

Dresslerville Council Representatives:

L. Mark Kizer

Rebecca Smokey

Stewart Council Representatives:

Wanda Batchelor

Darienne Tenorio

Woodfords Council Representatives:

DeAnn Roberts

Maureen Dressler

Reno/Sparks Representatives:

Lorraine Keller

Off-Reservation Representatives:

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Secretary/ Treasurer:

Tamara Crawford

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Resolution No. 216-WTC-2008

RESOLUTION OF THE GOVERNING BODY

OF THE

WASHOE TRIBE OF NEVADA AND CALIFORNIA

WHEREAS, the Washoe Tribe of Nevada and California is organized under the provisions of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984) as amended, to exercise certain rights of home rule and be responsible for the general welfare of its members; and

WHEREAS, the Washoe Tribe has updated its 1994 Comprehensive Land Use Plan and Development Planning System to more adequately assess the conditions on the Reservation; and


WHEREAS, the accompanying goals, policies, and objectives represent the wishes of the Washoe People for their lands and communities and will serve as a tool for resource management requiring future updates as conditions change,

NOW THEREFORE, BE IT RESOLVED that the Washoe Tribe approves the 2008 Comprehensive Land Use Plan, Parcel Master Plans, and Development Planning System updates as the Washoe Tribe Integrated Resource Management Plan.

BE IT FURTHER RESOLVED that this plan be implemented in the fullest manner possible, as a guide to Tribal decision-making, beginning with Tribal Council, and to all other Tribal entities whose decisions are abridged by this document.

CERTIFICATION

It is hereby certified that the Washoe Tribal Council is the governing body of the Washoe Tribe of Nevada and California composed of twelve (12) members of whom twelve (12) constituting a quorum were present at a meeting duly held on the 13th day of September, 2008, and that the foregoing resolution was adopted by the affirmative vote of eleven (11) for, -0- against, and -0- abstentions pursuant to the authority contained in Article VI, Section 1 (h) of the Amended Constitution and Bylaws of the Washoe Tribe of Nevada and California.


Tamara Crawford
Secretary/Treasurer

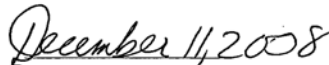

Date



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I. Introduction

The present day Washoe Tribal government and communities have deep roots in the past, radiating from Lake Tahoe, a spiritual and cultural center in the central Sierra Mountains, encompassing an area that stretched from Honey Lake to Mono Lake. This aboriginal area was positioned directly in the path of explorers, immigrants and gold-seekers who were bound for California in the United States' westward migration. Only a few short years after the great 1849 immigration to California, the Comstock Lode was discovered in Virginia City, Nevada, and a backwash of earlier migrants returned to Washoe Lands to stay and develop the valleys and mountains of the Sierra Nevada. The Washoe People were ruthlessly shoved aside and the total occupation of their former lands took only a few short years.

The Washoe People did not have a reservation established subsequent to their overwhelming by a dominant culture. Lands were allotted to individual Indians by the federal government beginning in the 1880's by the Dawes Act of 1887. Although these lands on the west slope of the Pine Nut Mountains had numerous significant values for the Washoe, they lacked good water supply and were not suitable for year long living. As a result, the Washoe tended to settle at the edges of white settlements and ranches for access to work and food.

After the beginning of the 20th century, some recognition of conditions foisted on the Washoe People caused a public outcry which resulted in eventual establishment of parcels of trust lands for the Washoe. After many petitions, in 1917, Congress purchased the land that became Carson Colony and the Reno/Sparks Colony. Land for Dresslerville was a gift from a rancher of the same name, located near Gardnerville. In 1936, the Dresslerville parcel was expanded by the purchase of Carson River bottomland which is now referred to as the Washoe Ranch.

In 1966, the Washoe Colonies consolidated under the Indian Reorganization Act of June 18, 1934, to become the Washoe Tribe, exercising rights of home rule and responsibility for the general welfare of its membership. In 1970, 80 acres were acquired from the Bureau of Land Management to create the Woodfords Colony for Washoe People who had been living on allotments in Alpine County. Alpine County Allotments known as the Wade Property, which had converted to fee land, were deeded to the Tribe in 1976 to avoid their reverting to the County for nonpayment of taxes.

A significant expansion of the Washoe Reservation took place in the 1980's when the majority of the former Stewart Indian School lands were transferred to the Tribe. Parcels acquired with this Act of Congress include the Stewart Ranch, Silverado, Upper and Lower Clear Creek, and Stewart Community.

In the late 1990's and early 2000's, the Washoe Tribe acquired numerous parcels including the Uhalde, Olympic Valley, Babbit Peak, Ladies Canyon, Incline Village, Skunk Harbor and Allotment 231 parcels. These parcels have been designated as Washoe Culture and Nature Preserves. This designation gives the highest protection

granted by the Washoe Tribal Council. Parcels designated as Washoe Culture and Nature Preserve have been identified as areas of high value to the Tribe. Conserving the beauty of these parcels provides access to Tribal members for traditional and customary uses, provides an area for positive youth development through outdoor education, provides habitat for wildlife, and protects the scenic quality of any land within the aboriginal territory. The Washoe Tribe also acquired the Mica Parcel during that time period. That parcel provides economic revenue for the Tribe.

Into the 21st century, the Pinenut allotment lands have suffered from being classified as “public domain” allotments, outside the Washoe Reservation. Although, the Tribe has an interest in many of the Allotments and purchased 11 acres of CC-186 in 1994, exerting jurisdiction has been difficult. Allotments can be sold out of Indian ownership, and as a market for these lands has developed, this is currently taking place. Heirship of the allotments has become very fractionated, or split among many heirs.

Increasing urban development surrounding Tribal lands is impacting the lands and resources. Increased use surrounding the areas has resulted in increased illegal activities such as trespass, illicit drug activity, and illegal dumping. Development is threatening natural and cultural resources on Tribal lands; especially water resources.

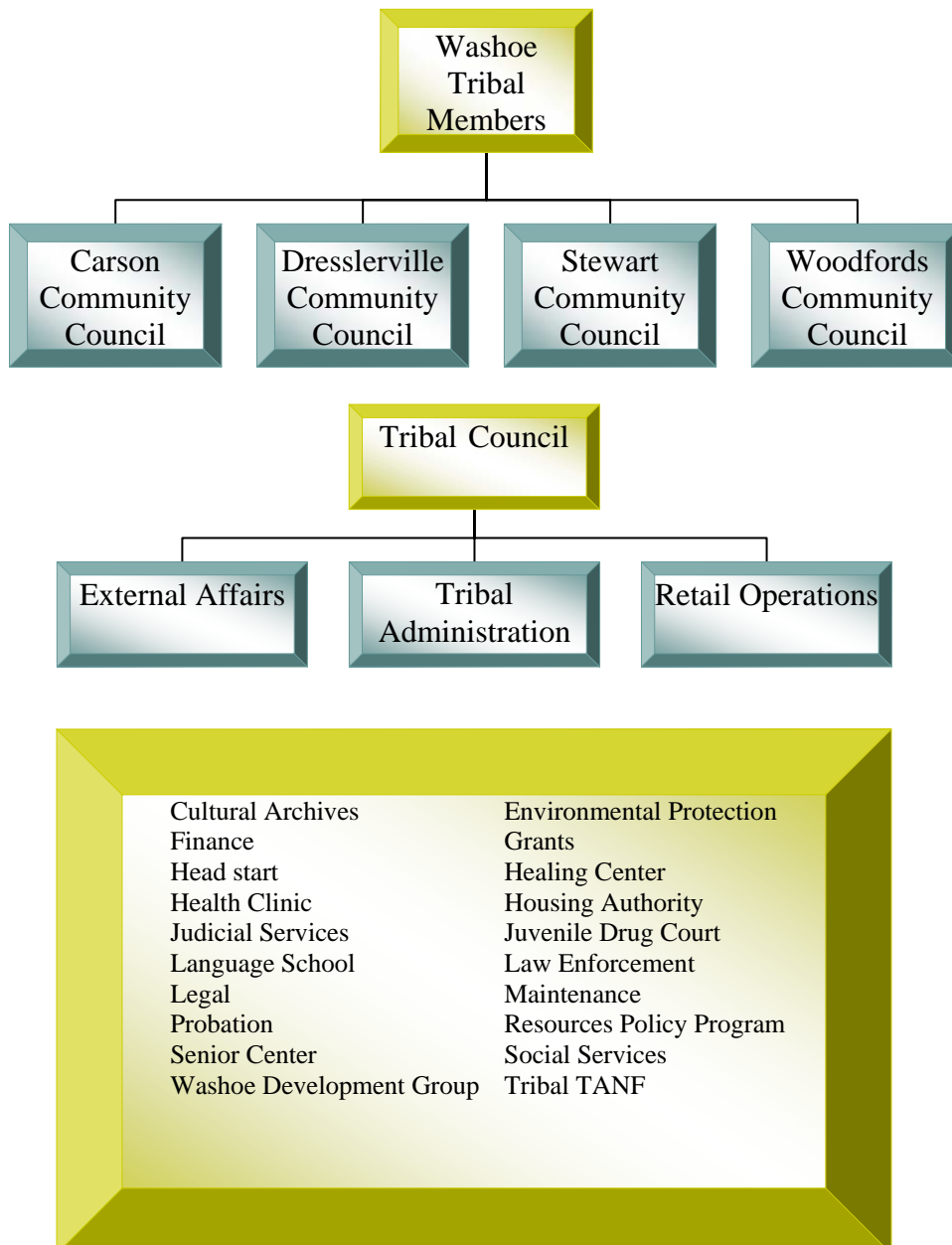
In 2008, Tribal Trust land is approximately 5,237 acres and Allotments approximately 65,420 acres. According to the 2000 Census, there are 1,016 tribal members living in the four tribal communities. The enrolled membership equals 1,556 persons, over two-thirds of whom reside on the Reservation.

Parcel Name	Acres	Population
Allotment #231	160	0
Babbitt Peak	480	0
Carson Community	160	286
Dresslerville Community	793.32	315
Frank Parcel	12.23	0
Heidtman Purchase	80	0
Incline Village	2.445	0
Ladies Canyon	145.45	0
Lower Clear Creek Parcel	229	0
Mica	0.91	0
Olympic Valley	2.79	0
Pine Nut Allotments	65,000 +/-	UNK
Sacramento Allotments	420	UNK
Silverado	160	0
Skunk Harbor	24.3 +/-	0
Stewart Community	292	196
Stewart Ranch	2,098	0
Uhalde	38.948	0
Upper Clear Creek Parcel	157.14	0
Wade Parcels (Upper and Lower)	320	UNK
Woodfords Community	80	219
Total	70,656.53	1,016

The Washoe Tribal Council, a 12-member body, is composed of two representatives each from Dresslerville, Carson, Woodfords, and Stewart; one representative from Reno-Sparks, two representatives from the off-Reservation population, and the Tribal Chairman. The Colonies have elected bodies, also called Councils, who meet with agendas based on their local issues.

Tribal Council, in accordance with Article 111, Section B of the Washoe Constitution, serves as the local authority for purposes of authorizing any planning program for the Tribe's future. Major concerns of the Council have been in the following areas: self governance, cultural protection, social and human services, lands and natural resources, and economic development.

The Washoe Tribal government is organized similar to that of Tribes under the Indian Reorganization Act.



II. Land Use

Executive Summary

Land for development, both on the Reservation and next to it, is becoming a scarce and highly-valued resource. With growing demand for residences in the Washoe communities, the amount of land available for Community growth varies considerably. The currently uninhabited Trust parcels represent an invaluable source of land for future Tribal needs. County and community growth in Nevada adjacent to the Trust parcels has also been intensive in the last 30 years. Pine Nut allotments continue to convert to fee status, particularly along the Highway 395 corridor. The Tribe's priority is to acquire land contiguous with existing properties as well as other land of cultural significance. This may include purchase of lands for sale, allotment lands going into fee status, and land currently owned by federal agencies that are marked for disposal. In the future, the Tribe will develop an estate planning program to better assist with planning needs.

Planning Criteria

Adhering to an approved land use plan and a clear set of goals, policies, and objectives provides the framework necessary to ensure that good growth occurs. Planned residential and commercial uses on Tribal Land will help to provide the most appropriate and best use for the properties. Tribal needs created by population growth and pursuit of economic development require expansion of the land base. Acquisition of additional high-quality land may be necessary to meet long-range needs. Land use and development adjacent to the Tribal Trust lands has the potential to impact the Tribe and the four communities both positively and negatively and must be carefully monitored to determine future courses of action.

Communities

There are different sources of population data for the Washoe Tribe which varies dramatically. It is hoped that the 2010 U.S. Census will provide reliable and current numbers to help the Tribe better estimate, project and plan for future growth.

Density of land use has significant implications to the residents of a community. First, unit costs to build the required community infrastructure decreases as density increases, and the maintenance and services are correspondingly lower as well. Second, higher densities of housing means more houses can be built. More houses that meet the demand also reduces the amount of space which a resident shares with other individuals, and depending on prior experiences, this may translate into a higher quality of life.

Residential lot sizes in the Colonies ranges from one acre (43,560 square feet) at Carson to less than 0.21 acres (9,300 square feet) at Woodfords. The one acre lots in Carson are frequently being subdivided into four parts. As population increases, higher density builds may become necessary given the land constraints of the communities.

The highest percentage of land use within the four communities is residential. Of the four communities, only Carson Community has significant commercial presence.

Commercial land use is designated for the Dresslerville community as well as other tribally owned parcels.

Much of the vacant land in four communities mentioned in the 1994 Land Use Plan has been developed. Woodfords still has additional land that has not been built on however geologic conditions preclude further development on the parcel.

Pine Nut Allotments

The federal allotment policy for Native Americans during the late 1800's into the early 1900's, resulted in the creation of 160 acre parcels for the Washoe in the Pine Nut Mountains and across the California border, into Alpine County. These allotted lands are classified as public domain allotments because they have been located outside any boundary of the Washoe Reservation. The highest acreage of allotments in Nevada was 66,136 acres; today it is approximately 65,000 acres. In California, the total for the so-called Sacramento Allotments was 8,431 acres; today only a few hundred acres remain.

Each family started with 160 acres, or one quarter of a square mile. This original ownership pattern has become very complex due to heirship through probate and the sale of allotments by individual Washoe to non-Indian interests. A "checkerboard" pattern has developed as a substantial amount of land has been sold. The overlap of these complex land ownership patterns that have taken place over the years makes an exact evaluation of land ownership difficult. Most Allotments are now very fractionated, that is, literally tens or hundreds of Washoe now own a very small portion of the original 160 acres; actual ownership comparable to only a few square feet is a documented fact. The Washoe Tribe has a percentage of interest in multiple Allotments.

An Allotment can be sold if it is appraised by the BIA for true market value and advertised for sale by bid. The buyer must pay at least the appraised value. When an Allotment is sold for fee title, the buyer can be Indian or non-Indian, and sale is supervised by the BIA. However, current BIA policy is trending against sale and instead encouraging long-term (99-year) leases. This policy creates planning challenges for the Tribe.

An Allotment owner can also "gift deed" their ownership to a blood-line relative over 21 years of age. The Washoe Tribe has no consultation rights in land transfers on the grounds that they take place outside the Reservation.

The Tribe exerted jurisdiction over hunting and fishing in the Allotments and this was sustained by a court decision in the 1970's. However, in most matters, the Allotments are managed by the Bureau of Indian Affairs. Virtually nothing except grazing rights has ever brought in any revenue. Exploratory mining claims have apparently been located within the Pinenut Allotments, but no applications or financial considerations have ever been made to the Allotment owners or the BIA. Grazing into the Allotments from the adjacent public and private lands is done under a policy called "friendly trespass." Checks issued to Allotees have been for as little as 3 cents.

A 1974 study of the Allotments by the Tribe looked at a surrounding area of 225,000 acres and found that the largest single owner is the federal government; Bureau of Land Management and Forest Service at 59%. Washoe ownership is 27% of the study area, and private, 14%. The privately-owned lands are the more prime type of lands available in the area with water availability, grazing rights, and mineral potential.

Control, preservation and management of the Pine Nut Allotments are made difficult for the following reasons:

- 1) The boundaries are unfenced and access is uncontrolled.
- 2) The locations of corners and boundaries are often unknown and unmarked.
- 3) Washoe land is interspersed with BLM/Forest Service.
- 4) Fractionated heirship interests of Washoe owners.
- 5) Limited coordination of resource management.
- 6) Remote and rugged mountain terrain.
- 7) Jurisdictional issues.

Douglas County and Carson City have grown so dramatically in the last few decades that the Allotments are now within an “urban fringe” that is developing rapidly with homes and infrastructure. This growth exacerbates the problems of trespassing and resource damage while at the same time prohibiting the Washoe Tribe from being able to play a positive role. Another effect is that while on-site utilities are becoming feasible, pressure to “sell” Allotments by non-Indian interests becomes more of an inducement than ever before. Local real estate listings more and more frequently include Allotments although prospective buyers and perhaps real estate agents are vague on the fee, transfer mechanisms.

Sacramento Allotments

There are 5 Sacramento Allotments in Alpine County, California that Washoe Tribal members have interest in. Sacramento Allotments 3, 4, 6, 18 and 23 are all located in Alpine County, west of the Woodfords Community. These parcels are located along the West Fork of the Carson River and along the foothills of the Sierra Nevada Mountains. The Washoe Tribe itself does not have majority interest in any of these allotments; therefore will not make recommendations on parcel objectives or land use.

Douglas County

Douglas County has experienced high growth since World War II, and especially so in the last few decades, reaching a population of 41,259 as of the 2000 U.S. Census and an estimated 52,386 in 2007. With this influx of people, large areas of agricultural land have been converted to residential, commercial and industrial uses. There is an initiative within the county to develop policies that will protect and preserve remaining agricultural land. Douglas County updated its Land Use Plan in 2007 and also created an Open Space Plan. However, zoning cannot prevent land owners from selling their land.

Douglas County has the greatest impact on the Dresslerville Community, Mica Parcel, Frank Parcel, Pine Nut Allotments, Silverado, Stewart Ranch and Clear Creek parcels. In the Dresslerville vicinity, Gardnerville Ranchos, a middle-income community of over

8,000 people has developed from undeveloped land on the Tribal boundary, in the last ten years. In the north County area, land surrounding the Clear Creek parcels, Silverado parcel, and Stewart Ranch land, (Indian Hills/Jacks Valley) has grown over 2,500 people in the last decade. Casino and commercial developments have also been approved. The Holbrook Junction/ Topaz area which is located in close proximity to the allotment lands, is receiving considerable growth as well. Ranching and farming, once the mainstay of Carson Valley, is declining as land and water are converted to other land uses.

Carson City

As of the 2000 U.S. Census, the population of Carson City was 52,457 people. The most current estimate was 57,701 people in 2006. Carson and Stewart Communities are within this urban area. Retail, light industrial, and location of the State Capitol are factors creating continued growth. Eagle Valley (which contains Carson City) has limited area available for expansion and the direction for future growth seems to be southward, towards Douglas County. Since the Carson and Stewart Communities were transferred to the Tribe, both communities have become surrounded by development and can no longer be considered outside the city.

Although undeveloped land is quickly diminishing, some parcels still remain to be built upon such as the parcel of land between Curry Street and Highway 395 east of the Carson Community. The Carson Lands Bill, if passed, will further expand both the Carson and Stewart Communities (see Carson Lands Bill section).

As development continues, more commercial and light industrial development can be expected. Stewart Community, located on the old Stewart Indian School has several factors impacting its quality of living. A four-lane highway which will be the Highway 395 bypass and interchange project is planned to be built on the northern boundary of the Stewart Community parcel. In addition, there is a growing State presence on the 115 acres to the south and east which were once the center of the Stewart Indian School. The State of Nevada Police Officer Standard Training (POST) Academy and a Nevada Department of Corrections facility are located in this area. To the east, Stewart Community is hemmed in by the Carson City recreation area. There is a trend for planned unit subdivisions in south Carson City and the general vicinity of Stewart although the development of a freeway corridor may alter this trend to stagnating residential, or perhaps redevelopment into commercial/industrial growth. Land use change is taking place so rapidly that within a short time negative conditions from adverse land uses could seriously impact these two communities.

Alpine County

As of the 2000 U.S. Census, the population of Alpine County was 1,208 people. The Woodfords Community, Wade parcels, and Sacramento Allotments are all within Alpine County, California. The principal economic activities of the county are based on local government, natural resources, tourism, and outdoor recreation. There is a shortage of buildable land on which to site large projects in Alpine County because of the soils and slopes.

Woodfords Community is located in an area surrounded by agricultural, private, and public lands and there is residential growth taking place near the Wade parcels on Highway 88. The stagnating situation regarding economic development in this county creates a challenging employment environment.

Land Use Goals

- Goal One:** Take a proactive position of adjacent land use.
- Goal Two:** Maintain a good standard of living for Washoe community residents by promoting well-planned land use and community development.
- Goal Three:** Exercise reliability and good faith in dealing with adjacent land-owners and local governments.
- Goal Four:** Seek acquisition of additional Trust lands with development potential.
- Goal Five:** Seek to develop land according to zoning and highest and best use.

Land Use Policies

- Policy One:** Ensure Tribal representatives attend and participate in local government decision-making at all levels.
- Policy Two:** Actively seek to minimize or eliminate negative land uses within one mile of the Trust lands.
- Policy Three:** Create partnerships or ally with others whose goals are similar to Tribal goals for Washoe lands.
- Policy Four:** Ensure that new Tribal land uses being approved are harmonious with the Comprehensive Land Use Plan and Parcel Master Plan goals, policies, and objectives.
- Policy Five:** Encourage and support new commercial land use on the communities.

III. Population

Executive Summary

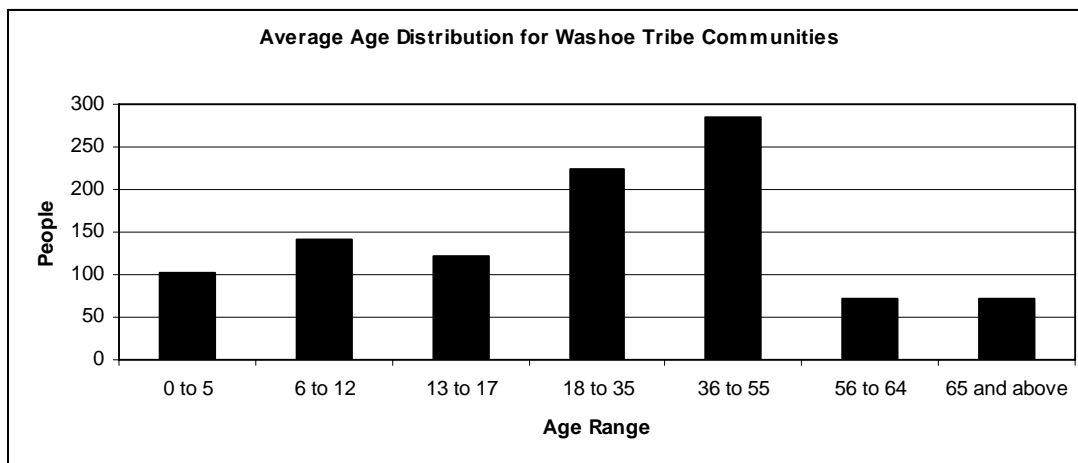
Tribal population has varied widely in this century and is currently at a high point. The Tribe conducted its own accurate census in 1993 and determined there was an on-Colony service population of 1,380 persons. This number includes all persons in the households irrespective of enrollment status. Projections of the current growth rates put on-Colony population at 1,523 persons by the year 2000 and 1,634 by the year 2010. Depending on factors like economic development opportunities or the size of the land base, the actual population could vary widely. Also important is the desire of off-Reservation Tribal members to return and live on Tribal lands.

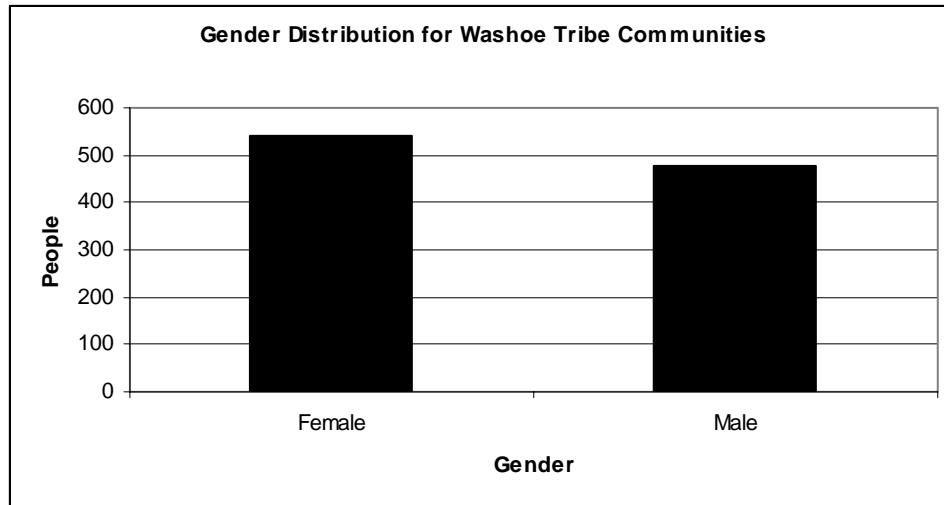
In 2000, the US Census Bureau completed a census in the area. The census determined that there are 1,016 tribal members living in the four communities: 286 in Carson Community, 315 in Dresslerville Community, 196 in Stewart Community, and 219 in Woodfords Community.

According to the Socioeconomic Profile of the Washoe People completed in 2005 and 2006 there are 321 total households in the four Washoe communities: 79 in Carson Community, 135 in Dresslerville Community, 48 in Stewart Community, and 59 in Woodfords Community.

	Population	# of Households	Average Persons per Household
Dresslerville	315	135	2.33
Carson	286	79	3.62
Stewart	196	48	4.08
Woodfords	219	59	3.71
Total	1,016	321	3.17

In 2008, the Washoe Housing Authority estimates that the total households per community are as follows: 136 in Dresslerville Community, 103 in Carson Community, 50 in Stewart Community, and 62 in Woodfords Community.





Planning Criteria

Accurate population forecasts are an indispensable part of Colony and Tribal Council decision-making for their service areas. The breakdown of service area populations into age groups or cohorts, enables planners to carefully identify current needs, and provides a framework which allows reliable projections into the future.

If Colony residents feel strongly enough about their future options, given the circumstances believed to be presiding now and into the future, new goals and policies can be formulated which commit available resources to meet the problems and opportunities indicated by demographic trends.

Although preparation of forecasts based on population cohorts is now a standard exercise in comprehensive planning, the occurrence of events which can impact are also possible and it is therefore important to make midcourse corrections when the need becomes apparent.

Tribal Background Information

Census data revealed the inhabitants of Tribal lands declining from 1940 to 1970, reaching a low of 520 persons. Census data is generally viewed as flawed to some extent for Tribal purposes for a variety of reasons. However, the general trends probably represent useful information. Between 1970 and 1980 the Census noted an upswing that reversed the previous decades of decline. In late 1993, the Tribe conducted its own census which found the entire population of the Colonies to be 1,380 persons, an increase of 108% in a 13-year period. In 2000, the Census completed by the US Census Bureau determined that there were 1,016 Tribal members living in the four Washoe communities; this represents a slight decline but could be due to error in census data. Current tribal membership is estimated to be 1,556 members.

Even factoring in a substantial undercounting by the US Census, the increase over the 13 year period from 1980 to 1993 is very large. The 1993 average Colony household size was 3.2 persons, a figure which indicates there was not an excessively high birth rate

which contributed to the large increase. Nevada statewide average number of persons per household was 3.08 for 1990. Besides the chronic undercounting on Reservations, possible explanations include the acquisition of new Tribal lands, a one-time per capita trust payout to Tribal members, housing programs, and the accompanying high growth rates of the Nevada non-Indian community during this time period. The Nevada State Demographer has published numbers which confirm Washoe findings by documenting that the State's Native American population grew at a combined rate of 47.6% in the 1980s.

Future Growth

Perhaps the most significant factor which will influence future growth is movement away from, and back to, the Reservation by Washoe People. This ebb and flow, or migration, could become such a deficit that it causes a different kind of future to take place in which stability is replaced by a steep decline of on-Reservation persons or living conditions. The following reasons can account for decline due to excessive out-migration:

- Lack of employment opportunities.
- Discriminatory attitude or laws.
- Alienation from community.
- Lack of marriage opportunities.
- Catastrophic circumstances.
- Educational and career advancement.
- Living conditions.
- Desire to enter another sort of community.

Birth rates and death rates are also significant contributors to population change although these factors are normally less capable of providing the sudden shifts induced by migration-related factors.

The forecast into the next century assumes a net, in-migration of 2% for the whole population, a value probably not now attained because of the lack of economic development for Washoe People. The current migration rate may be in a range from -2% to -8%, or even minus 10%, net out-migration. The Colony forecasts then, being built on a slight, net in-migration, are themselves a goal for future population stability, and if current negative factors are not reduced, a net out-migration will eventually begin creating a declining Colony population several decades into the next century. If a significant declining population persists, communities may be affected with part or all of the following symptoms:

Physical Environment

Derelict and wasteland areas grow.

Visual and noise pollution.

Social Conditions

Racial tension.

Overt delinquency.

Decline of community spirit.
Low morale.

Economic Stagnation

High unemployment.
Low wages.
Wrong skills.
Little new investment.

Woodfords

In the 2000 Census and the 2005 and 2006 Socioeconomic Profile it was determined that there were 219 persons in Woodfords Community in 59 households making an average of 3.71 persons per household.

Additional housing will be needed as population growth continues into the future. With a minimum of 15,000 square feet of land needed for each new housing unit, more than 10 acres will be required just for residential subdivision lots. Identification and retention of additional lands for ancillary uses such as rights-of-ways, economic development, community service sites, and availability of resources such as water and wastewater treatment sites to sustain the forecast community growth is therefore essential.

The Woodfords Community indicated in the Socioeconomic Profile that a health clinic, nursery or daycare center and neighborhood parks or green spaces are the top three priority buildings and spaces that community members would like for their population.

Stewart

In the 2000 Census and the 2005 and 2006 Socioeconomic Profile it was determined that there were 196 persons in Stewart Community in 48 households making an average of 4.08 persons per household.

Stewart is the newest Washoe Colony having acquired a land base in 1982, although construction of living units did not begin until later in the decade. With this relatively short history of development there is an under-representation, compared with Tribal averages, in the older cohorts of the population. It should be obvious these predominantly younger inhabitants are not without elders; they are simply not in residence in Stewart. Elders are a natural asset lending dignity and wisdom to communities. A program to develop townhouse or apartment type units specifically set-aside for older or elderly family members is one way to achieve a better balance of age cohorts. The addition of 50-year old and up persons, at the current Tribal ratio for these cohorts would mean providing for an additional 16 persons.

Finally, the high percentage of Stewart's population being 0-24 years of age means park and play areas are much in demand.

The Stewart Community indicated in the Socioeconomic Profile that a health clinic, basketball court and gymnasium are the top three priority buildings and spaces that the community members would like for their population.

Carson

In the 2000 Census and the 2005 and 2006 Socioeconomic Profile it was determined that there were 286 persons in 79 households making an average of 3.62 persons per household.

Carson is one of the oldest of the Colonies and a noticeable statistical detail was the lack of males in the 75 & up age cohort. Carson had more persons than Tribal average in the male and female, 50-74 years of age, so the circumstances surrounding the 75 & up males may be symptomatic of a number of explanations including possible unmet needs for elderly facilities and health issues that are as yet unexplored.

The Carson Community indicated in the Socioeconomic Profile that a health clinic, gymnasium and basketball court are the top three priority buildings and spaces that the community members would like for their population.

Dresslerville

In the 2000 Census and the 2005 and 2006 Socioeconomic Profile it was determined that there were 315 persons in 135 households making an average of 2.33 persons per household.

Dresslerville is the largest Colony and will therefore be most affected by an ongoing series of challenges related to meeting community needs as growth continues. Because of the expanding demographic structure, changes in this structure will become a more important part of the Colony's considerations when making decisions. Stated in practical terms, there will be new constituencies taking shape as the population base broadens. If community values are not widely-shared, the differences between all the constituencies will impose limits to the amount of consensus Colony leadership will be able to achieve.

The Dresslerville Community indicated in the Socioeconomic Profile that libraries and information resource centers, basketball court and traditional landscaping for open space and meditative trails are the top three priority buildings and spaces that the community members would like for their population.

Population Goals

Goal One: Insure that facilities, services, and resource demands are compatible with population structure as found in the Tribal census and Comprehensive Plan growth projections.

Population Policies

Policy One: Perform a Tribal census at a five year interval.

Policy Two: Revise Washoe Comprehensive Land Use Plan when new demographic data is available.

Policy Three: Maintain Tribal records and staff to insure technical support for Community and Tribal Council's compliance with Goal One.

IV. Tribal Economy

Executive Summary

Tribal revenue has grown along with the complexity and new functions taken on by the Washoe Tribe. Efforts to expand Tribal enterprises as well as success in obtaining and administering grants and contracts have resulted in these sources of revenue accounting for the majority of the Tribe's income. Unfortunately, Tribal individual income continues to lag behind that of the individual income for the State as a whole. The growing local economy in Douglas County and Carson City should continue to provide opportunities for Tribal economic growth and individual income while traditional funding sources, namely the federal government, are expected to decline.

Planning Criteria

Continued expansion of the Tribal economy is essential to offset the decline in federal revenue that has become a steady trend. The Bureau of Indian Affairs, Indian Health Services, Environmental Protection Agency, and Housing and Urban Development provide essential funding for important Tribal programs such as infrastructure development, economic development, environmental programs, Tribal health services, police protection, educational programs, Tribal Court, and social services including Temporary Assistance for Needy Families (TANF). The Tribe will continue to pursue existing and new grant funding in the near future. Long term, the Tribe strives to become independent of grant funding generating the same revenue for the Tribe from other sources such as contracts. Additional research must be made into the availability of federal contracts and appropriations requests.

A careful review of Tribal priorities must be matched with overall development potential to chart a fiscal future that is realistic. Sharing information with federal and state agencies in order to document the need for programs is sometimes in contrast with the Tribe's goal to establish full sovereignty. Proper utilization and development of the Tribe's land base, human resources and technology are the keys to preserving the Tribal life way.

The Vision Statement of the Washoe Nation is:

Preserving, reviving and living the Washoe culture and traditions

Where:

Respect for one another and tribal values promote our spiritual, physical and environmental wellness

Educational opportunities are available for all tribal members and descendants

A solid economic foundation ensures self-sufficiency for tribal success

Responsive government promotes teamwork, professionalism and accountability

On safe and secure tribal lands

Income, Tribal Government

The Washoe Development Group is the entity of the tribe which operates the following business ventures:

- Meeks Bay Resort and Marina under a permit with the Forest Service
- Stewart and Dresslerville Ranches
- Two smoke shops
- Chevron Gas Station and Carwash
- Leases to the Carson Valley Self Storage
- Horse boarding

Additional Tribal enterprises are being researched and, if warranted, developed.



Horse Stalls at the Stewart Ranch.

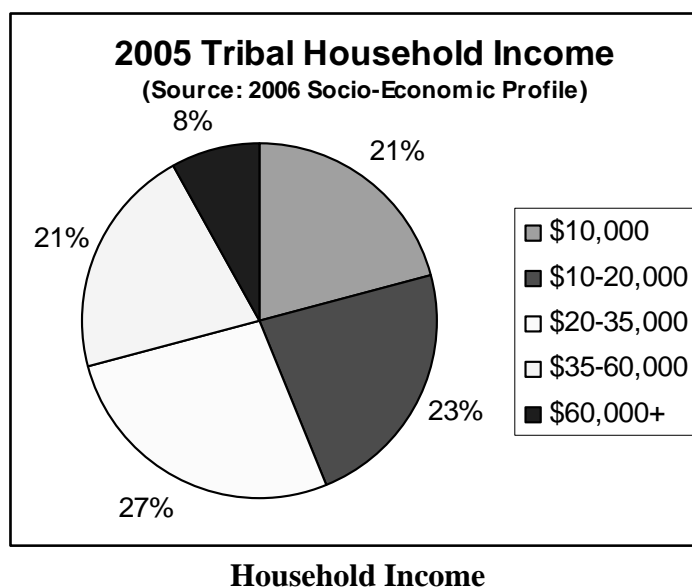
Meeks Bay Resort is located on approximately 42 acres on the West Shore of Lake Tahoe and features a beautiful pristine beach, cabins, an RV Park and Campground, and a main lodge building housing a front desk, grocery and retail. The Resort also has a snack bar on the beach and operates as a day use area for beach access with paid parking. There is a developed Marina, which has boat slips, launching, boat rentals and sport fishing. The marina operation is sub-leased to Action Water Sports of South Lake Tahoe and is not directly operated by the Washoe Tribe. All operations at the resort are seasonal with mid-summer (July and August) demonstrating the highest demand and traffic. The resort closes entirely for the winter, typically November through April. Cabin accommodations at the resort include 8 freestanding lake view cabins, 1 lakefront Lodge unit, and a 6-bedroom “mansion” which also serves as a group use and special event venue. The RV Park and Campground at the resort, currently scheduled for redevelopment by the Forest Service, accommodates approximately 36 sites, 10 of which have RV hook-ups.

Diversification of enterprise, grants and contracts is highly desirable and lends to greater stability. This is important because the Smoke Shops are vulnerable to changes in the tax structure imposed by political action at the State level or nationwide regulations affecting tobacco sales. Increased private funding sources for contracts and grants would help offset the decline in the federal sector. Efforts to secure federal funds should not be reduced correspondingly however, since there are many requests for grant proposals that address the needs of the Tribe.

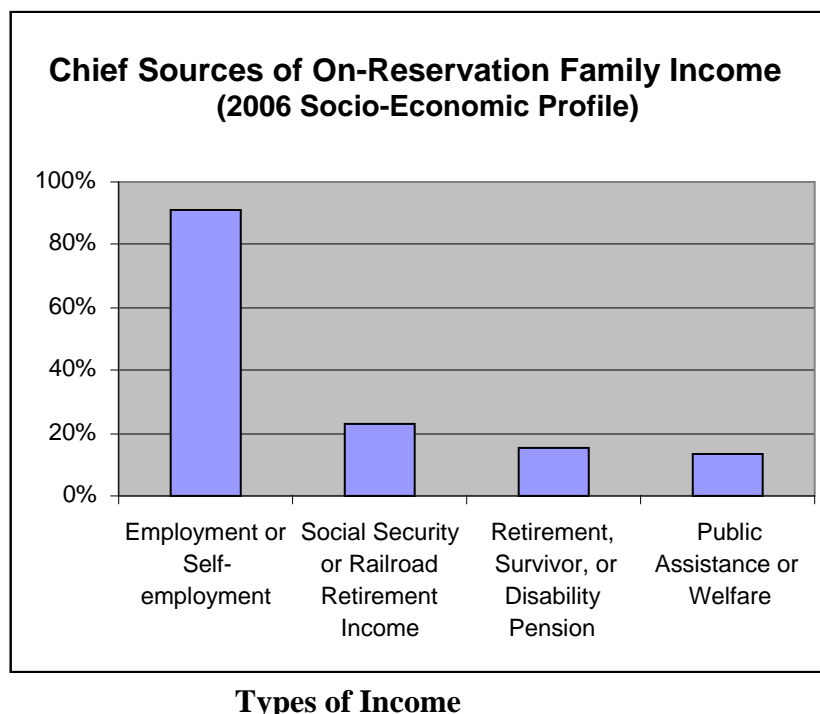
The Tribal government presence in Douglas County and Carson City, in light of the goods and services purchased, economic activity, and employment, contributes significantly to these economies. In studies about the relationship of Tribal government and other local governments, it has been found repeatedly that a Tribe's contribution to the off-Reservation economies are far greater than the benefits received from them. The Washoe Tribe staff will continue to do primary research and investigate business and economic data from other sources.

Income, Household

Individual Washoe household income is much less than that of the immediate County area surrounding the Communities.



According to the 2006 Socio-Economic Profile of the Washoe People, the chief sources of on-reservation family income are: employment or self-employment (n=218, 90.8%); social security or railroad retirement income (n=56, 23.3%); retirement, survivor, or disability pension (n=37, 15.4%); public assistance or welfare (n=32, 13.3%). Percents add to greater than 100% because respondents could specify up to seven sources of family income.



The table above compares the Washoe household income sources to that of the average person in the State of Nevada.

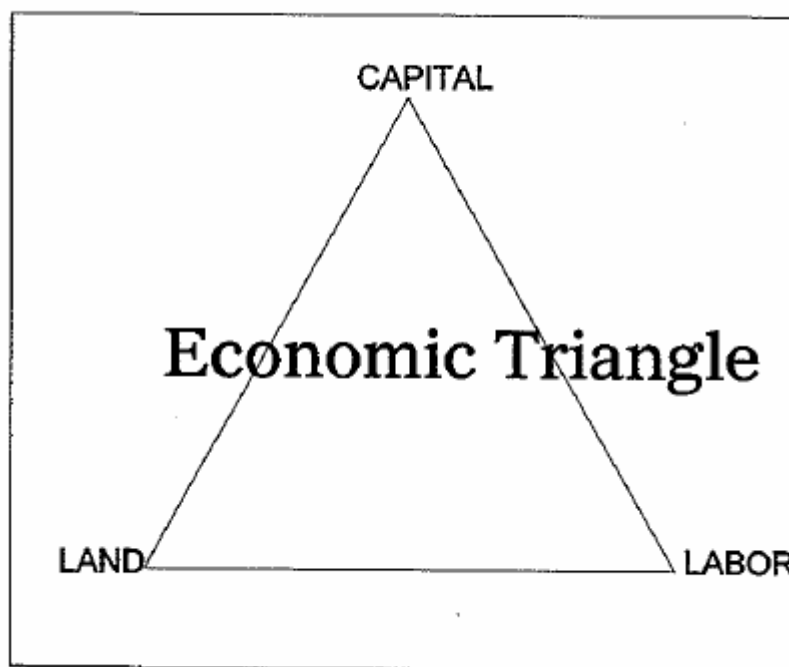
Part of any overall economic strategy requires accurate data for dependable analysis and projection. The Washoe Tribe will participate in the 2010 Census to the fullest extent possible in order to gather the most reliable information on employment, income, housing needs, and the number of Washoe community residents served by Tribal programs.

Economic Development

The leadership, staff, and members of the Washoe Tribe are convinced that economic development will benefit the Tribe and its members. There is such an abundance of resources available to the Tribe (including land, alternative energy sources, intellectual property and skilled craft), the challenge is choosing from the alternatives. The Tribe must determine what will create the greatest benefit for the Tribe with the greatest return for the investment of time, energy, land and resources. To do this, the Washoe Tribe is embarking on a process of developing a Comprehensive Economic Development Strategy (CEDS). This CEDS will identify the assets of the Tribe and ascertain how to bring those strengths to bear on economic improvements for the Tribe. The Tribe is pursuing financial support for this effort through the Economic Development Administration (Department of Commerce). Part of the CEDS process will be the research and analysis of the following topics: economy, population, labor force, infrastructure, resources, water, environment, land use, transportation, communication, and technology. These topics will be assessed for historic, current and future timeframes from the perspective of the Tribe and surrounding counties to the international view.

Although the Washoe Tribe has had some good success with its enterprises and is generally viewed as a more progressive Tribe in Nevada, the Tribal members have repeatedly indicated through public forums, Tribal Council meetings, the 1993 Washoe Tribal Census, and the 2006 Socio-Economic Profile that they strongly support more economic development activity by Tribal government. A majority feel that Tribal Trust funds should be used to leverage economic development opportunities with commercial development being the preferred approach. Community residents see the kinds of commercial activity taking place adjacent to them and seem to feel that this would be appropriate for Tribal government also.

Land, labor and capital are the time-honored components of the so-called economic triangle.



Economic Triangle

In the near future the Tribe has adequate land resources that can be utilized for economic development purposes. Most of the trust land is situated in very advantageous locations relative to off-Reservation economic activity now taking place. The Tribal population certainly represents a labor force which could be tapped to begin a variety of economic ventures. As identified in the 1994 Comprehensive Land Use Plan, availability of free capital is still the greatest challenge for Tribal economic development. Although there are sources of capital available to the Tribe, utilizing them means that in return for a source of capital which accepts the risks for a specific economic development, the return on the Tribe's input of land and labor will be less. This, in turn, forces the Tribe to prioritize

either income or employment as the desired benefit from the development, making the management of a business or enterprise so constituted, more vulnerable than is desirable.

The Tribe has put together an entity called the Washoe Development Group (WDG) which is involved in reviewing the business aspects of economic development proposals made to the Tribe. WDG also gives oversight to the Ranch operations and the Smoke Shops. The Tribal land use planning program has been recently given more support by having two staff persons working full-time to perform inter-governmental coordination, provide professional planning services, geographic information development, and a wide variety of community development. A more comprehensive approach will need to be worked out to coordinate the desired economic activity with review and facilitation of the business, economic, labor, land, infrastructure, and other requirements which are needed.

Solar, wind and geothermal resources are abundant on Tribal parcels and adjacent lands. The Tribe should investigate the full potential of these readily available sources and determine their prospective application to meet both current and projected energy demand to Tribal communities. The Tribe should also consider the feasibility of revenue generating sales either through the grid or directly to major customers. Micro-hydro applications, biofuel plants, and municipal solid waste-to-energy facilities may also help the Washoe Tribe offset energy cost, provide a revenue stream, and be a good neighbor.

Tribal Economy Goals

- Goal One:** Become fiscally independent of Federal funding.
- Goal Two:** Increase Tribal member employment.
- Goal Three:** Increase Tribal member entitlements for veterans, disability, and retirement sources.
- Goal Four:** Have Communities reach parity with County income levels.
- Goal Five:** Protect sales tax “pass-through” from elimination by State Legislature.

Tribal Economy Policies

- Policy One:** Continue and increase Tribal enterprise development.
- Policy Two:** Expand Tribal leasing of land for high-income operations.
- Policy Three:** Set up a permanent fund which generates Tribal revenue from interest and investments.
- Policy Four:** Prepare a development planning ordinance that provides a comprehensive and clear approach to approving new enterprises and land leases.
- Policy Five:** Dedicate 1% of the revenue generated from enterprises and leases to an enhanced Washoe Development Group and Planning Office oversight program.
- Policy Six:** Establish additional social services staff to secure entitlement revenue for Tribal members.

References

The Economic and Fiscal Importance of Indian Tribes in Nevada: The Center for Applied Research, 1995

Nevada Statistical Abstract: State of Nevada, 1992

1990 US Census: US Department of Commerce

Open Files: Washoe Tribe

V. Natural Resources

Forest and Woodlands

Executive Summary

The forest and woodlands on Tribal lands offer many resource values that are worth perpetuating. Cultural, biological, ecological, recreation, community and economic values of these resources must be recognized and maintained for future generations. Three general types of forest and woodland ecosystems are found on Washoe Lands: Pine-Forest woodlands, Pinyon-Juniper woodlands, and Riparian (streamside) woodlands.

Planning Criteria

Trees, both natural and introduced species, perform many important functions that should be continued and incorporated into future uses of Washoe lands. Harvesting of plant materials and economic use of woodlands are possible but require management to avoid resource damage. Changing patterns of water and land use may dry up riparian woodlands, and the Pinyon forest needs careful management to insure that decisions which will remove this species, take into account it's characteristics of slow regrowth to reach maturity. Use of plant materials for cultural purposes should be managed for a sustained-yield. Planning should incorporate sound resource management that evaluates the threats to the forest and woodlands including drought, land use changes, and insect and disease.

Pine Forest Lands

Pine forests are found on the Upper Clear Creek parcel, high elevation Pinenut Allotment lands, Sacramento Allotments, Babbit Peak, and parcels located within the Lake Tahoe Basin. Jeffrey pine (*Pinus jeffreyii*) is the principal species, accompanied by Ponderosa pine, Incense cedar, White fir, Western White Pine, Sugar Pine and Aspen. Typical understory plants include mountain big sagebrush, curlleaf mountain mahogany, pointleaf manzanita, thurber needlegrass, and mountain brome.

The Pine forests are susceptible to insect and disease and drought. The forest stands are densely overstocked with high amounts of ladder fuels resulting in increased risk of stand replacing fires. The pine forests found on tribal lands are all highly susceptible to devastating wildland fire. A sound management plan is needed to address this situation. Many fuels reduction projects have been completed on the Upper Clear Parcel, including a thinning project and the construction of fuel breaks along the perimeter of the parcel boundary. Maintenance of these projects along with more fuels reduction projects are needed to maintain a healthy pine forest ecosystem.

Pinyon/ Juniper Woodlands

A majority of the 65,000 acres of allotment lands in the Pinenut Mountains contain the Pinyon/ Juniper woodland. Pinyon pine and Juniper trees are the dominant species, providing watershed protection, wildlife cover, and timber products such as firewood and

Christmas trees. The understory vegetation includes such species as mountain mahogany, big sage, Mormon tea, rabbit brush, bitter brush and greasewood.

Wildland fire has played a very significant long-term role in shaping the forest's environment. Approximately 4,000 acres of this forest, or 6%, was burned in 1973, and reseeded with grasses suitable for domestic grazing. Fire could be used in a beneficial role if carefully managed.

Experts involved in range and forest management believe that as a result of present day land use, the Pinyon Pine forest is more extensive than at any time in the past due to its ability to move into lower elevation areas in the foothills of the Pinenut Range. Furthermore, it has been suggested that these "invaded" areas are unlike the "old-growth" forest higher up on the mountain slopes, and represent management issues for the watershed such as increased flooding, grazing, and soil erosion and decreased wildlife habitat diversity.

The pinyon pinenuts obtained from the Pinyon pine trees are culturally significant to the Tribe. The harvesting of the pinenut is an annual event and of great cultural significance. In 1974, a study of the Pinenut lands concluded that one acre of Pinyon-juniper forest may produce about 100 pounds of Pinyon pinenuts every five years. It was estimated that every fifty years, one acre produces approximately nine juniper fence posts, ten Pinyon Christmas trees, and eight cords of firewood. Without a good forest management program, however, these resource uses would be accompanied by damages to cultural resources, soils, and wildlife habitat, making an integrated resource management plan critical to resource management.

Wildlife found in this forest ecosystem includes mule deer, mountain lion, black bear, bobcat, coyote, rabbits, and numerous migratory and resident bird species. Wild horses roam the area as well. Most of the Pinyon pine woodlands are now included in the "fringe" of Carson Valley urban areas and as such, are under pressure from constant visitation, and trespass resource users.

Grazing by domestic livestock takes place on these forest lands although the forage available is in most cases, relatively low productivity per acre. Removal of Pinyon pine and juniper trees enhances the forage values but is viewed negatively by many Washoe Tribal members because of cultural values associated with the trees.

Pinyon and Juniper woodlands are highly susceptible to drought and insect and disease attacks. The woodlands are severely overstocked due to past management activities, especially fire suppression. The Pinyon/ Juniper woodlands are at significant risk to stand replacing wildland fires.

The WEPD implemented a forest treatment project on a portion of the Frank Parcel to treat beetle infested Pinyon and Juniper. The project was successful at reducing the damaged trees and reducing overall stocking and fuel loading on the parcel. More

vegetation treatment projects such as this are needed throughout the Pinyon/ Juniper woodland.

Riparian Woodlands

Many tribal properties contain riparian vegetation. For example, the Dresslerville Community and Stewart Ranch parcels both contain riparian vegetation along the Carson River. Riparian vegetation also exists along Clear Creek, Indian Creek and Jack's Valley Creek. Riparian vegetation exists along creeks, rivers, wetlands and irrigation ditches and includes stands of cottonwood trees, willow, sedges and rushes, big sagebrush, and rabbit brush. These streamside lands are a rich source of habitat for wildlife. Willow is especially favored for cultural uses by Tribal members. Salt cedar, or Tamarisk, is another riparian vegetation species found along tribal lands and is a willow-like, non-native species introduced to the western United States from the Middle East. While it provides wildlife habitat, it could become a problem and may become a candidate for eradication. Overstocking of livestock in the riparian land results in reduction of cottonwood reseedling and encourages non-native and other less-desirable species to flourish. Riparian vegetation is also greatly influenced by decreased water availability due to drought and changing land use.

Noxious Weeds

Noxious or invasive weed species have existed on Tribal lands and surrounding expanses for decades. Noxious weeds are defined as non-native plants that aggressively colonize and spread and lack native biological controls on their populations. Tribal lands are affected by an array of non-native herbaceous plants. Noxious weeds, when left unmanaged or uncontrolled, will displace native plant communities and form monocultures. The ecological diversity of Tribal lands has declined greatly as a result of their establishment. Weeds have affected land types covering riparian, wetlands, cropland, rangeland, and irrigated pasture. Establishment and proliferation of weeds on Tribal holdings are attributable to several variables: non-management of adjacent parcels, and insufficient Tribal range management (e.g. range conditions, irregular dry portions of fields, non-irrigation, non-rotational grazing, scarce non-competitive grasses, inconsistent comprehensive chemical applications and sparse traditional applications like burning).

Noxious weed species present on Tribal lands include Hoary cress, Canada thistle, Bull thistle, Scotch thistle, Tall white top, Russian knapweed, Yellow starthistle and Cheat grass.

The WEPD has administered a noxious weed control program since 2000. Weed abatement activities are targeted to improve wildlife habitat and grazing forage. Beginning in 2004, WEPD began chemically treating noxious weeds on tribal lands. Hand pulling is also used when treating close to residents or sensitive resources.

Forest and Woodland Goals

Goal One: Maintain or enhance forest and woodland resources on Tribal lands.

Goal Two: Economic values of forest and woodland resources will be evaluated with consideration of long-term impacts and implementation of appropriate management.

Forest and Woodland Policies

Policy One: Proposed development or change to the Tribal landscape will include evaluation of the forest and woodland resources.

Policy Two: The Tribe shall seek funding from the BIA and other sources to implement forestry and fire-fighting programs.

Policy Three: The Tribe will maintain intergovernmental agreements adequate to meet threats to forest resource quality.

Policy Four: The Tribe will support and initiate studies that develop detailed information about forest resources on Tribal lands.

Policy Five: Cultural utilization of plant materials will be protected.

References

NRS 527.270 Protection of Trees and Flora: State of Nevada

Soil Survey of Douglas County, Circa 1981: Soil Conservation Services, U.S. Department of Agriculture

Soil Survey of Carson City Area, Circa 1975: Soil Conservation Service, U.S. Department of Agriculture

Hydrology

Executive Summary

Water is central to the Washoe existence and represents life to the Washoe people (WEPD, 2005). The capacity of the Washoe Tribe to comprehensively evaluate Tribal hydrologic resources is relatively new. U.S. EPA grant programs enabled the Washoe Environmental Protection Department (WEPD) to commence Tribal land review in 1999, which marked the inception of WEPD. Significant progress has been achieved building capacity to examine and report on Tribal water resources. WEPD grant programs began with U.S. EPA Non-Point Source Pollution (NPS) in the fall of 1999. The NPS program has addressed Best Management Practices (BMPs), runoff, water quality and native vegetation restoration at the Tribal ranches and within the Clear Creek watershed.

The water resources in Carson and Eagle Valleys have changed tremendously since the 1994 Land Use Plan. Of all of the natural resources impacted over the years, water has become the most critical issue. It is now essential for the Tribe to protect and conserve its water resources as the populations of both Northern California and Western Nevada grow and demand for land and water intensifies. Tribal water resources are currently not adequate for existing needs. Future growth and economic development pose additional demands that require study and management to assure adequate long-term water supply. Protection of the Carson River Watershed and the Pinenut Mountains can only be solved through cooperation with other governmental jurisdictions. Being that the Tribe is one of the largest water users in the valley, it is important to the Tribe to maintain its stewardship responsibilities encompassing all water resources.

The breadth of the Tribes natural resource knowledge has corresponded with the growth of grant initiatives. Program fieldwork has resulted in increased understanding of Tribal hydrologic conditions, solutions to address deficiencies and legally defensible data. For instance, water resource data has shown the impact of adjacent private land use on Tribal waters, including surface and ground water systems. Products developed under wetlands protection e.g. surface wetlands inventory (WEPD and U.S. EPA, 2005) has captured the state of wetlands across Tribal lands. The Washoe Tribe continues to comprehensively document and protect surface wetland resources. Staff is working toward developing databases for environmental programs. WEPD's on-going projects scheduled will ensure the quantity and quality of surface wetlands and ground water supplies on the approximately forty-seven hundred acres of Tribal Trust lands. For instance, fencing projects have excluded livestock from three geothermal springs and 1.5 miles of Carson River at Stewart Ranch.

Planning Criteria

The water rights of the Tribe include both surface and groundwater. For instance, the Alpine Decree is the adjudication governing the allocation of water in the Carson River, and the Washoe Tribe has an adjudicated water right recognized in the Alpine Decree. The Tribe also has senior claims in the majority of the flow of Clear Creek, though it remains officially unadjudicated. Other surface water rights exist and service the various Tribal lands and communities.

Population growth in the areas surrounding the Tribe's lands and increased development are having impacts on the Tribe's water resources. The Tribe's long-term needs require that it vigorously protect surface and groundwater rights and make proactive efforts to prevent impacts to the resource's quality and quantity. Further research, documentation and inventory of these water rights are necessary by the WEPD, Washoe Development Group (WDG) and Legal Department. WEPD source water and wellhead protection field investigations have shown that Washoe community wells have deteriorated in quality and quantity.

The WEPD is actively protecting surface and groundwater resources from potential sources of contamination. Water sampling is conducted on tributaries like Jacks Valley Creek to evaluate watershed contaminants. WEPD has initiated a team approach to protecting Tribal water resources to implement the Safe Water Protection Act. On-going surface water risk assessments for Tribal communities are being completed. Future Tribal land use policies will establish defined riparian-wetland buffers and increase community wellhead protection.

The Legal Department has additional information on water rights. WEPD has additional information on source water and wellhead protection data.

Surface Water

The California-Nevada Compact provides that Nevada shall have the right to 3 cubic feet per second of water from the Carson River, for each 100 acres, over a total of 41,320 agricultural acres, for a season of 229 days, based on an average of 30 days of water use. However, the California-Nevada Compact has not been implemented as a practical matter.

The Alpine Decree adjudicated Carson River water to the Tribe for use on Tribal land. The Stewart Ranch in the Northern Carson Valley uses water from a portion of the Carson River through diversion and river pumpage. Though the Tribe has an adjudicated amount of water from the Carson River, this amount is subject to some qualification on a year to year basis since the total can be reduced subject to availability from the system - the water master may reduce water delivered to users because of losses from drought - and the total acre feet per acre delivery of water is based on canal diversion requirements for bottom land. The Alpine Decree Court found that, "the historic practices are highly efficient, practical and enhance the maximum beneficial use of the water," although typical conveyance losses in open, unlined canals average 36% in western water projects. In practice then, the water actually delivered to the Tribe could be reduced by loss factors, depending on circumstances, to keep the system operating in an efficient manner. Also, the water allocated pursuant to the Alpine Decree to the Tribe is for "agricultural use." If the Tribe wished to change the designated use from agricultural to some other use, based on Nevada's water law and regulation, the Tribe's allocation would be reduced significantly, a disincentive built into the Alpine Decree to discourage conversions.

The Tribe also has rights to an as-yet undetermined quantity of water from creeks flowing out of the Carson Range. These creeks were the subject of the 19th Century civil decrees, which allocated their water among local landowners. The Old Indian School lands historically received water from mountain creeks. Title research combined with analysis of the decrees is necessary to understand the situation clearly. Some infrastructure investments may be needed to once again utilize these sources of water.

The WEPD is working toward developing an integrated hydrographic survey, including surface and ground water resources. In addition, the Tribe has completed an inventory and biological evaluation of surface wetland resources. A surface wetlands inventory was conducted by the WEPD between 2003-2005 (WEPD and U.S. EPA, 2005). The inventory included water-courses, springs, hot springs, seeps and other surface waters. Approximately seventy sites on Washoe lands were evaluated and described in Nevada and California. It covered Washoe Tribal Trust Lands, Indian Allotment Lands, Fee Status Lands in Carson Valley Nevada, the Pinenut Mountain Range and Lake Tahoe basin as well as more recently acquired lands in California and Nevada (e.g. Olympic Valley, Ladies Canyon, Babbit Peak).

Wetlands

Evaluation Methods

Wetland systems are finite habitats in water deficit states like Nevada. Wetlands cover less than one percent of Nevada (Lico, 1993). Wetlands inventoried include lentic systems or standing water like wet meadows, and lotic systems or flowing water like the Carson River. A total of sixty-seven wetland sites were evaluated and mapped for the wetlands inventory. Monitoring points were set for priority valley and mid elevation level wetlands on Tribal lands. A subset of sites within the inventory has established photo monitoring points. These points are used to determine biological and vegetation changes. Sites were mapped and monitored using Global Position System (GPS) and Geographical Information Systems (GIS). The Cowardin Wetland System (1976) was used to classify surface wetlands on Tribal lands. This system is used by federal agencies to classify wetlands and deepwater habitats of the United States. For example, the Carson River was delineated as Riverine: Lower Perennial: Un-consolidated Bottom. Proper Functioning Condition (PFC) was used to evaluate the biological health of wetlands. Sites were rated as PFC, Functional At-Risk, Nonfunctional or Unknown. Hydric soils were examined for most sites using a Munsell Soil Chart and a Natural Resources Conservation Service (NRCS) soil manual. The geographical matrix of minor, higher elevation less-accessible creeks, springs and seeps make complete wetland coverage challenging. WEPD's analysis and state of knowledge of Tribal groundwater has progressed. Groundwater modeling research on Tribal lands is on going by WEPD staff.

Wetland Biological Conditions

Wetland and riparian sites identified in the inventory were highly variable in distribution, character, size and health. Wetland-riparian conditions depend on water availability, elevation, slope, soil, seasonal flood events and human alterations like water diversions, roads and livestock grazing. Wetlands range across diverse land attributes such as agricultural fields, irrigation ditches, ponds, forested reaches and canyons, and along

streams and creeks. Sites that possess intact biological conditions were characterized by: fewer un-improved roads, steeper irregular topography, mid to high elevation, local spring water sources, less recreational and livestock use and contained dense undisturbed herbaceous, shrubby and woody plant communities.

Surface Wetland Protection and Wetland Mitigation

The biological functions of wetlands are interdependent with the integrity of their encompassing zone and watershed conditions. For this wetland protection and mitigation discussion, riparian areas or corridors (e.g. creeks and rivers) are treated as wetlands as they are throughout this plan update. The Washoe Tribe's 2006 Wetland Protection and Mitigation Standards govern all Tribal wetlands and riparian areas. All additional determinations, interpretations and recommendations about or related to wetlands will be made by the WEPD. Set buffers are imperative for the protection of Washoe wetlands like wet meadows and creeks. Buffers protect wetland hydrology, function and wildlife from encroachment like infrastructure development (e.g. roads, facilities and recreational use). The established buffer for creeks (e.g. Clear Creek, Indian Creek) will be 250 feet from the edge of the left and right creek banks. All wetland buffers, regardless of grade, are to be fully vegetated with native vegetation to the extent that the site and soil conditions allow. The goal will be to use vegetation on all existing open mineral soil areas and slopes that buffer wetlands. Man-made, artificial or graded slopes that drain into or toward wetlands are not to exceed 20 percent slope gradient. 20 to 15 percent site slope gradient or gradients that are within 500 feet of a wetland must be maintained for full vegetation and monitored for three years. The WEPD will inspect and certify that site buffers, slopes, monitoring and all related site requirements are complied with. The WEPD may direct or impose conditions related to the Washoe Tribe's 2006 Wetland Protection and Mitigation Standards or any other requirements it deems necessary or appropriate to protect Tribal wetlands. Projects or activities conducted by Tribal or non-Tribal entities that disturb, remove, fill or clear wetlands or riparian areas must mitigate that disturbance, removal, filling or clearing to a minimum ratio of 2:1. This ratio means that for every one acre of wetland disturbed, removed, filled or cleared, two acres of wetlands must be replaced on Tribal lands. The WEPD has the authority to apply all or some portions or sections of the 2006 Washoe Wetland Mitigation Standards or other requirements that the WEPD deems applicable for wetland mitigation. All portions or sections of the 2006 Washoe Wetland Mitigation Standards apply to projects or activities that disturb, remove, fill or clear wetlands. All mitigation work, monitoring and activities related to wetlands protection must comply with the Washoe Tribe's 2006 Wetland Mitigation Standards and requirements set by the WEPD.

Surface Water Development

The Carson Valley has been a large ranching and agricultural area since settlers arrived in the late 1800s. The Washoe Tribe has always depended on the land. Surface water in Nevada has been fully appropriated for many years (Nevada Department of Conservation Technical Working Group, 2002). Surface waters are limited and are fully committed in Nevada. Developers are being required to purchase permits to transfer water rights from agricultural use to municipal and industrial use (Nevada Department of Conservation Technical Working Group, 2002). Nevada's economy and steady job growth are

attracting record numbers of new residents, causing rapid urbanization in the State's major cities (Illia, 2006). Urbanization has continued to accelerate in Carson Valley, Nevada as well. Agricultural and ranching lands are increasingly being converted into exclusive single dwelling residential units (Washoe Planning Department, 1995). Washoe cultural use of surface water is held as sacred. Surface water of the region was widely cherished by Washoe people for every day use and care. Today, Hobo Hot Springs at Stewart Ranch is therapeutically used by Washoe Elders. Surface water demands from municipal, commercial and agricultural use are escalating in the Carson Valley.

The Washoe Tribe currently has agricultural operations on the Stewart and Dresslerville (Washoe) Ranches. The Tribe is looking into other commercial ventures because the trend of decreasing water resources may not be enough to sustain future operations.

As Carson Valley continues to urbanize through development of the remaining agricultural lands, retention of the water once associated with these lands will become more of an issue. Without the extensive recharge provided through both the natural water flow and the agricultural ditch system, water will move quickly downstream and out of the Valley. At some point, development of surface water will take on a more urgent nature, in order to maintain existing supplies, preserve in-stream flow, protect the aquifer, enhance watershed, and provide outdoor recreation.

For example, Carson Community had no indications of a nitrate problem in 1994. In 2008, the Washoe Tribe had to install a reverse osmosis plant to be able to deliver clean, healthy and safe water to the community due to nitrate issues in the water. The amounts of arsenic, manganese, phosphorus, nitrates, and carbon dioxide are increasing due to the over-allocation of groundwater (causing an influx of freshwater recharge) which in turn causes groundwater to leach and siphon great toxicities from the surface into cones of depression. Snowpack is melting earlier, resulting with longer, hotter, dryer summers because there is nothing to add moisture to the atmosphere. In this cyclical effect the snow melts even faster.

Carson River water storage projects have been on the horizon for decades and are frequently reconfigured, seeking local consensus that can translate into Congressional fiscal support. As recently as 1987, the Watasheamu Reservoir site was analyzed by Kennedy/Jenks/Chilton and a smaller reservoir on Bodie Creek was recommended.

At this time additional water is being sought by the Federal government to alleviate problems with the Truckee River and Stillwater marshes and this effort could provide additional justification to move the long-planned Carson River storage project forward.

Preliminary studies by the Tribe in the past indicated that it was feasible to develop Clear Creek. A site for impoundment or diversion exists approximately 1.2 miles upstream from Highway 395. In the 1994 Comprehensive Land Use Plan, it stated that the average annual flow at the nearest gauging station on Clear Creek was 3,550 acre feet. In 2006, the annual flow was 3,100 acre feet. In 2007, the annual flow was only 1,562 acre feet.

In addition to the Tribe, the State of Nevada is the other major right-holder on Clear Creek and has an interest in development of rights to supply the needs of a growing Carson City.

Water-Data Report 2007

10310500 Clear Creek Near Carson City, NV—Continued

SUMMARY STATISTICS

	Calendar Year 2006		Water Year 2007		Water Years 1948 - 2007	
Annual total	3,100.6		1,562.0			
Annual mean	8.49		4.28		5.50	
Highest annual mean					13.4	1997
Lowest annual mean					2.09	1992
Highest daily mean	34	Jan 1	9.4	Feb 11	198	Jan 2, 1997
Lowest daily mean	3.2	Sep 11	1.5	Aug 16	0.42	Aug 3, 1992
Annual seven-day minimum	3.3	Sep 5	1.5	Aug 16	0.44	Aug 3, 1992
Maximum peak flow			16	Feb 11	266	Jan 2, 1997
Maximum peak stage			1.70	Feb 11	3.94	Jan 2, 1997
Annual runoff (ac-ft)	6,150		3,100		3,980	
10 percent exceeds	17		6.5		11	
50 percent exceeds	6.6		4.7		4.2	
90 percent exceeds	3.7		1.7		1.7	



Groundwater

In the Carson River Basin, water resources are easily accessible within a few feet of the surface. The Tribe has significant water rights associated with the Stewart Ranch. This is one of the places where the Washoe Tribe greatly utilizes its water resources. Here it is hydraulically connected to water-bearing formations consisting of poorly sorted sand and gravel and glacial outwash, in some locations up to 5,000 feet in depth. Expected permeability values (in feet per day) range from 0.9 to 3.1 feet. Because the deeper groundwater is directly linked with water near the surface, and combined with this high permeability value, the potential to impact large areas and significant volumes of the aquifer is quite serious. Because of these conditions, the Tribe must be concerned with surround development including golf courses and related fertilizers, the Bentley plume, and increased use at surrounding residential developments. All of these could easily impact the Tribe's water resources.

In 1994, the perennial yield was estimated to be approximately 37,000 annual acre feet. For the Carson River Basin, the State Engineer continues to use a value of 49,000 acre feet for river basin groundwater planning. The 1992 State Pumping report varies from year to year but generally withdrawals are within the range of 22,747 acre feet. As such, it is rapidly closing on the lower, estimated recharge rate.

Nevada Division of Water Resources

HYDROGRAPHIC AREA SUMMARY

Hydrographic Area No.	105	Hydrographic Area Name	CARSON VALLEY
Subarea Name			
Hydrographic Region No.	08	Hydrographic Region Name	CARSON RIVER BASIN
Area (sq. mi.)	419		
Counties within the hydrographic area	Douglas, Carson City		
Nearest Communities to Hydrographic Area	Minden, Gardnerville		
Designated (Y/N, Order No.)	Y, O-684	For All or Portion of Basin	All
Preferred Use	O-904 No new apps in Johnson Lane	For All or Portion of Basin	Portion
State Engineer's Orders:	 (Click search icons to find all designation orders or rulings for this basin)	For All or Portion of Basin	Portion
State Engineer's Rulings			
Pumpage Inventory Status	Ongoing	Crop Inventory Status	None
Water Level Measurement?	Y		
Yield Values			
Perennial Yield (AFY)	49000		
System Yield (AFY)			
Yield Reference(s)	USGS Water Investigations Report 86-4328		
Yield Remarks	Recharge		
Source of Committed Data:	NDWR Database	Supplementally Adjusted?	Y
Manner Of Use		Underground	Geothermal

Commercial	74.22	0.00
Construction	30.00	0.00
Domestic	254.85	0.00
Environmental	1,239.40	0.00
Industrial	526.85	0.00
Irrigation (Carey Act)	0.00	0.00
Irrigation (DLE)	0.00	0.00
Irrigation	49,785.45	0.00
Mining and Milling	44.50	0.00
Municipal	28,617.07	0.00
Power	0.00	0.00
Quasi-Municipal	6,965.93	0.00
Recreation	359.73	0.00
Stockwater	471.39	0.00
Storage	0.00	0.00
Wildlife	5,749.89	0.00
Other	222.31	0.00
Totals	94,341.59	0.00

Related Reports			
USGS Reconnaissance	59	USGS Bulletin	None
Other References	USGS Water Resource Invest. 86-4328		
Comments	Basin is Shared in Common with California		

In 1977 the Carson Valley Groundwater Basin was designated by the State Engineer to allow the establishment of preferred uses of water and limit withdrawals. In April 1994, a study prepared for Douglas County Public Works Department by Vasey Engineering assumed a recharge value of 35,000 annual acre feet and concluded that existing municipal groundwater rights would be insufficient to meet the demands after the year 2015. A potential answer to this situation is for the municipal users to obtain other rights, with agricultural water being one obvious source. Drying up the conveyance and application of agricultural water on a large scale will most certainly reduce the recharge to the aquifer. Maurer's studies simulated a 45-year period of decline due to pumping in which additional stream leakage is induced and the drawdowns from 25,000 acre feet of pumping become permanent due to changes in Valley land use. The evaporation of surface water, increased plant use, or transpiration, groundwater withdrawals combined with the six years of drought, and the reduced flows and precipitation into the watershed during the time of drought suggest that the true water balance for the Carson Valley has been in deficit in excess of recharge,. To put it in other terms, mining of water has begun. There is also a distinct possibility that the pace of growth and development could still become higher, enlarging the deficit to recharge further.

In past Tribal studies of the hydrology of the Pinenut Mountains, it was estimated that the Carson Valley aquifer receives 22,000 acre feet of underflow from the Pinenut Range, or greater than half of the estimated annual recharge. The significance of the Pinenut watershed to the water balance of the Carson Valley aquifer is therefore very high and should be considered when additional development in the East Valley area takes place. The WEPD anticipates installing wireless multi-purpose weather stations to measure and collect precipitation, snowfall and ground water data in the Pinenut Mountain Range. The station will likely be erected at a mid elevation site near Sugarloaf in the Pinenut Mountains.

Groundwater Development

The Tribe's aquifer is overlain by Douglas County and Carson City, both of which have experienced large growth rates in the last 40 years. Douglas County has grown 1,262.1% in this period and Carson City, 869.4%. In the 1990 census, Douglas County population was 27,637 and Carson City's was 40,443. This growth has not slowed since 1990, and large housing projects are being considered and approved by Douglas County. The Tribe's lands are not peripheral to the growth areas but are in fact hemmed in on all sides by it. The Dresslerville Community is surrounded by the Gardnerville Ranchos and Ruhenstroth subdivisions with a combined population of at least 10,000. Gardnerville, Minden and other rapidly-growing areas of the Valley have a population exceeding 11,000. The Carson and Stewart Communities are semi-urbanized and exist within Carson City.

Both Douglas County and Carson City have an abundance of unsewered residences that are most certainly in contact with the aquifer.

Minden and Gardnerville have signed an agreement to develop a joint venture partnership designed to create a 'super-water purveyor' status for themselves. The amount of

groundwater claimed in this agreement is 20,900 acre feet. The County Commissioners and State Engineer have given their approval to the concept.

With the inception of the Tahoe Regional Planning Agency in the 1970's, stricter environmental protection was started for the Lake Tahoe area. The effect of which included the idea of exporting sewage effluent and solid waste out of Lake Tahoe and into the lower elevations, including Carson Valley. Numerous large-scale land application projects of Tahoe effluent are now operating over the aquifer, both in Nevada and California. In general, the addition of water through land application is good for recharge. However, the cumulative effect of these projects at the current scale, or as projected into the future, has not been considered. In addition, the state boundary seems to prevent Nevada from including the land application taking place on the California side of the aquifer into any evaluation of the cumulative effect although it would be reasonable from a hydrologic point of view to do so. As with proliferation of individual septic systems, a threshold could be reached with effluent land application in which the hydrologic system goes into an overload condition, and would become unable, through natural processes, to absorb the quantity of poor quality water being introduced from recharge. Restricting the development of land in the Tahoe basin has evidently not produced a corresponding slowing of population growth. The demand for exportation of more effluent to Carson Valley is therefore predictable.

Various schemes to export water from the Carson Valley will reduce surface flows and ultimately impact the groundwater. Recent river basin studies into the hydrologic conditions governing Carson Valley concluded that the total inflow into this portion of the basin from the Carson River, direct precipitation, runoff, and subsurface flow is about 490,000 annual acre feet. Carson River outflow, plus evaporative losses is also about 490,000 annual acre feet. Because the total inflow and outflow are believed to be essentially in a balanced state, any net deficit to the hydrologic system will affect both ground and surface water over time thus reducing the options for the Valley's residents and posing the threat of damage to the ecosystem. Extended drought conditions will accelerate the accumulating net deficit.

The Douglas County Landfill, only 1.75 miles from the nearest Tribal well, has been closed, and is being monitored because of groundwater contamination detected by EPA. These kinds of impacts in addition to the expected effects of urbanizing land use that have been taking place represent significant, potential threats to the aquifer.

Water Resource Goals

- Goal One:** Deliver healthy, potable water to Tribal members.
- Goal Two:** Ensure Tribal water supplies are high quality and adequate in quantity for the longest term possible.
- Goal Three:** Protect, maintain and defend Tribal surface and groundwater rights.
- Goal Four:** Obtain additional water rights.
- Goal Five:** Research, document and inventory information on Tribal water resources.
- Goal Six:** Research, establish and register legal descriptions of Tribal water rights.
- Goal Seven:** Set buffers imperative for the protection of wetland hydrology, function and wildlife.

Water Resources Policies

- Policy One:** Develop detailed information about Tribal water resources, and real or potential impacts to them.
- Policy Two:** Implement a Tribal water resources code.
- Policy Three:** Support development of Tribal water resource programs.
- Policy Four:** Take a proactive position in water issues within Washoe Country.
- Policy Five:** Seek to protect and defend water rights and implement beneficial uses of secured water.
- Policy Six:** Initiate and support studies that will reinforce Policies One through Five.
- Policy Seven:** Implement Wellhead Protection Program.
- Policy Eight:** Projects will comply with guidelines specified in the Washoe Tribe's 2006 Wetland Protection and Mitigation Standards, 2005 Wellhead Protection Program, Non-Point Source Program, National Pollution Discharge Elimination System Program and 106 Clean Water Act Program.
- Policy Nine:** Protect and maintain the integrity of spring sources including thermal waters.

Policy Ten: Projects and programs will meet federal requirements under the 106 Clean Water Act.

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VI. Cultural Resources

Executive Summary

The Washoe Tribe's cultural resources include the domains of language, traditional life ways, ceremonies, archeology, and archival data. Efforts are being made in each of these areas but the scope of work is complex and overwhelming. Essential cultural knowledge, including the life ways, language and ceremony are fast disappearing with the passage of each Washoe Elder. Archeological and ceremonial sites face immediate threats as Western Nevada's booming population and development encroach upon traditional and contemporary Tribal Lands. California has also impacted the Washoe culture through development. Proper archival maintenance of resources is prohibitively expensive. Given these considerations, the pressure to accomplish significant preservation and protection is immense and the forces which hinder preservation are just as strong. Hard decisions will be faced between cultural preservation and economic development and creative solutions will be needed to accommodate both.

Planning Criteria

Since the 1973, 1985 and 1994 development plans, recognition of cultural resources has been incorporated into the plans. Five distinct but interrelated resource domains which have land use implications: traditional hunting areas, contemporary hunting areas, plant gathering areas, ceremonial, and sacred sites, are now considered in addition to archeological sites, as are the need for cultural centers, museums, teaching facilities and archival storage.

The cultural resources program for the Washoe Tribe has been expanded to include effective programs that preserve and enhance language, traditional life ways and ceremonies. The cultural resources program for the Washoe Tribe is a designated Tribal Historic Preservation Office (THPO). The Tribal Historic Preservation Office was granted acceptance by the National Park Service in 2006. The THPO is the equivalent of the state historic preservation offices of Nevada and California. The THPO has an Advisory Council which provides recommendations and advice for an effective decision making process. In addition Building 38 at the Stewart Community has been the Cultural Center and Archives building.

The program follows a Cultural Resources Management Plan, and Interim Monitoring Plans. The gathering and organizing of archival resources and archeological records and ensuring a greater involvement in land use and development plans throughout the Tribe's aboriginal area are primary goals for an effective cultural resource program.

The Cultural Resource Protection Ordinance will be finalized during 2008, to be incorporated into the Law and Order Codes. A Tribal program includes the Language School located in the Dresslerville Community; other communities have adopted their own language classes to teach and promote Washoe language. The development and implementation of a Cultural Heritage Management Plan is a living document which may need to be reviewed and revised on a semi annual basis to meet the changing conditions, especially those resources that meet the standards of a historic component.

Ethnography

The pre-contact Washoe (Washiw) were a group of 1,500-3,000 Hokan-speakers who occupied an area of approximately 4,000 square miles. Their Hokan language was unique among those of surrounding peoples, although many cultural traits were shared with them. Primary Washoe Tribal Lands included about 2,000 square miles surrounding Lake Tahoe with flexible boundaries from Honey Lake in the north to Sonora Pass in the south and from the upper slopes of the Sierra Nevada crest, east to the Virginia Range and Pinenut Range.

Honey, Donner and Washoe Lakes, as well as the Truckee Meadows and Eagle Valley, were utilized by the Wel-mel-ti, (northern band). The Pau-wa-lu (valley dwellers) used the Carson Valley, the Hung-a-lel-ti (southern band) wintered south of Lake Tahoe in the Woodfords and Markleeville areas and the Tel-me-ti (western band) occupied the Truckee and Sierra Valley areas.

Within this area geography, elevation, plant and wildlife communities and climate are varied providing an abundance of seasonally available food sources. On the east, the Great Basin lands are arid and desert-like, with elevations from about 4,500 feet and as little as five inches of precipitation per year (although the valleys at the base of the Sierra are well-watered). On the west, the upper slopes of the Sierra receive as much as 50 inches of precipitation per year. The range rises to 12,000 feet in the Washoe territory, with Lake Tahoe at 6,400 feet, the center of the world for the Washoe People.

The ethnographic Washoe lifestyle was based upon the seasonal acquisition of various plant and animal foods as they became available. The variety and quantity of available resources permitted a somewhat more stable life than that of their Paiute and Shoshone neighbors. The Washoe have always been exceptional basket makers, involving a variety of techniques and forms for the production of utensils essential to subsistence and food preparation. Both coiled and twined weaves were employed. With Euro-American contact in the late Nineteenth century, a market developed for “fancy baskets” or “digikup” which were remarkably finely coiled baskets of innovative form and design.

The Washoe life was influenced by the four seasons. With the spring thaw, younger people traveled to Dawa-ga or Lake Tahoe to fish, and carried fish down to the older people and children still in the winter camps in the valleys along the eastern foothills of the Sierra. By summer, most Washoe had traveled to Dawa-ga, living in large fishing camps during the two to three week period when cutthroat trout and sucker made spawning runs into the Lake Tahoe tributaries. Fish were taken by hand or with harpoons from fishing blinds, weirs, fishing platforms and dams. Sometimes streams were diverted, leaving the fish stranded and easily gathered. Many Washoe families camped in the surrounding high country exploiting the resources throughout their territory. The fall time was a time when the people started to move to the lower elevations to harvest Ta-gum or pinenuts for the winter storage, a highly nutritional nut from the pinyon tree. Many Washoe still go into the Pinenut Mountains to harvest the pinyon pinenut. Many of the large game moved to the lower elevations as well to escape the deep winter snows from the higher elevations. During the winter months activities were more centered on the home with the shorter and colder days and longer nights. Some activities would

involve the repair and fabrication of clothing and utilitarian equipment. Some hunting and fishing activities still occurred which carried the Washoe through the long winter months. The Washoe traded with the other local tribes when relations were very good, but when relations went wrong sometimes war erupted between the tribes.

PARCEL MASTER PLANS

I. Introduction

The Comprehensive Land Use Plan is a vision for Tribally-owned lands. Preparing this plan required a careful examination of land use, population, housing needs, economic conditions, water availability, and natural resources. Tribal lands represent a good supply of undeveloped land for a wide variety of Tribal purposes. Some of the land could be characterized as possessing one or more prime characteristics for new developments that are needed now, or are anticipated in the near future. The 1993 Washoe Census and the 2006 Socio-Economic Survey of Tribal membership indicated that more effort should be made to develop commercial land uses. Taken as a whole, there are a number of parcels with land set aside for economic development and commercial use. Other lands are best used as a continuation of the ways they have historically been used.

In order to prepare a master plan, two principal investigations need to be simultaneously undertaken. The first investigation needs to be an evaluation of mapping of the land (such as slopes or soils), the presence of important resources, and portions of the parcel that may possess special attributes or sensitivities which make them averse to certain kinds of land use or conducive to others. A parcel's geography and configuration of its boundaries may have inherent location advantages and disadvantages. Scenic beauty and amenities are attributes that vary according to location. Existing or potential access to main roads or even frontage on them is critical for certain kinds of developments. It is important to plan for necessary improvements that a large development may require. The Trust parcels are landlocked by non-Indian lands, which makes assessing the overall growth pattern very important.

Retaining portions of the land base for certain kinds of land uses is a key principle of good planning. Without forethought, use of lands tends to result in an uneven and often patchwork effect. It is usually driven by circumstances of need, costs, and time requirements. Without preliminary work to describe the land base in terms of suitabilities or capabilities, the development process can be haphazard or short-sighted. This is especially important where the land base is limited by either small size, or severe constraints for development, such as flood plains, which greatly reduce the total availability.

The master plans illustrate the parcels subdivided into various land use categories including Residential, Commercial, Community, Industrial, Infrastructure, Agricultural, Conservation and Park/Recreation. This can be looked upon as a kind of zoning although full application of this concept to Indian lands can slow down development. Zoning, as practiced by non-Indian local governments, is a degree of control over land use that arises from marketing implications of land transactions. It is a reflection of the community's consensus of how it should develop and ultimately appear at some point in the future. Without this direction, conflicts due to incompatible land uses, existing in close proximity, begin to grow. Eventually, the dissatisfaction with living and working conditions begins to have an effect on land value. Valuable resources and locations are squandered. The implications of these effects may be too important to ignore. Hence, some effort must be made to nudge new development along a predetermined path.

Because there is not a market dedicated to buying and selling land on the Tribal Land, the categories of land use in these master plans can be fairly broad. The Tribal and Community Councils have adequate authority to approve or disapprove new land uses or projects for the good of the Tribal membership.

Tribal lands are usually “underdeveloped” for many reasons, but lack of a land market ranks high among the factors creating uncertainty for potential developers who might otherwise be attracted to working with the Tribe. The effect of having determined the categories and quantities of land for certain purposes and reserving them for these purposes, establishes a firm basis for Community and Tribal decision-making. Potential projects and developers who are ill at ease with the unavailability of land for sale or trade can be reassured that the Tribe has its “house in order” and is ready to do business, having prioritized its land base according to the parcel’s master plan.

Finally, the Tribe must take a proactive stance to preserve the potential shown in these master plans and move forward with a suitable opportunity for development. The Tribe must be vigilant since land is important and its use is dynamic in locations like Carson and Eagle Valleys. Change is on-going and even increasing on all sides of the Tribal Parcels. This fact cries out for a steady management of the parcels according to their objectives in order to preserve or enhance their value. The surrounding owners are constantly seeking to improve or enhance their values and frequently this will pose some disadvantages for the Tribal Parcel which must be understood, and in some way turned around, negotiated or otherwise deflected. There is a positive side to interacting with adjacent landowners too. Demonstrating the Tribe’s concern over the common interests at the property line will build a foundation of trust and respect which can go a long ways toward forging strong alliances for the benefit of the Tribe and its members.

Summary of Proposed Land Uses**Table One, Categories of Land Use**

Category	Symbol	Description
Residential	R	1/4 to 1 acres lots
Commercial	C	larger, more land-intensive commercial-type development
Community	CO	any facilities which benefit the Community or Tribe through community development
Infrastructure	I	primarily tribal water facilities
Park/Recreation	P	both developed and undeveloped outdoor recreation
Light Industrial	LI	manufacturing plants which minimize environmental impacts
Agriculture I	AGI	dedicated to agricultural operations
Agriculture II	AGII	agricultural lands with location or site potential for new uses
Conservation	CR	dedicated to resource conservation or enhancement
Other	O	pasture, easements, ROWS, unusable lands

Table Two, Summary of Proposed Community Land Use

		Woodfords	Carson	Dresslerville	Stewart
	Total	80	160	795	242
R	Residential	37	61	130	118
C	Commercial	0	9	27	4
CO	Community	11.5	1	20	25
I	Infrastructure	14	12	3	5
P	Park/Recreation	1	3	5	48
LI	Light Industrial	0	0	15	0
AI	Agriculture I	0	0	455	0
AII	Agriculture II	0	0	75	0
C	Conservation	16.5	74	65	42

II. Stewart Community

Issues Executive Summary

Stewart Community is a property that was acquired in 1982. At that time it had excellent potential for the Stewart Community and the Tribe because of the amount of undeveloped land, relative ease of development, availability of services, climate for economic development, and natural resources. Since the 1994 Land Use Plan, the parcel has mainly been designated for residential and community uses.

Carson City development has completely surrounded the Community and there are very few opportunities for expansion. The Stewart Community faces several challenges with the occupancy of land within the parcel, expansion of adjacent prison facilities, use of open space for unauthorized trash and waste dumping by Carson City residents, encroachment and reduction of access by freeway development, threats to water resources, and unresolved issues related to utility easements.

Location and Boundaries

The Stewart Community parcel is composed of portions of nine, 40 acre blocks located in Section 32, Township 15 North, Range 20 East, and Section 5, Township 14 North, and Range 20 East, on the Mount Diablo Meridian. Stewart trust land amounts to 242 acres and surrounds 115 acres of State of Nevada lands within the Tribal Trust lands.

Carson City surrounds Stewart except for one of the 40 acre blocks located south of Clear Creek and North of Topsy Lane which is in Douglas County. The final boundary for the State of Nevada land within Stewart Community has been in dispute since 1982, and has involved many adjustments and court actions to resolve. A Tribal and State settlement agreement was signed in 1992 to elaborate on unresolved details on the ownership and disposition of the old Stewart Indian School.

The general, legal description of Stewart's Tribal Trust land is:

North ½ of the Southeast ¼, Section 32, R20E, T15N; and

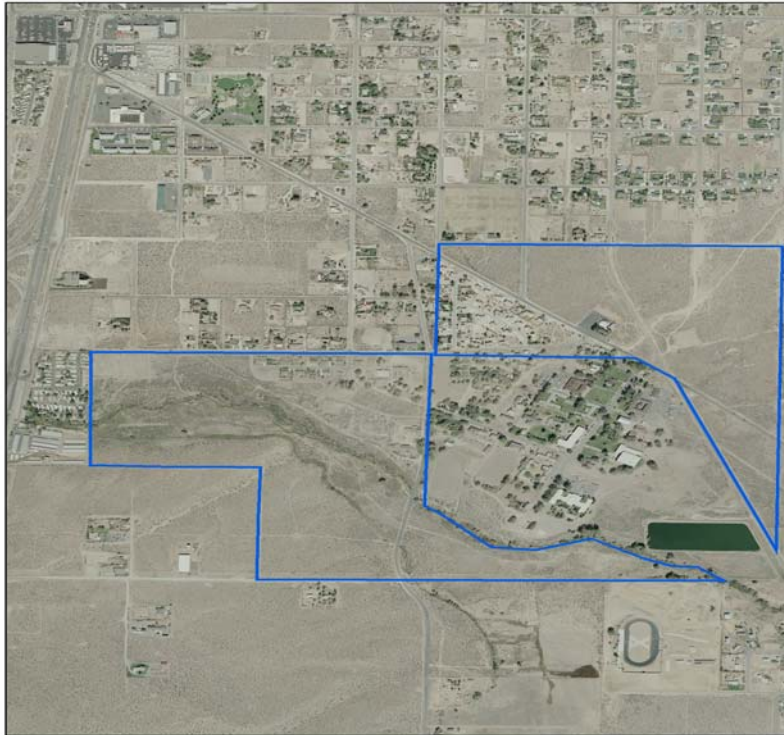
Portion of the Southeast ¼ of Southeast ¼, Section 32, East of the old V&T Right-of-Way, R20E, T14N; and

Portion of Northwest ½ of the Southeast ¼, Section 32, East of the old V&T Right-of-Way, R20E, T14N; and

South ½ of the Southeast ¼, Section 32, R20E, T15N; and

Portion of North ½ of the Northeast ¼, Section 5, South of Clear Creek, R20E, T15N; and

Northeast ¼ of the Northeast ¼, Section 5, R20E, T14N.



Background Information

What is currently referred to as the Stewart Community is only a part of the old Stewart Indian School and related lands. Upper and Lower Clear Creek, Silverado, and the 2,000 + acre Stewart Ranch are all part of the old Indian School which was transferred to the Washoe Tribe by Act of Congress on October 6, 1982. These properties were acquired by the United States by purchase from 1890 to 1939, and all lands and rights possessed by the United States, at the time of transfer, became property of the Washoe Tribe.

The State of Nevada was able to obtain ownership of the Stewart Campus, which contains most of the buildings associated with the old Indian School. This was accomplished in several phases using the existing federal policy of the General Services Administration for Disposal of Surplus Property. In April 1990, the Tribe filed suit against the State in District Court for discrepancies in how the land was acquired by the State. After inconclusive Court action, the Tribe and the State signed an out-of-court settlement agreement in 1992.

There have been issues concerning control and ownership between the State of Nevada and the Washoe Tribe over certain Stewart Indian School buildings. The Tribe currently occupies Building 26 for a Cultural Resources Office. The Tribe may be able to use and access other buildings on the former Stewart Indian School campus based on negotiations

with the State of Nevada. Further research needs to be completed on the status of these buildings and the Tribe's right to use them.

Two churches, on either side of the intersection of Snyder and Clear Creek Roads, retain small acreages deeded to them by the Indian School in the early 1900's.

In 1882, Congress created the position of Indian School Superintendent within the Bureau of Indian Affairs and began the process of setting up off-Reservation boarding schools. In 1885, Nevada's Superintendent of Public Instruction set forth the need for an Indian industrial school in Nevada and specifically stressed the plight of the Washoe as the "most neglected Tribe in Nevada." The Commissioner of Indian Affairs suggested that Nevada should provide suitable buildings and land for such a facility.

On January 25, 1887, the Nevada legislature passed an Act allowing Ormsby County to issue \$10,000 in bonds for the establishment of an Indian school. Ormsby County viewed this development as a worthy project which would provide a secondary benefit of promoting economic development in the then sparsely settled southern part of the County. The BIA opened the Stewart School on December 17, 1890, initially for the Washoe, Paiute and Shoshone, but other Indian groups from Western states were later included. The new school was originally called the Clear Creek Indian Training School, then the Carson Indian School, next the Stewart Institute, and finally, Stewart Indian School. 37 students began attendance at the opening and by 1905 there were 307 students and 25 staff members. In 1905, a US Post Office was established and in 1906, the Minden Branch of the Virginia and Truckee Railroad track was laid and regular rail service for the school was initiated. Eventually a medical facility was added which included a Sanitarium, Infirmary, and Nurse' Cottage. Most of the old, cut-stone, buildings have now received status on the National Register of Historic Places.

1. Land Resources

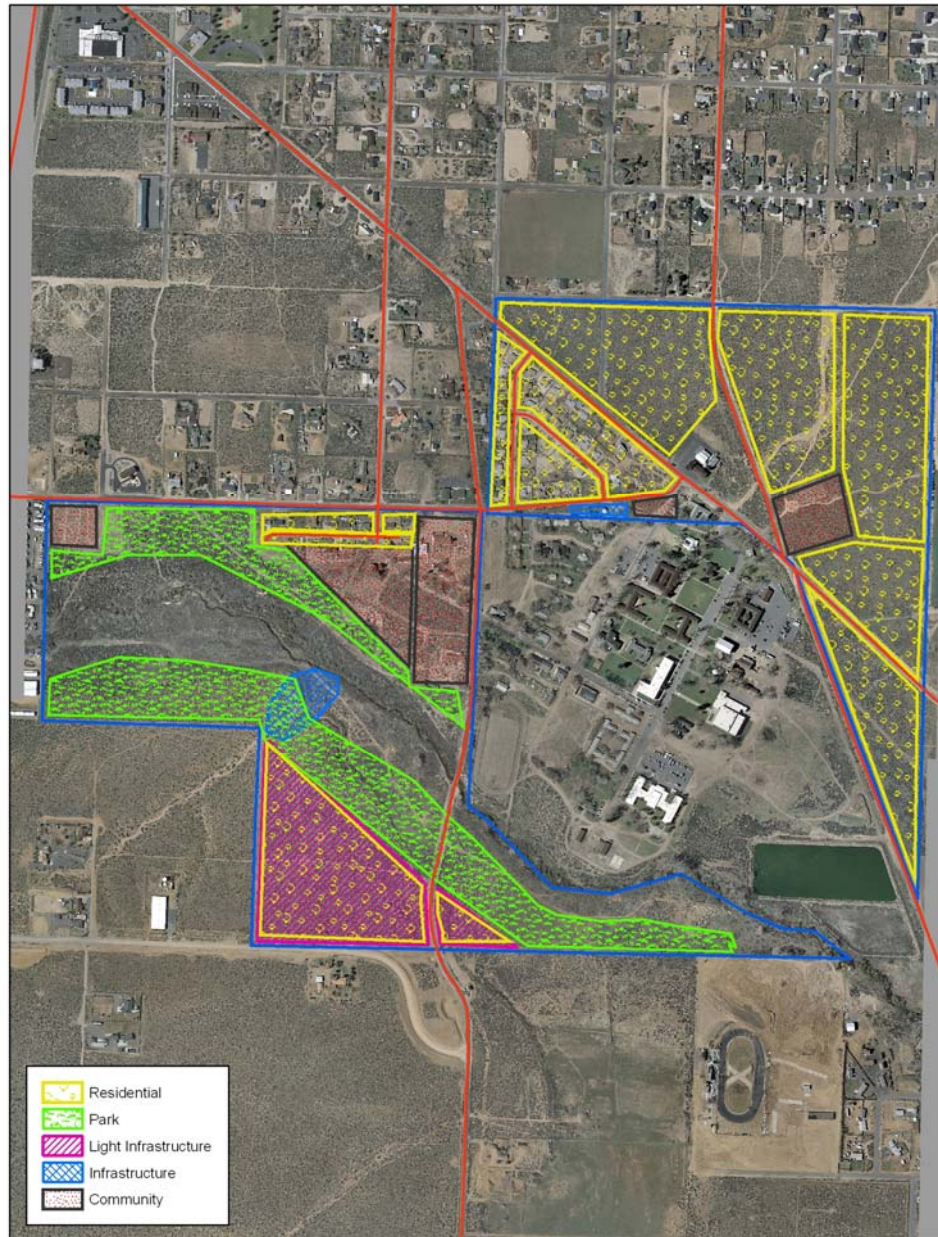
Current Land Use

Current Land Use			
	Stewart	Acres	Percent
Code	Total	242	100%
R	Residential	100	41%
C	Commercial	0	0%
CO	Community	25	10%
I	Infrastructure	5	2%
P	Park/Recreation	90	37%
LI	Light Industrial	22	9%
AI	Agriculture I	0	0%
All	Agriculture II	0	0%
C	Conservation	0	0%

Current Land Use Table

In 2003 the Stewart Community Council passed a resolution that changed all other zoning designations to Residential except for a small percentage dedicated to Infrastructure, Community, Parks/Recreation and Open Space. Portions of the designated

parks and recreation are within the flood plain for open space. This action was taken to establish the parcel as set aside for primary residential land use. Currently, the majority of the Stewart Community is used for residential purposes. The other major land use includes park and recreation. Under the current land use, 25 acres were designated for community, 5 acres are designated for infrastructure and 22 acres were designated for light industrial.

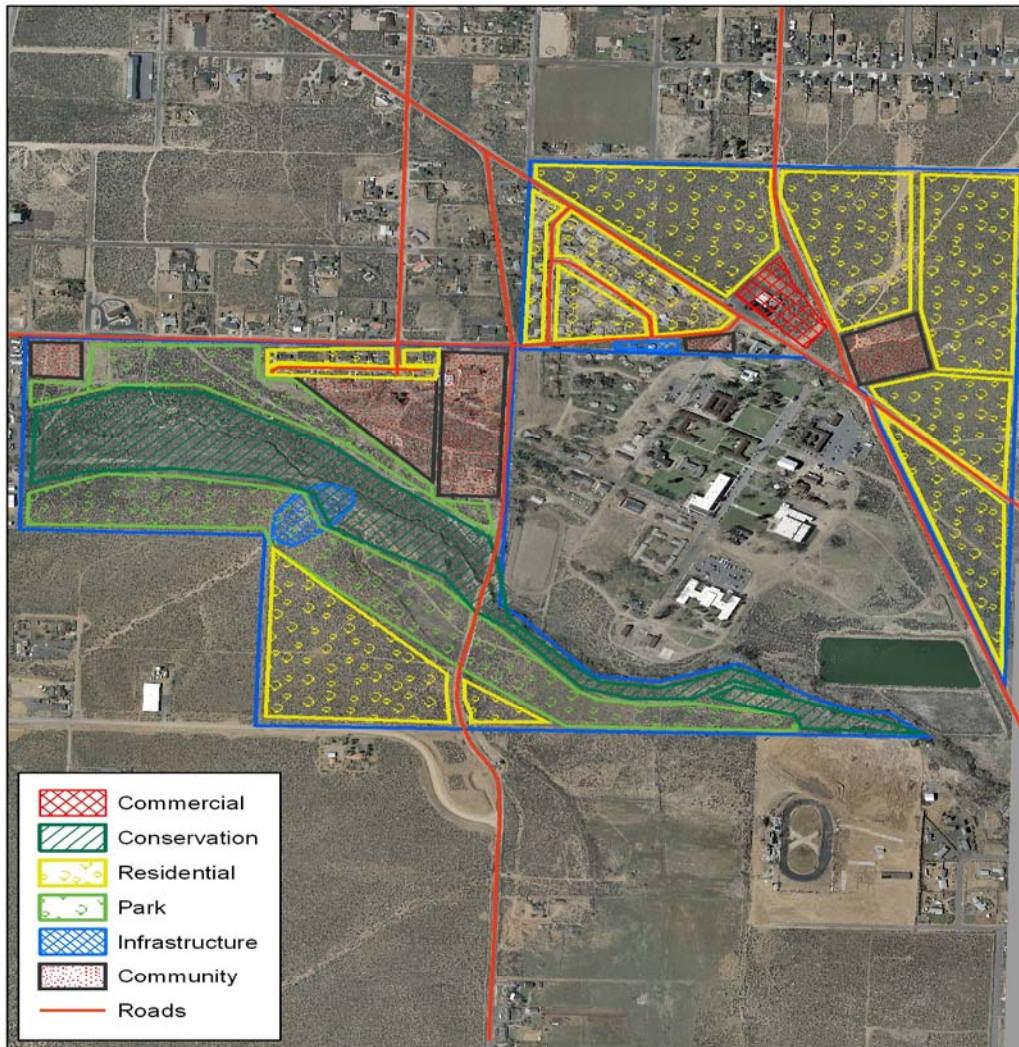


Proposed Land Use

Proposed Land Use			
	Stewart	Acres	Percent
Code	Total	242	100%
R	Residential	118	49%
C	Commercial	4	2%
CO	Community	25	10%
I	Infrastructure	5	2%
P	Park/Recreation	48	20%
LI	Light Industrial	0	0
AI	Agriculture I	0	0
AI	Agriculture II	0	0
C	Conservation	42	17%

Proposed Land Use Table

There are several differences between the current and proposed land uses for the community. Due to a demand for housing, the 18 acres previously designated as light infrastructure is now zoned residential. Almost fifty percent of the Stewart Community is now set aside for this purpose. Forty-two acres that was previously zoned Park & Recreation is now considered conservation. This area includes the floodplain around Clear Creek. The four acres around the church now show this area as commercial. The other acreages including community, infrastructure and agriculture remain the same. The five acres designated as infrastructure includes a Clear Creek drainage structure.



Agricultural Lands

During the early years at the Stewart Indian School students had a small produce garden. There is no longer any evidence of that garden. In the past the Stewart parcel did have an irrigation system on the property to irrigate the lands, scant evidence of the irrigation system still exist on both sides of Clear Creek Avenue on the Stewart Parcel. Although the exact locations of those irrigation pipes is not exactly known. It would require further research to locate and find those pipes and structures. On the south side of Clear Creek there is an irrigation ditch known as the Shultz Ditch, which was and still is used to for irrigating pastureland. The current and proposed land use maps do not include any acreage for agricultural purposes.

Topography/Unique Geologic Features

The Stewart Parcel is located on the eastern slopes of the Sierra Nevada Mountain Range on an Alluvial Fan. The elevation ranges from 4580 feet in the lower elevations up to 4,766 feet on the bluffs. The contour is slight elevation change and only a 30 foot elevation change at the bluff located on the parcel. 80% of the Stewart Parcel is relatively flat on 0%-2% slopes. This area comprises the housing development and the flood plain. The remaining 20% is located on a bluff located south and west in the parcel. The bluff rises above the floodplain abruptly and levels off with mild sloping contours and several gullies fan out from the bluff. In the northern portion of the parcel there are several features that exhibit oxbows from previous flood events; they have also been interpreted as remains of the agricultural ditches that were on the parcel in years past.

Soils

The Stewart Community is located on alluvial fans and has soils that consists of a coarse to gravelly sandy loam. The USDA Soil Conservation Service Soil Survey of Carson City area does not have a classification for the main urban and housing area in the Stewart Parcel and has classified that area as “#71-Urban”, which has been altered or obscured by development or construction.

The presence of certain soils and underlying horizons of the soils have a great bearing on the ability of a landowner to develop a particular parcel. Stewart is favorable for development for several reasons. First, surface slopes are gentle with typical grades of 0-4%, requiring less site development and earth-moving. Second, the depth to bedrock is approximately 60 inches over the Parcel. This makes it easy to prepare foundations for small buildings and structures since this depth is not needed for stem walls. Conversely, a larger governmental or manufacturing-type building could go down to the bedrock, making a very solid underpinning. Third, the shallow soils are more favorable for development than deep alluvium deposits when considering earthquake hazards. Deep soils have a tendency to rock back and forth as shock waves echo between the edges of a basin, similar to a shaken, bowl of Jell-O. Since the Carson City area has the potential for a 7.5 magnitude quake, shallow bedrock is a definite advantage for new construction.

Most of the Parcel's soils are highly susceptible to erosion and can be easily lifted by wind once they have been disturbed and the vegetative cover removed. Developments must include measures to compensate for this characteristic through dust control and revegetation plans. Also significant for potential uses of the land is the fact that a large percentage of the soils have a slow, water-infiltration rate, and a low water-holding capacity. This will make poor conditions for septic tank absorption fields. During climatic periods which are wetter than normal, development without drainage will tend to become drowned in runoff which normally infiltrates into the soils only very slowly.

Along the South side of Clear Creek, the soils are rated good for road construction and backfill material. The northeast corner of the Parcel is rated good for use as topsoil. Maintenance of a material pit here for this purpose, would benefit the entire parcel as it is developed and undergoes landscaping. Surveying the negative aspects of the Parcel, in

addition to flooding areas, another minor liability to recognize is that certain portions of the Parcel are mapped as underlain by a cemented hardpan which, in Western Nevada, causes problems with drainage and construction. When hardpan is present it may be necessary to deep rip the layer with heavy equipment, and in some cases, only blasting will suffice to break through to the softer material below. If this feature is present, it will be at a depth of 5-6 feet with a thickness of 12 inches. If smaller structures are built without knowledge of cemented hardpan, it can cause a variety of drainage problems that are difficult to repair if not taken into account during construction.



Map Unit Legend

Carson City Area, Nevada (NV629)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
2	Aldax variant-Rock outcrop complex, 30 to 50 percent slopes	5.0	2.0%
23	Haybourne sand, 0 to 4 percent slopes	5.8	2.4%
26	Haybourne sandy loam, 4 to 8 percent slopes	84.7	26.6%
37	Jubilee sandy loam, 2 to 4 percent slopes	17.0	7.0%
45	Mottsville loamy coarse sand, 2 to 4 percent slopes	24.6	10.1%
51	Prey gravelly loamy sand, 0 to 4 percent slopes	6.2	2.5%
52	Prey fine sandy loam, gravelly substratum, 4 to 8 percent slopes	4.8	2.0%
61	Surprise gravelly sandy loam, 0 to 2 percent slopes	74.2	30.5%
Douglas County Area, Nevada (NV773)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
391	Haybourne sand, 0 to 4 percent slopes	10.9	4.5%
535	Jubilee sandy loam, 2 to 4 percent slopes	1.9	0.8%
601	Mottsville loamy coarse sand, 2 to 4 percent slopes	5.6	2.3%
712	Prey gravelly loamy sand, 0 to 4 percent slopes	22.5	9.2%
906	Surprise gravelly sandy loam, 0 to 2 percent slopes	0.1	0.1%
Totals for Area of Interest (AOI)		243.4	100.0%

Mineral Resources and Mining

The Stewart Community has not been used for mining activities nor is it in any mining district. The Carson Mining District is located to the north and east of Stewart. There is no evidence that there ever were any mining activities within the Stewart Community, and it does not possess any known mineral deposits of any significant compound.

Easements and Right-of Ways

A State sewer line crosses the Stewart Community from the northwest near the Cemetery and enters State lands north of Clear Creek and east of Center Drive. The line terminates at the large sewer lagoons to the southeast and originates on State lands in upper Clear Creek, passing through both Upper and Lower Clear Creek Parcels.

2. Water Resources

Surface Water

Clear Creek passes from the west side of the Stewart parcel to exit in the southeast corner, a distance of slightly more than one mile. For 0.58 mile, from the west, both sides of Clear Creek are on Tribal land. On the last 0.47 mile, Clear Creek is the boundary between State and Tribal land with the south bank on Tribal land. The State-Tribe boundary in the lower portion is the product of a 1987 survey along what was the middle of the Creek at the time of the survey. In 2008, WEPD redirected streamflow, increasing aeration by adding waterfalls and improving the stream habitat.

In the Stewart Community the Tribe has water rights associated with the old Henry Ross property according to an 1872 Decree. Combined with prior Upper and Lower Clear Creek Parcels and associated rights, the Tribe may have claim at least between 35 and 45% of the flow of the stream. It may be necessary, in order to use or develop Clear Creek water, to perform an analysis and adjustment of the Decree's provisions in accordance with the final settlement between the State and the Tribe. Depending on a number of factors, including the flow rate of the Creek, the Tribe's annual acre feet is likely between 1,375 to 1,768 acre feet. The Clear Creek is a very valuable resource considering the limited water supply and growing population of the area. Diversions from Clear Creek which use pipelines to reach Tribal lands are known to exist although their alignment and former uses are not clearly understood. Finally, there is the Lower Schulz ditch which skirts the southern edge of the Creek's floodplain for 6/10's of a mile on Tribal lands. The Tribe's decreed and associated rights in Clear Creek should be protected.

Clear Creek aquatic life was studied in 1987 and found to be degraded because of the reduction in flow due to irrigation diversions, losses to groundwater, evapotranspiration, trash dumping, densely vegetated streambanks, and other obstructions which reduce channel flow and capacity. Clear Creek has a small, self-sustaining brook trout population and stocking with brown and rainbow trout has been ongoing on the upper reaches. For all practical purposes, it has been concluded that there is no significant fisheries resource left on the Stewart portion of Clear Creek.

Groundwater

The Stewart Community is located on the southern edge of the Eagle Valley groundwater hydrographic basin. The well logs database for Nevada was recently searched for this area, and records show 119 wells drilled in that sectional area. Groundwater use by the State of Nevada, Carson City utilities, and Douglas County as well as numerous homeowners in this older area of Carson City impacts the aquifer in both quality and quantity of water supply and is of great concern to the Tribe.

In 1994 only one supply well served the newly acquired Community. This well was drilled in late May to April of 1969 by Enloe Drilling of Carson City. The depth of the well was 375 feet with screening at interval from 65 feet to 375 feet. Static water level at this time was 26.5 feet below land surface. According to WUMA, this well was pumped at a rate of 80 gallons per minute. In June of 1987, Carson Pump performed a pump test

on this well, known then as well #4, and a television log, test pumping data, and plot and computations were provided to WHA. The results of this pump test were that the specific capacity of the well was measured at 9.23 gallons per foot of drawdown. This is a very acceptable value for aquifers found in Nevada. The coefficient of transmissivity was calculated from data collected to be 14,800 gallons per day per foot (gpd/ft). A value greater than 10,000 is considered adequate for municipal, industrial, or agricultural use. Well data logs indicates several wells in the area that are abandoned or not currently in use, including three in the name of Stewart Indian School and two drilled in 1969 in the name of the Bureau of Indian Affairs (BIA). The abandoned BIA wells were at depths of 375 feet with water table at 26.1 feet and 500 feet. The Stewart Indian School three wells range in depth from 236 feet to 450 feet deep. Stewart Well #1 was drilled in 1936 to a depth of 236 feet and is located east of the water tower – making the well now on property used by the State of Nevada. Stewart Well #2 was drilled in 1962 to a depth of 450 feet is located at the southwest corner of the old gym. Stewart Well # 3 was drilled to a depth of 247 feet and the lithologic log indicates “hard solid granite” or bedrock was reached at 243 feet. This well is located in the southeast corner of building 103 and just east of the old P.H.S. clinic building.

A few years ago, Douglas County installed a new well about a mile away and close to the same aquifer with resulting excessive drawdown of the water table. WEPD drilled a new well in 2008. It was drilled to 500 feet but the water is actually accessed at 300 feet. It utilizes a slightly different aquifer so it did not need to be as deep as the old well.

The Washoe Tribe Law and Order Code, Title 19, states affirmatively that the Washoe Tribe of California and Nevada holds all water rights above and below ground on Tribal land, including the Stewart Community. The Tribe can and should use the water as it sees fit both generally and to maintain flow for Clear Creek to keep a viable fresh water ecosystem.

Irrigation Ditches

The Schultz Ditch runs along the southern portion of the Stewart Community along the edge of the bluffs and exits the southern portion of the Community.

Water Quality

According to WUMA, the water at the Stewart Community is corrosive with a low pH. WUMA is mitigating the problem with sodium hydroxide after treatment and is looking into a bubbler with carbon dioxide removal treatment process.

3. Air Resources

Air quality standards

Stewart Community is in close proximity to Hwy 395, large scale development and construction areas, and urban/industrial pollution sources. Levels of air pollutants with in this area do not exceed attainment levels, however, temporary spikes have occurred and can occur in the future. The main concerns in the area include the shopping complex west of the Community on Highway 395 (<http://www.scorecard.org>).

Odors, emissions

Further development of the area may cause increased levels in Diesel particulates, Carbon monoxide (CO) sulfur dioxides (SO), ozone, and nitrogen oxides. Douglas County ranks fifth in non-cancer hazardous pollutant emissions and sixth in cancer causing hazardous pollutant emissions according to the index of Nevada counties. TRI sites in close proximity occur in the Carson City area and are Capitol City Concrete, Mr. Gasket, and TAIYO America, Inc., none of which exceed EPA attainment levels (www.scorecard.org EPA data 2001).

Dust, wind erosion

New construction is a major contributor to large particulate matter (PM-10) and therefore a foremost concern in the Stewart Community area (<http://www.scorecard.org>).

4. Natural Resources

Clear Creek

Clear Creek is a fresh water perennial stream that meanders through the Stewart Community, having an average stream width of 1.6m, an average depth of 0.12m, an average temperature of 13°C, and the average shape of the channel is inverse trapezoidal. The sediment is mainly small fines (<2mm) and gravel (8-64mm), but the further upstream that one goes, the more silt one finds. The riparian vegetation is mainly sedges, cattails, willow, some stinging nettle, and some large cottonwoods. In some places, the creek is extremely overgrown and in some places, it is devoid of vegetation. In addition, there is an abundance of woody debris in the creek. The only fish that were found were minnows, with the majority of them being speckled dace. Other aquatic life forms found include; crayfish, water skimmers, caddis fly larvae and other Macro-invertebrates. Diet analysis and invertebrate studies have not been completed at this time; however the fish appeared to be in good health.

Wildlife Habitat/Migration Corridors

The Stewart Parcel is surrounded by urban sprawl and the remaining open space in the immediate area is on Tribal land. Species that have been observed include Black Tailed Jackrabbit, Cottontail Rabbit, Ground Squirrels, California Mountain Quail, Hawks, Mallard Ducks, and other waterfowl, an occasional coyote, mountain lion, bobcat or mule deer may visit this area. In general, only the small animal and bird species that have adapted to urban development might be considered permanent residents of the parcel. There is not enough space to support large animals and the waterfowl most likely are migratory.

The Stewart Parcel has some of the last remaining open space that could provide habitat for wildlife species. As the surrounding lands are developed it diminishes species diversity and terrestrial life. Clear Creek provides prime water and riparian habitat but due to human impacts from the surrounding area, this system has been badly degraded.

Clear Creek aquatic life was studied in 1987 and found to be degraded because of the reduction in flow due to irrigation diversions, losses to groundwater and evapotranspiration. Illegal solid waste dumping and densely vegetated stream banks

reduce channel flow and capacity. Clear Creek has a small, self sustaining brook trout population and stocking with brown trout has been ongoing on the upper reaches. For all practical purposes, it has been concluded that there is no significant fisheries resource left on the Stewart portion of Clear Creek.

Endangered, Threatened or Rare Species

The U.S. Fish and Wildlife Service have identified the following species that may occur or are thought to be in the vicinity of the Stewart Parcel. The following is a species list of concern to the USFWS:

Mammals: Townsend Big Eared Bat, Spotted Bat, Western Small Footed
Myotis, Long Eared Myotis, Fringed Myotis, Long Legged Myotis,
Yuma Myotis
Birds: Western Burrowing Owl
Invertebrate: Mono Checkerspot Butterfly

Vegetation Resources

The predominant vegetation species are the Wyoming Big Sagebrush, Bitter Brush, Rabbit Brush and Desert Peach in the upland portions. The predominant riparian species are Coyote Willow which comprises approximately 95% of the riparian vegetation species. The willow spreads laterally from Clear Creek about 10-20 feet in both directions. The willow is dense in some locations and in other portions of the riparian zone it is void of vegetation. The Fremont Cottonwood Tree makes up the only native tree on the parcel, mostly scattered along the riparian zone. Cottonwood trees, Elm Trees and Russian olive are scattered along the residential areas as ornamentals that were planted as shade trees.

Residents are encouraged to beautify their residence with native vegetation and not introduce potentially nonnative vegetation.

5. Cultural Resources

Prehistoric Properties

The entire parcel is rated as high sensitivity for cultural resources. Specific archeological sites have been identified on the parcel in previous surveys. Because of the area and its natural resource features, the parcel most likely possesses potential for prehistoric resources

Historic Properties

The Stewart Parcel is part of the Old Stewart Indian School, established in 1890. The Stewart Indian School closed their doors in 1982. It is now on the National Historic Register of Historic Places as a historical landmark. Most of the school buildings and grounds went to the State of Nevada and the Washoe Tribe received a few buildings and the rest of the associated lands. The "Nurses Cottage", has been used in the past by the Tribe for various departments including the Police and the Washoe Archives and Cultural Center. There are four buildings on Clear Creek Avenue that are part of the Stewart Indian School Complex for the Tribe's use. Building #38 has been used for the Cultural Resources Building. These buildings are now part of the Stewart Parcel and they have the same historic status as the rest of the school complex.

Of historical significance is the Virginia and Truckee Railroad and a small depot which was supposed to be located in the northeast corner of the parcel.

The Nevada State Marker Number 77, located on the northeastern portion of the parcel, identifies the gravesite of Dat-so-la-lee, a famous basket maker. There are three cemeteries located on the Stewart Community parcel including a fenced-off area that is believed to hold graves. In addition, there are several sites that are believed to be unmarked graves on the north side of the parcel.

Contemporary Cultural Practice Areas

The residents of Stewart have used various locations on the parcel for contemporary cultural practices. Directly south of the nurse's cottage is an area that has been used for contemporary cultural practices.

6. Socioeconomic Conditions

Population

A census was performed for the 1994 Land Use Plan. At that time, the census reported 138 persons in 37 households making an average of 3.73 persons per household. Total males constitute 41.3%, and total females, 58.7%. The plan figured that additional housing was needed when the natural population increase was divided by 3.73 people per household.

Stewart Cohorts, 1993

Age	0-24		25-49		50-70		75 and up	
Sex	M	F	M	F	M	F	M	F
#	31	35	25	38	1	8	0	0
%	22.5	25.4	18.1	27.5	0.7	5.8	0	0
	*18.6	22.9	22.1	18.6	7.6	8.0	0.3	1.8

The U.S. Census Bureau's 2000 Census reports that 196 people were living in the Stewart Community that year. .

Subject	Number	Percent
HOUSEHOLD POPULATION		
Population in occupied housing units	196	100.0
Owner-occupied housing units	148	75.5
Renter-occupied housing units	48	24.5
Per occupied housing unit	3.27	(X)
Per owner-occupied housing unit	3.36	(X)
Per renter-occupied housing unit	3.00	(X)

Subject	Number	Percent
HOUSEHOLD TYPE		
Owner-occupied housing units	44	100.0
Family households	37	84.1
Householder 15 to 64 years	33	75.0
Householder 65 years and over	4	9.1
Married-couple family	21	47.7
Male householder, no wife present	7	15.9
Female householder, no husband present	9	20.5
Nonfamily households	7	15.9
Householder 15 to 64 years	4	9.1
Householder 65 years and over	3	6.8
Male householder	3	6.8
Living alone	3	6.8
65 years and over	1	2.3
Not living alone	0	0.0
Female householder	4	9.1
Living alone	2	4.5
65 years and over	2	4.5
Not living alone	2	4.5
Renter-occupied housing units	16	100.0
Family households	14	87.5
Householder 15 to 64 years	13	81.3
Householder 65 years and over	1	6.3
Married-couple family	4	25.0
Male householder, no wife present	2	12.5
Female householder, no husband present	8	50.0
Nonfamily households	2	12.5
Householder 15 to 64 years	2	12.5
Householder 65 years and over	0	0.0
Male householder	0	0.0
Living alone	0	0.0
65 years and over	0	0.0
Not living alone	0	0.0
Female householder	2	12.5
Living alone	2	12.5
65 years and over	0	0.0
Not living alone	0	0.0
Subject	Number	Percent

(X) Not applicable.

Subject	Number	Percent
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Source: U.S. Census Bureau, Census 2000 Summary File 1, Matrices H11, H12, and H17.

Stewart Population Growth

Year	1993	2000	2010	2018	2020	2030	2040	2043
SUM	138	158	176	188	189	200	208	210
Male	57			86				102
Female	81			102				108

In 2006, the Washoe Tribe's Planning Department completed a Socio-Economic Profile of the Washoe People. According to this survey, Stewart (95.0%) has the highest concentration of telephones (either home phones or cell phones) with Woodfords (84.0%) and Carson City (85.0%) having the lowest concentration of phones (p=.267).

The eight strategic planning priority areas of Stewart Colony respondents are listed below by order of importance (rated "very important" or "important"):

- ◆ physical health and wellness (100.0%, n=40);
- ◆ education and training (97.5%, n=39);
- ◆ community development and infrastructure (95.0%, n=38);
- ◆ lands and environment (95.0%, n=38);
- ◆ governance (92.5%, n=37);
- ◆ sovereignty and public safety (92.3%, n=36);
- ◆ trade and commerce (92.3%, n=36);
- ◆ culture (87.5%, n=35).

Respondents in Stewart rated buildings and community spaces needs in the following order of importance (rated "very important" or "important"):

- ◆ health clinic (94.9%, n=37);
- ◆ basketball court (90.0%, n=36);
- ◆ gymnasium (90.0%, n=36);
- ◆ libraries and information resource centers (90.0%, n=36);
- ◆ traditional landscaping for open space and meditative trails (62.5%, n=25);
- ◆ football field (40.0%, n=16);
- ◆ convenience store (35.0%, n=14);
- ◆ grocery store (35.0%, n=14);
- ◆ soccer field (32.5%, n=13);
- ◆ swimming pool (25.0%, n=10);
- ◆ deli-snack bar (22.5%, n=9).

The population estimates will be updated again in 2010.

7. Resource Use Patterns

Hunting, Fishing and Gathering

The Washoe Tribal Hunting and Fishing Commission regulate hunting and fishing on Tribal lands. The commission is responsible for establishing the Tribal Law and Order Codes for Hunting and Fishing. The Stewart Community parcel is largely undeveloped but is surrounded by development. Some of the landscape is open space and offers a wildlife habitat. The Stewart Parcel has small game with an occasional deer and upland game species within the Parcel, however there is no hunting within the Parcel.

Clear Creek runs through the middle of the Stewart Parcel, and has a potential for a fresh water fishery that could sustain cold-water trout species, but because of the historical impacts to this section of stream, trout habitat is questionable. The only fish species found are speckled dace (a minnow). The native Lahontan Cutthroat Trout is no longer found in the stream due to historical impacts and landscape degradation which has changed the stream character. Tribal members have exclusive fishing rights on Clear Creek.

There are several native plant species on the parcel that offer traditional uses. Harvesting and gathering of these plants is permitted for Tribal members and encouraged to preserve the culture.

Parks and Recreation

In 2003 Stewart Community passed a Resolution to rezone the existing lands from all other zoning to Residential Zoning for the entire parcel, except those areas needed for Community, Infrastructure and Recreation. Currently the common area in the housing development area North of Clear Creek Avenue serves as a recreational activity area. The Community Center also serves as place to have indoor/outdoor recreational activities. The Stewart Community Parcel is proposing a new park in what was formerly a residential area. The Carson Sports Complex adjoins the Stewart Parcel immediately to the east, which offers sports activities to the Carson City Municipality and all neighbors. However, this leads to some problems with people parking on Tribal land without permission to access the complex. The Stewart Community may be acquiring two small parcels in the Congressional Carson Lands Bill.

8. Infrastructure, Service Systems and Transportation

Community Infrastructure and Facilities

Since Stewart Community is relatively new, facilities for the community development are not well-developed. The community building has served as the community office, council headquarters, and community Head Start. A new community Head Start Facility was completed in 2006, the facility serves any U.S. citizen, providing they meet the requirements for care. The community building is used for community affairs, recreation and activities. The community building also serves as the operations and command center for natural disasters.

There is a playground and equipment connected to the community building. There is a small park and playground in the center of the existing housing development.

More outdoor recreation facilities such as sports fields, picnic areas, and group meeting sites would be desirable. Hiking and nature trails along Clear Creek are possible. Facilities that serve the entire Tribe could be considered at Stewart Community because of the availability of undeveloped land. Sites designated as Community in the land use plan can be developed with the first priority on community needs.

Utilities and Service Systems

Stewart Community sewer service is provided by Carson City. The Washoe Utility Management Authority (WUMA) manages a water storage tank and well for the Parcel. The relative newness and low number of residences means that cost of infrastructure is low. There are plans to install a backup water tank and well system projected for completion in the year 2007. The backup system is needed for several reasons; water quality, supply, fire protection and future planned housing developments. In this aspect the Tribe has exerted foresight into the protection and service of the community.

A state owned sewer line crosses the Tribal land from the northwest near the cemetery, to enter State lands north of Clear Creek and east of Center Drive. The line terminates at the large sewer lagoons in the southeast corner. This line originates at the State lands in upper Clear Creek and passes through both Upper and Lower Clear Creek Parcels. The sewer and water of the State lands within Stewart are a different situation. There is an extensive sewer, water and even heating infrastructure that have been constructed over the better part of a century. Abandoned lines are everywhere, and very little accurate As-Built documentation can be relied on to determine the actual alignments. Cast iron pipe begins deteriorating more rapidly after 30 years, depending on soil conditions and with the age of some of the lines associated with the old Indian School, they may act as conduits for waste or polluted groundwater that exist in their proximity.

Transportation

Roads on the parcel that were constructed as part of the projects that provided new housing, are turned over to the BIA. Other roads on the parcel such as Clear Creek Avenue and Snyder Avenue are under the jurisdiction of Carson City. Because of the semi-urbanized character of Stewart, no new collector-type roads are anticipated at this time. A trail system connecting all parts of Stewart is needed and can be developed to traverse the Clear Creek riparian areas when cleanup and reclamation of these lands is complete.

An infrastructure issue that has loomed large for Stewart is that of the proposed Highway 395 Bypass and Highway 50/395 Interchange. The bypass is planned to skirt the north boundary of Stewart and the interchange will close off access to Highway 395 from Jacks Valley Road to Clearview Drive. This proposal reduces the number of access points from five to two, over a distance of 1.8 miles. The streets to be restricted from entering Hwy 395 are Clear Creek Avenue, Topsy Lane and Snyder Avenue. The construction of the interchange has potential to impact Clear Creek, an important Tribal water course. There is a high probability of cultural resources existing in the proposed area to be developed.

The Tribe has been active in the consultation process with the Nevada Division of Transportation (NDOT) in the remediation and protection of the Tribe's lands that may be potentially threatened by irreversible adverse impacts as a result of the NDOT project.

The following is a compiled list of streets, Avenues, Routes and Roads that are within the Stewart Parcel, and the ROW with easements.

- Snyder Avenue; NDOT maintains the road, with a 100 foot easement that takes in 11.62 acres of Stewart Parcel.
- Bigelow Way; Carson City maintained, with a 100 foot easement,
- Ponderosa Drive; No record of easement for this road
- Bennett Avenue; 30 foot easement, the grant did not specify any maintenance
- Center Drive; Carson City maintained to the Douglas County line, with no reference to easements or the ROW
- Clear Creek Road; Carson City maintained, with no reference to easement or ROW, cannot locate files on Clear Creek Road
- Other roads that have no records are; East Clear Creek, Silver Sage and Gibson

Community Facilities

The Community Council has set up a modular building for Head Start, Summer Foods, and Recreation programs, and for use as a meeting room for Council. There are grounds with play equipment connected to this building. There is a small park and playground in the center of the existing housing. The Council has received funding to construct a permanent, community center facility.

More outdoor recreation facilities such as sports fields, picnic areas, and group meeting sites would be desirable. Hiking and nature trails along Clear Creek are possible when the waste cleanup and stream reclamation have been completed.

Facilities that serve the entire Tribe could be considered on Stewart Community because of the availability of undeveloped land. Sites designated as Community in the land use plan can be developed with the first priority on Community needs, and then, if there is still land available in this category, Tribal needs can be considered. The Tribe has a grant to renovate Building 26 for a Cultural Resources Office, and other old, but potentially useful Stewart buildings can be handled in a similar fashion to begin serving a useful purpose once again.

Solid Waste

Stewart consists of 53 households and an estimated population of 175 (Washoe, 2004). Stewart Community has four Tribal offices: a general administrative office building, Head Start, the Community Center, and the Cultural Resources Office. There are currently no Tribal enterprises in Stewart.

Curbside solid waste collection services are available to Stewart Community through Capital Sanitation. Approximately 26 percent of the community households subscribe (Capital Sanitation, 2004). Solid waste is collected weekly and disposed in the Carson City Sanitary Landfill located east of Carson City. Capital Sanitation also has a bi-weekly

curbside recycling program where customers are given containers for glass, aluminum, tin, and plastic. Newspapers and magazines can be placed in brown paper bags and set on top of the containers for collection on recycling day. A container is available upon request for office paper. A recycling kiosk for aluminum cans, metal cans, office paper, and plastic is located in front of the Community Center and is picked up weekly by WEPD staff. WEPD staff also is performing a pilot curbside recycling program for interested community members. It is anticipated to be community wide by the end of 2006, providing free recycling service to all Washoe Communities.

Other options for solid waste disposal in the Stewart community include: self-haul and stockpile. The self-haul method allows community members to self haul their waste to the Carson City Landfill. The landfill accepts a vast majority of waste products, including household hazardous waste, appliances, tires, batteries, oil, deceased animals, and construction demolition waste. Stockpiling waste is another option that is utilized in the Stewart Community. On a bi-annual basis the WEPD, WHA, and communities provide dumpsters for a community cleanup. These days are highly exploited and yield massive amounts of waste. The stockpiling technique is discouraged due to the related health concerns and unsanitary conditions associated. It is also non-compliant to the Washoe Law and Order Code.

9. Other Values

Sound and Noise

The Stewart Community lies east of U.S. Highway 395 approximately ½ mile with the extreme western parcel boundary only several hundred yards away from Highway 395. The noise levels from Highway 395 have not been measured but in recent years the traffic volume has increased to where it is a noticeable increase in noise levels, especially during peak driving periods.

Snyder Avenue, Clear Creek Avenue and Center Drive pass through the community and they are secondary roads. These roads have contributed to increased noise levels in recent years due to urban growth and traffic volume.

The closest airport is a municipal airport seven miles to the north. The community does lie within the airport clear zone and noise levels are minimal.

The proposed Hwy 395 by-pass will be located at the northern boundary of the parcel, and that is expected to increase noise levels considerably. These are the main contributors to noise pollution in the Stewart Parcel.

Wind Renewable Energy Resources

Wind energy productivity for the Stewart community is rated as poor to marginal (class 0-2). This indicates large wind harvesting operations would not be feasible. Small turbines may be an option; wind monitoring at and below 30 meters has not taken place, this is needed before assumptions about small wind turbine feasibility is discussed thoroughly. Proximity to 230 kV transmission lines does make this area feasible for connection to the grid. Local wind power characterization variations exist; seasonal,

daily winds associated with the Stewart community parcel will need to be monitored to identify these variations if wind power is to be considered.

Solar Renewable Energy Resources

Solar radiation on the Stewart community is categorized as good to excellent. Summer solar energy potential is extremely high; winter solar potential is categorized as moderate/good. Solar energy can be a significant renewable resource on the community. With highly efficient “concentrating collector photovoltaics” energy collected per day could reach 6000-6500 Whr/sq m, categorized as excellent.

10. Public Health and Safety

Flooding



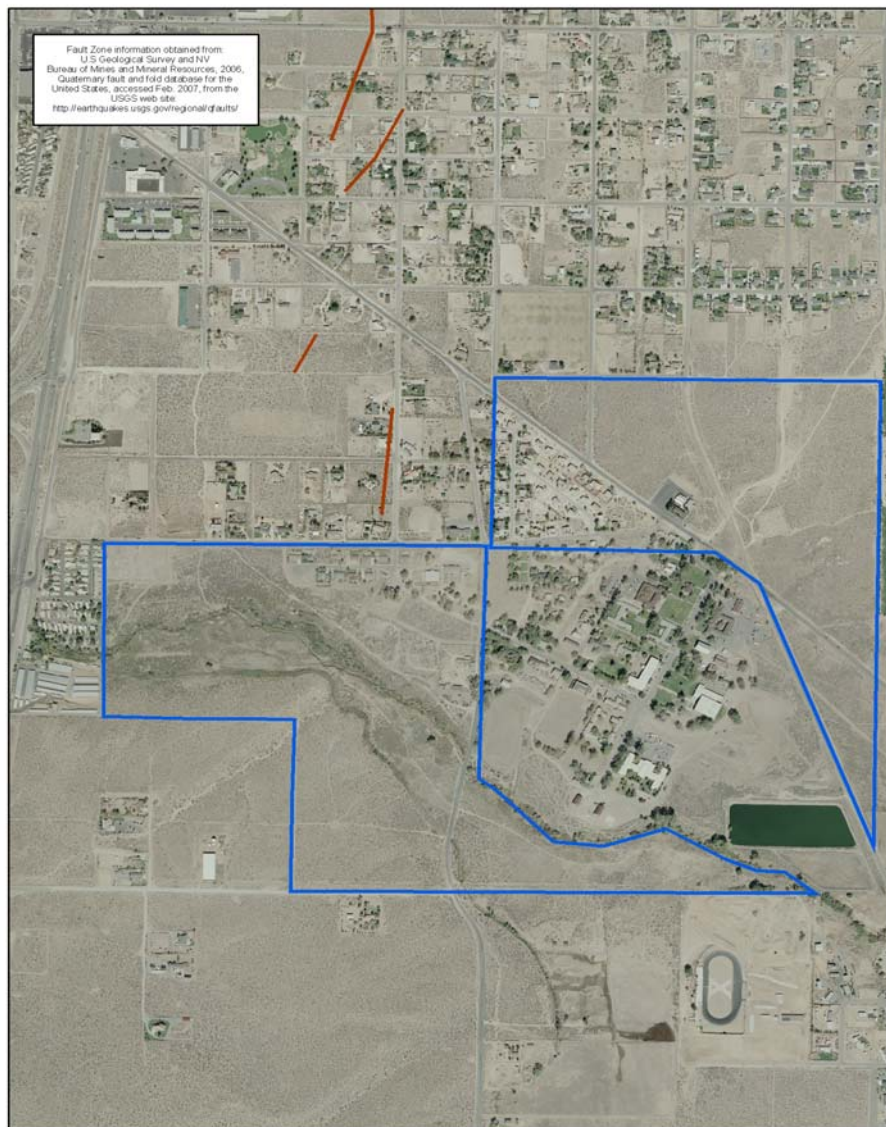
FEMA delineation of 500-year and 100-year flood plain in the Washoe Stewart Community

The Stewart Community is partly in the FEMA floodplain. Within the Stewart Community flooding potential (identified by FEMA) occurs primarily along Clear Creek. This waterway nearly bisects the community and thus has high probability of causing flood damage on both the northeast section and southern sections of the community. The 1996 Firm delineates the one hundred year and five hundred year flood plain of Clear Creek (above figure). The FEMA FIRM describes the dark gray areas, “Areas of 100-year flood; base flood elevations and flood factor hazards not determined.” The area that is lighter gray are designated as “Areas between the limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood.” Areas with no shading and are classified by the letter “D” are, “areas of undetermined, but possible, flood hazards”. The Stewart

Cemetery is primarily in the floodplain and efforts should be made to protect it from any floodwaters.

Seismic Hazards

The 1994 Land Use Plan states that the general Carson City area is susceptible to an earthquake of 7.5 Magnitude. The shallow depth to bedrock makes structures located on Stewart less susceptible to damage than lands with deep valley fill deposits. The Carson City Fault Zone is located just north of the Stewart Parcel, and on the west side of Silver Sage Drive.



Radon

Radon is another natural phenomena associated with the eastern slopes of the Sierra Nevada Mountain Range. The Carson City and Stewart Community area is rated as High Hazard for soil or geologic unit with Uranium content equal to or greater than 4.0 parts per million, equivalent uranium (ppmCi/L). 25% of homes in this hazard rating are measured at or equal to or greater than 4.0 pCi/L.

Police Protection and Services

The Washoe Tribal Police Department provides police protection and services to the Washoe Communities, Tribal Lands and the Pinenut Allotment Lands. The Washoe Police department and the Washoe Rangers provide combined law enforcement to the Washoe Lands. The tribal police and rangers are located at the tribal government complex south of Gardnerville, Nevada.

The tribal police departments foresee a need for future protection capabilities that would benefit the tribal communities and lands. The U.S. Federal Bureau of Investigation has certain enforcement duties when a felony crime is committed on tribal lands. The tribal enforcement departments assist the local jurisdictions with law enforcement in a combined effort. They also provide services during search and rescue operations, HAZMAT and during natural disasters and other emergency situations.

Fire Protection and Services

The Bureau of Indian Affairs under their Indian Trust Responsibilities provides Wildland Fire Suppression through various agreements and memorandum of agreements with the federal government for wildland fire protection services.

The local county fire departments under a Memorandum of Understanding with the Washoe Tribe provide fire protection and services.

Additional services that the local emergency departments provide include: medical transfer, disaster emergencies and HAZMAT. Because the tribal lands and communities are scattered and fractionated they depend on these agreements with the local agencies to supplement their efforts to protect and serve the tribal lands and population.

The Washoe Environmental Protection Department has recognized the potential threat of wildfire to the community and has constructed firebreaks in key locations throughout the parcel to stop or slow down a wildfire. These firebreaks will need maintenance periodically to be effective.

Hazardous Materials

The Stewart Community Parcel does not allow hazardous materials to be generated, stored or transported and has aggressively confronted any hazardous impacts to the parcel and its citizens. The parcel is not zoned for any commercial or industrial enterprises.

Environmental Problems

The Stewart Community has been impacted or has the potential to be impacted from several factors

- Clear Creek Waste Sites
- 120KV Powerline
- Cemetery Sewage Break

Clear Creek Waste Sites

Tribal staff has been monitoring the trash and waste illegally dumped on Washoe Lands along Clear Creek. A traverse of two areas found that a minimum of 8.3 acres has been used for trash dumping and a total material estimated to be in excess of 30,000 cubic yards. During the late 1990's the Bureau of Indian Affairs and the Washoe Tribe cleaned up most of those waste sites.

In reaction to a continuing dumping problem the Washoe Environmental Protection Department fenced portions of the Stewart Community Parcel to eliminate dumping, this action has reduced the dumping problem. The fence construction installed by WEPD should be noted that it conforms to wildlife fence standards; that allows and protects wildlife to pass through unharmed. WEPD will fence other portions where it is necessary to stop impacts from external polluters.

120 KV Powerline

Sierra Pacific Power Company has constructed a new 120KV powerline in the eastern portion of the Stewart Parcel along Bigelow Drive. This is a medium-sized transmission line with towers 66 feet high replacing the existing 60KV line along Bigelow Drive. Sierra Pacific's study did not find any likelihood of health hazards associated with the powerline. Other sources of data suggest that 1000 feet of buffer on either side of high-tension lines are required to alleviate health concerns. Definitive data on radiation from electromagnetic sources such as this powerline is still being developed.

Cemetery Sewage Spill

In the southwestern portion of the parcel, a raw sewage spill took place in the spring of 1994, which poured effluent into the cemetery for several days. Another sewage spill occurred in the spring of 2001, emanating from a Carson City owned sewer line and dissipated when it reached Center Drive. That spill came very close to Clear Creek but never reached the creek. The Washoe Environmental Protection Department (WEPD) provided oversight on the cleanup process. It was determined that the sewer lines are not keeping up with demand and may need to be increased in size.

Parcel Objectives

- Objective One:** The proposed land use map in this document will guide siting of future development unless amended by Community and Tribal Councils.
- Objective Two:** Permanent development will not be allowed inside of the 100-year floodplain after approval of this document.
- Objective Three:** The Community and Tribal Councils will take lead roles in facilitating clean up and reclamation of Clear Creek until a satisfactory plan has been completed and implemented.
- Objective Four:** Community and Tribal Councils or their designees will maintain an ongoing intergovernmental relationship with the State of Nevada to assess and respond to potential threats from use of the State Lands within, or adjacent to Stewart, by State Prison Administration, and Nevada Department of Transportation and other similar programs.
- Objective Five:** Community and Tribal Councils will seek commercial and light industrial land users for the lands so designated, to promote Parcel employment opportunities and generate lease income.
- Objective Six:** Secure funding to fence the south and west boundary of Stewart to control waste dumping along Clear Creek and provide Colony additional visitor control.
- Objective Seven:** The Tribe will seek funding for a planned unit development to be located on the Parcel to accommodate privately-financed individual Tribal members.

References

Clear Creek Decree, 1872

Clear Creek Resource Evaluation: Washoe Tribe, 1987

Open Files: Washoe Tribe

Open Files: Western Nevada Agency, Bureau of Indian Affairs, Carson City

Soil Survey of Carson City Area, Circa 1974: Soil Conservation Service, U.S. Department of Agriculture

Soil Survey of Douglas County, Circa 1981: Soil Conservation Service, U.S. Department of Agriculture

The Stewart Properties: A Master Plan for Tribal Acquisition and Land Use: Washoe Tribe, 1981

Tribal Strategic Plan: Washoe Tribe, 1991

Washoe Comprehensive Land Use Plan: Washoe Tribe, 1985

Washoe Tribe Socio-Economic Profile: Washoe Tribe, 2006

Washoe Water/Resource Protection, Resource Characteristics: Washoe Tribe, Circa 1982

Water Resources Data, Nevada, Water Year 1992: US Geological Survey Water-Data report NV-92-1

III. Lower Clear Creek

Issues Executive Summary

Lower Clear Creek parcel is an important link in the Tribe's water rights on Clear Creek. The Parcel includes extremes of steep mountain canyon terrain and relatively flat, land with portions suitable for development. The old and new Hwy 50 right-of-ways are a significant percentage of the Parcel. Unsewered, one-acre housing growth, south of the Parcel may threaten water resources.

Significant commercial development is present to the east of the parcel. A residential housing subdivision lies directly south of the parcel. The parcel could be significantly impacted by increasing development to the west in the Clear Creek canyon. The parcel could also experience significant impact from the 395/ 50 Interchange and Bypass Road.

The parcel experiences significant trespass violations including attempts at temporary occupancy and pass through trespass violations (e.g. OHV use, hiking, horseback riding). The fence that was constructed around the majority of the parcel has decreased the amounts of pass through violations. Numerous occurrences of people taking up temporary shelter on the parcel have occurred. Recently, a trespasser's warming fire ignited a small wildland fire on the parcel. Trespassers pose significant threats due to solid waste dumping, potential wildland fire ignition, and public safety issues. Increased patrol is necessary to minimize the occurrence and detrimental effects of trespassers on this parcel.

Location and Boundaries

This Parcel is composed of four tracts and a five-acre parcel totaling 229.03 acres in the 1982 Act of Congress which transferred these old Stewart Indian School lands to the Washoe Tribe. The Parcel sits on the Douglas County line, adjacent to Carson City rural areas.

The General, legal description of the Lower Clear Creek Trust land in the 1982 Act of Congress is as follows:

Township 14 North, Range 20 East, Section 6

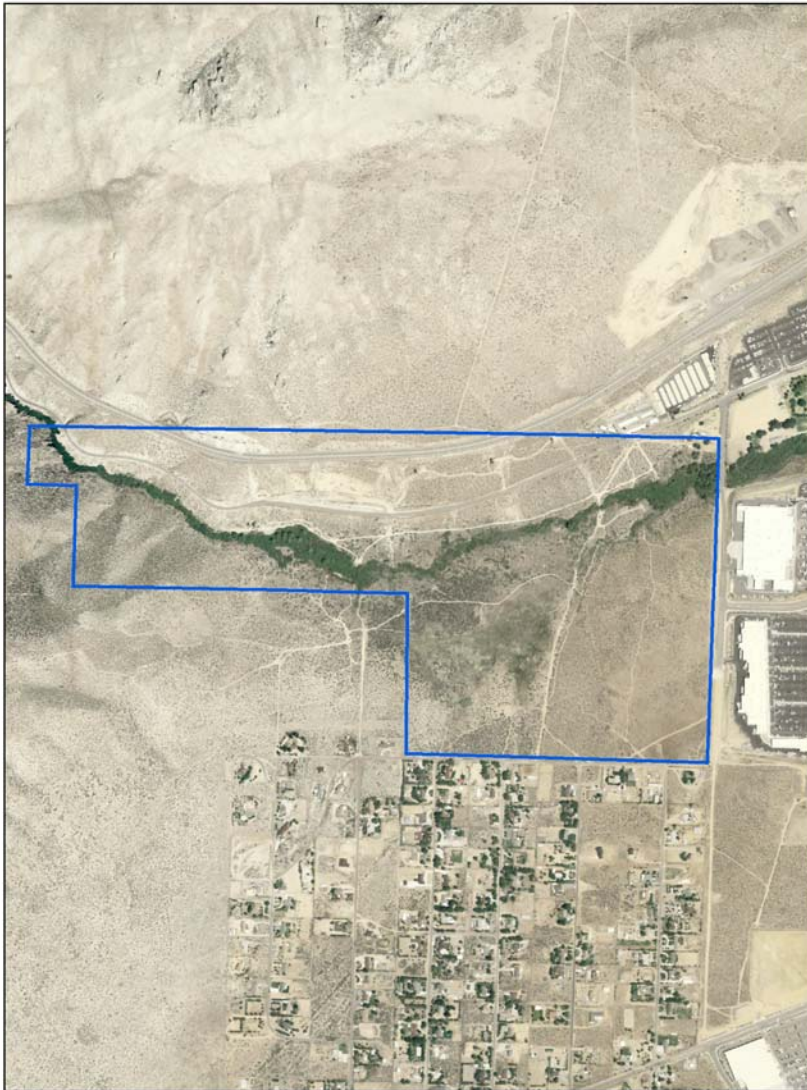
Lots 1 and 2, 144.13 Acres, Northwest ¼

Township 14 North, Range 19 East, Section 1

Lots 2 and 3, 84.9 Acres, Northeast ¼

Going back to the 19th century Douglas County Assessor's books, the two lots in Northeast ¼ of Section 1 are listed as totaling 79.9 acres. The remaining five acres comes from a small parcel out of public domain that was "withdrawn by Secretarial Order on 7/29/1903 for the Indian School." This small parcel is immediately west of the 79.9 acres in Section One and includes a point of diversion for Indian School lands and a US Geological Survey gauging station.

In a meeting between the United States Forest Service and Tribal staff on 2/2/1995, Forest Service records confirmed the transfer of ownership did take place. Since the transfer did not involve any tax base changes, Douglas County may not have been very interest in recording this action. Subsequent attempts to depict the two tracts including the 1982 Congressional Act, have tried to reconcile the 84.9 acres to the two tracts, but without the correct geographic configuration which included the five-acre parcel. A 1987 Bureau of Land Management cadastral survey located and surveyed the five-acre parcel as part of “84.63 acres in the North ½ of the Northeast ¼ of Section One.”



Background Information

The Parcel was surveyed in 1863 by Butler Ives Survey who set up the ranges, townships and sections for western Nevada. The section 6 land is a “quarter” of a section, usually laid out as close to 160 acres as possible. Because of the curvature of the earth, the north portion of township (36 sections) is slightly narrower than the south portion. Cadastral surveys often applied the decrease in area to a new, township’s most northwest ¼, Section 6. Hence: Section 6 was laid out as 144.13 acres, 15.8 acres less than the “ideal” 160-acre quarter section.

One of the first landowners of record was A. W. Burrill, who was listed in the 1872 Clear Creek Decree of water rights. The Parcel was acquired by the United States for the Stewart Indian School with a deed dated October 26, 1908, from Carson and Tahoe Lumber and Fluming Company. This was five years after the 1903, five-acre transfer to the Bureau of Indian Affairs took place. An easement for a water pipeline, in favor of the United States was recorded on July 8, 1903, which was granted to carry water for the Stewart Indian School fire protection. The source of water was a diversion constructed by the United States at the five-acre parcel and the pipeline crossed what five years later became Lower Clear Creek Trust land.

Since this Parcel includes the route of the first Hwy 50, which crossed the Carson Range, a number of easements for waterlines, sewerlines, telephone lines, material pits, and road right-of-ways were recorded after the turn of the century.

The Tribal efforts to restabilize Clear Creek after construction of the modern Hwy 50 began impacting water quantity and quality, were also undertaken on the Lower Clear Creek Parcel. Three photo points on the creekbed were set up to document existing conditions for future monitoring of success or failure of the reclamation efforts.

1. Land Resources

Current Land Use

The Parcel remains undeveloped, with the principal Tribal use being that of plant materials for practice of traditional arts and crafts.

The land use to the south is residential; to the north is Highway 50. Commercial development is located to the east of the parcel including a Costco, Walmart and strip malls. Carson City’s Fuji Park is located to the east along old Clear Creek Road with a large casino located at the intersection with Highway 395.

An effect of the Hwy 395 By-Pass desired by Carson City is a rather large interchange where Hwy 395 By-Pass, and Hwy 50 would join. Current proposals by the Nevada Department of Transportation indicate they would like to have no more direct access for old Hwy 50 to Hwy 395. Rather, a frontage road from old Hwy 50 back to Jacks Valley Road is proposed, a distance of 1.7 miles. For Stewart and Carson Washoe Tribal members to visit Lower Clear Creek it is a great inconvenience. Now, it is 0.7 mile from the Stewart Parcel to the Lower Clear Creek Parcel, crossing Hwy 395. It becomes a distance of 3.1 miles if the present interchange access is built.

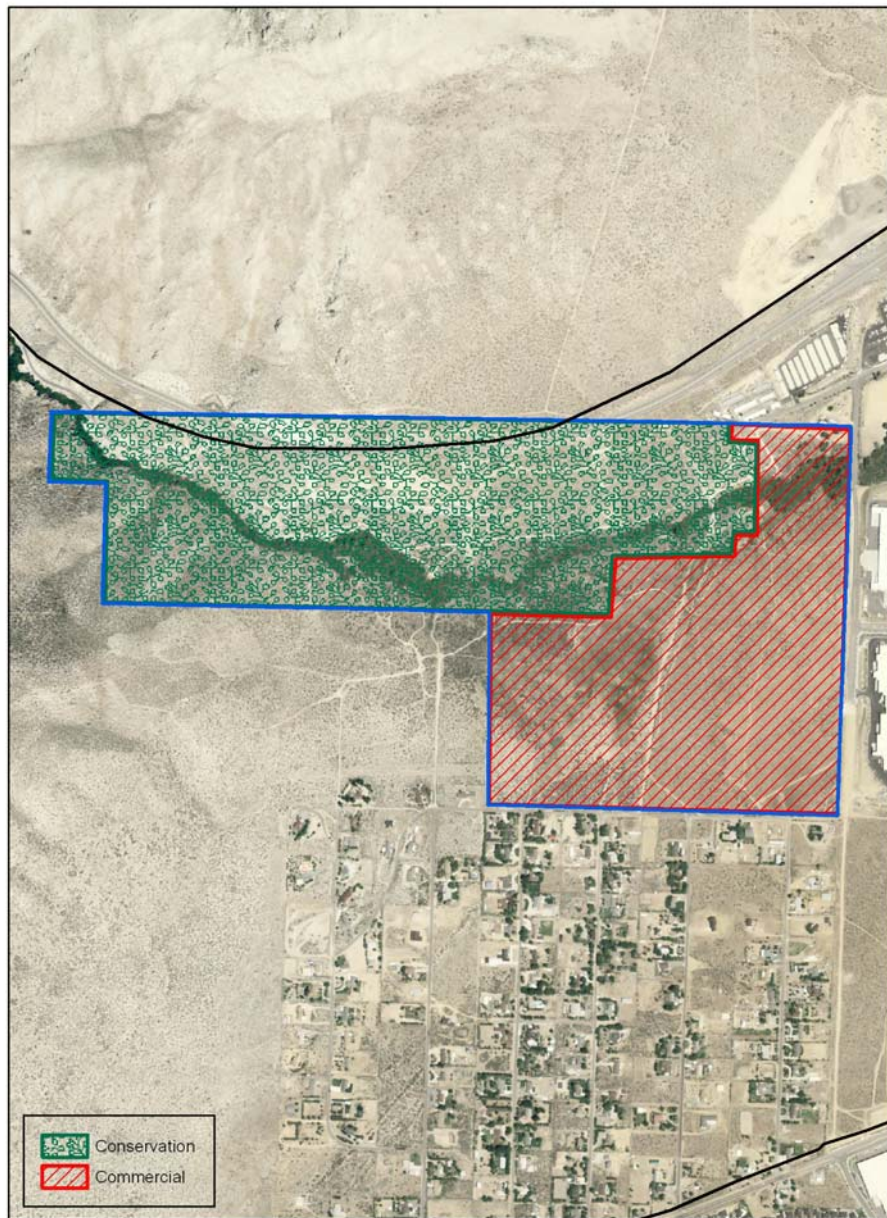
The stifling effect of poor access such as this on future Tribal developments is very great. Commercial land use similar to that going on around the general area would be put at a disadvantage on Lower Clear Creek by having the Carson City access so drastically reduced. It is almost as if Carson City wished to penalize this portion of Eagle Valley for being in Douglas County.

On the western boundary of Lower Clear Creek Parcel, near the gauging station, rock-climbers frequently use the rock faces that rise abruptly from the canyon floor. The Tribal boundary needs to be clearly marked in this area to assist recreationists with staying on Forest Service lands.

Clear Creek suffers from inconsistency by Douglas County and Carson City over what roles each desires to assume for the non-Indian lands in the area. Because the Creek wanders in and out of both jurisdictions, responsibilities have been assigned and reassigned over the years. The last few years has seen the growth of residential in the vicinity of the Tribe's Upper Clear Creek Parcel, on the Carson City side of old Hwy 50. However, these residents must go through Douglas County for a short distance to reach Carson City. Sewer lines for these homes also pass through Douglas County, and tribal lands.

Carson City would be the logical sewer service for the Lower Clear Creek Parcel and most of the area that drains toward it. It would be more expensive for Indian Hills GID to pump effluent to some point higher in this basin, than for Douglas County to reach some agreement which will facilitate elimination of the septic systems which are polluting the groundwater. This is in the interest of all parties since a polluted Clear Creek would continue into Carson City and if used for water supply, will require more costly, treatment facilities than otherwise would be needed if high quality is maintained.

There is a real need for the Tribe, US Forest Service, Carson City and Douglas County to have some serious discussion of these and other problems and seek solutions acceptable to all parties. Topics could include: Groundwater Pollution, Water Supply Development, Recreation Uses, Access Issues, Fire Protection, Economic Development, and Resource Conservation.



Proposed Land Use

Although access issues may pose an obstacle to the future of Tribal development, the proposed land use plan is 91.5 acres of Commercial, and the remainder of the Parcel, as Conservation land, specifically as water resource management area. The configuration of the Commercial will allow nearly all of the Creek to be avoided while preserving options for access that are yet to be negotiated. The Parcel is not subdivided any further or a circulation plan proposed because of the uncertainty over where access is to be located.

Agricultural Lands of Local Importance

Currently the parcel is not used for agricultural purposes. It is not known if the original landowners used the parcel for agriculture.

Topography/Unique Geologic Features

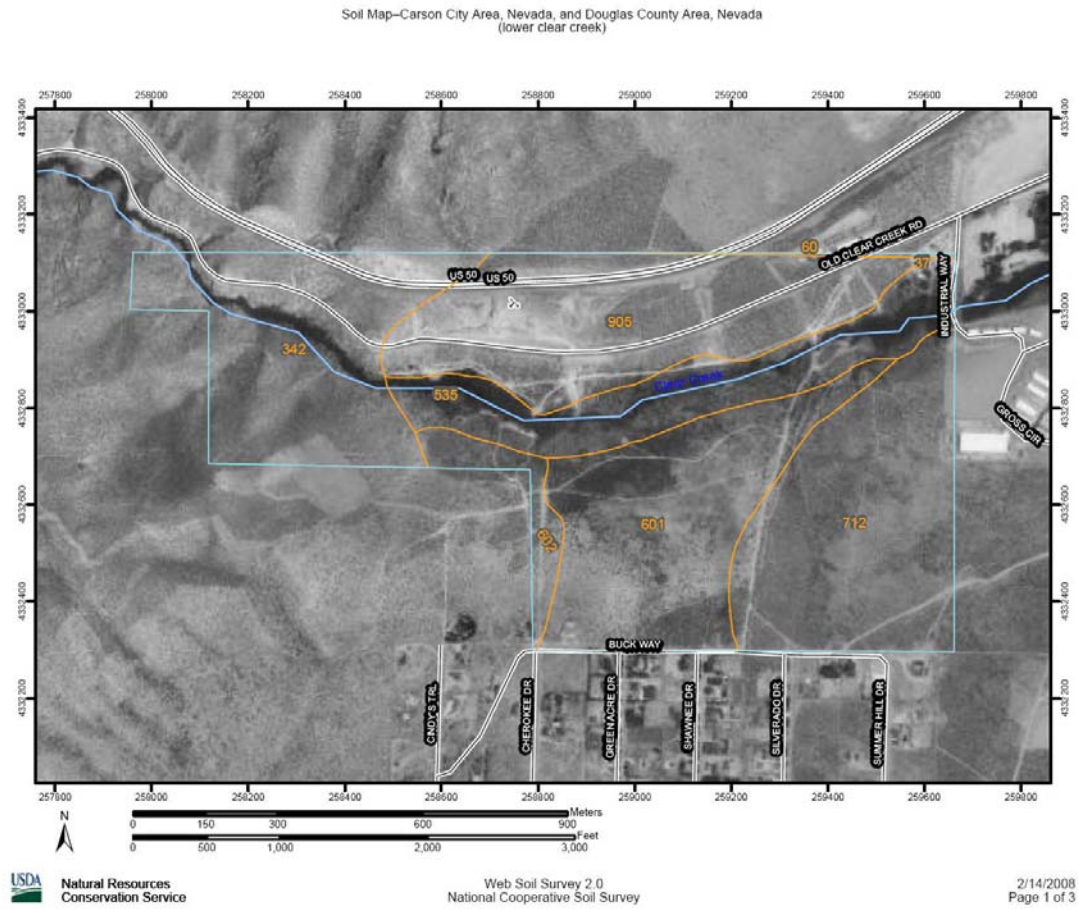
The Lower Clear Creek Parcel is located on the eastern slopes of the Sierra Nevada Mountain Range in the lower Clear Creek drainage system. Elevation ranges from 4,800 feet in the lower elevations along Clear Creek and rises dramatically in the western and northern portions up to 5,320 feet. The bottom lands are gentle rolling flats of 0%-3% slopes and range up to steep rocky granitic formations with elevations up to 5,700 feet in elevation and slopes ranging from 15%-35%. The parcel sits on an alluvial fan with granite as the dominant soils composition. The parcel narrows at the western boundary into a narrow canyon with Clear Creek in the bottom. There is a major erosion problem as a result of Hwy 50. This problem continues to be an issue.

Storm Drainage

Presently Hwy 50 and Clear Creek Road cross the parcel. Hwy 50 is one of the main contributors to storm drainage and sedimentation issues for the Lower Clear Creek Parcel. NDOT has made several mitigation efforts to address the Tribe's concerns, but the sedimentation issue is still a problem.

Soils

Six soil types occur within the Lower Clear Creek Parcel. Number 531-Jubilee, is listed by the Soil Conservation Service as hydric, and therefore is potential wetland. Field studies are required to make a final determination.



Map Unit Legend

Carson City Area, Nevada (NV629)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
37	Jubilee sandy loam, 2 to 4 percent slopes	0.1	0.1%
60	Surprise sandy loam, 8 to 15 percent slopes	0.6	0.2%
Douglas County Area, Nevada (NV773)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
342	Glenbrook-Rock outcrop complex, 30 to 50 percent slopes	51.2	20.0%
535	Jubilee sandy loam, 2 to 4 percent slopes	33.7	13.2%
601	Mottsville loamy coarse sand, 2 to 4 percent slopes	50.3	19.7%
602	Mottsville gravelly loamy coarse sand, 4 to 15 percent slopes	7.7	3.0%
712	Prey gravelly loamy sand, 0 to 4 percent slopes	55.9	21.8%
905	Surprise sandy loam, 8 to 15 percent slopes	56.4	22.0%
Totals for Area of Interest (AOI)		256.0	100.0%

Mineral Resources and Mining

No mining or mineral resources are found within the Parcel. The Voltaire Mining District is located approximately one mile to the north of the parcel.

2. Water Resources

Surface Water

Clear Creek is one of the best, water-producing creeks on the east side of the Carson Range. The long-term average flow is 3,550 annual acre feet, measured at the gauging station on the parcel.

Clear Creek is a fresh water perennial stream that meanders through the entire Lower Clear Creek Parcel. This segment of stream on the Lower Clear Creek Parcel has an average stream width of 2.5m, an average depth of 0.18m, an average temperature of 15°C, and the average shape of the channel is inverse trapezoidal. The sediment is mainly small fines (<2mm) and small gravel (2-8mm). The vegetation is mainly willow, sedges, some cattail, and wild rose. The creek is heavily overgrown with woody debris in the creek making accessibility very difficult. Minnows (mainly speckled dace) and trout (Brown, Brook, and Rainbow) have been found in the creek. Other aquatic life forms include: crayfish, water skimmers, caddis fly larvae and other macro-invertebrates.

Brown and Rainbow trout stocking has taken place in the Upper Clear Creek basin in the past years by the State of Nevada, which has contributed to the variety of fish species introduced into the watershed.

This creek is used under the 1872 Civil Decree (Case 1020) which allocated the flow among eleven landowners. In 1988, a report was made for the Office of the State Engineer concerning the water rights on Clear Creek. The report identified a diversion point (the five acres) which historically removed water and conveyed it through pipelines to Indian School lands and other owners beyond Indian School lands. This structure is a two-way proportional weir with a clarification basin for the pipelines that go to the Stewart Parcel.

Two other diversions located below the Parcel, tap the Creek for Carson City's Fuji Park and once again, just west of Hwy 395, for the Stewart lands and other historical owners beyond Indian School lands.

In general, the use of Clear Creek from these diversions has been irregular. A modern-day adjudication needs to be conducted to allow owners to further perfect their claims.

The 1988 study indicated that the Parcel's portion of the total flow would equal 16%. However, the map accompanying the report only shows this Parcel to include the northwest ¼ of Section 6, and 40 acres in Section 1. This finding ignored the remaining 45 acres in Section 1. This makes validity of the 1988 Report in question. Certainly, the onset of adjudication would require that a proper hydrographic survey be conducted by the Tribe and Bureau of Indian Affairs to accurately determine the Tribe's water rights in this Parcel, and Stewart and Upper Clear Creek Parcels as well.

Development opportunities exist for Tribal use of the Creek. An approach as simple as buried infiltration galleries in the saturated area would obtain a good yield of water. An advantage of this technique is that when installed, nothing would be visible on the surface in the vicinity of the Creek.

Another consideration for development may be some kind of impoundment structure. An estimate of feasibility of a canyon-mouth dam indicated a structure located 1.2 miles upstream from Hwy 395, 240 feet high and 945 feet wide at the crest, has a potential of impounding 2,314 acre feet of water. The 28-acre pool created by the structure at the 5,080 foot contour level would stretch 2,000 feet upstream from the impoundment site. Multiple uses for an impoundment such as this include water supply, wildlife, outdoor recreation and flood control.

The reliable flow of Clear Creek means that careful consideration of all existing and potential resource values should be made by the Tribe to determine the best course of action for future use.

A portion of the Parcel nearest to the Creek should be dedicated to water resource management to enable the Tribe to place a priority on conservation and enhancement of this valuable resource.

A small stone house, diversion structure, and gauging station, located on the five-acre portion of Lower Clear Creek Parcel are an important set of facilities for the Tribe and other water-right holders as well. The gauging station operation is important because it yields information about the flow of the Creek. Carson City has lately begun funding the US Geological Survey, with a cooperative agreement, to once again perform the gauging work which lapsed in 1962. The Tribe needs to take the lead in this cooperative agreement on Tribal land. The other water-right holders like Carson City can then be invited to participate jointly.

The gauging station site has been a target for vandalism and presents an attractive nuisance which must be fenced and posted to prevent the public from entering. All of the south side of old Hwy 50 ROW must be fenced to allow better management of the Creek's resources and avoid attractive nuisance lawsuits and wildfires from uncontrolled public access.

Groundwater

No wells are known to have been drilled on this parcel. Wells for the residential area at the south boundary are as shallow as 30 feet deep. The depth of the alluvium soils in the vicinity of the creek should provide a good source of water if desired.

The large amount of homes on individual septic systems beyond the Tribal boundary is a concern. There is a 1,400-acre drainage basin of which this Parcel is the point of lowest elevation and therefore susceptible to a combined impact from the residential growth.

About half the drainage basin remains undeveloped. Douglas County is aware of the implications for groundwater pollution from the unsewered growth and funds the US Geological Survey to monitor 15 wells for water quality. It is not known if Tribal lands have been affected yet. The relatively short distance from the Creek to the nearest homes, and the fast rate of travel of water through alluvial-fan soils such as these, indicate a good likelihood some contamination of the Parcel's groundwater already begun. It may be a good idea to install a shallow monitoring well near the south boundary of this parcel and begin monitoring. If contamination does take place and continues unchecked, polluting the Creek will be the final, tragic consequence. Tribal efforts to understand the problem can help prevent this from happening.

3. Air Resources

Air quality standards

This property is within full attainment with respect to air quality/pollution as set by the EPA and State of Nevada. Proximity to development and major highway corridors exposes this parcel to increased rates of all criteria air pollutants. Standards have not been exceeded; however, increased development (primarily commercial) may elevate criteria air pollutant levels (<http://www.scorecard.org>).

Odors, emissions

Odors and emissions on the Parcel do not exceed state or EPA standards. With continued commercial building, criteria pollutants may increase including: carbon monoxide, sulfur dioxide, ozone, nitrogen dioxide and particulate matter (<http://www.scorecard.org>).

Dust, wind and erosion

Increased development and new construction near this parcel has the potential to increase large particulate matter. Although these levels are not currently exceeded (EPA standards/Nevada state standards), close inspection on proper construction BMPs concerning air quality should be looked at on an individual basis. Dirt/unimproved roads within the property may contribute to elevated levels of PM-10 (particulate matter between 2.5 and 10 micrometers) during a strong wind event. Fire on or near the parcel may contribute to elevated levels of large particulate matter (<http://www.scorecard.org>).

4. Natural Resources

Wildlife, Habitat and Migration Corridors

The Lower Clear Creek Parcel is winter range for the Carson-Walker deer herd. Increased commercial and residential development surrounding the parcel has put an increased stress on available resources for this species. Mule deer are still found on the parcel but in much smaller numbers than in the past. The lands to the west of the parcel are US Forest Service and are designated as Mule Deer Refuge; this status provides some habitat protection for this species.

Other representative species found on the parcel include: Belding ground squirrel, Stripped skunk, Black-tailed jackrabbit, Deer mouse, Meadow vole, Kingfisher, Yellow warbler, Dipper, Loggerhead shrike, Song sparrow, Meadow lark, Red-shafted flicker, California mountain quail, Mallard duck, and Red tailed hawks.

The WEPD installed a “wildlife fence” around most of the parcel to eliminate trespass issues and provide protection to the wildlife from harassment and hunting. The wildlife fence is constructed from smooth wire instead of barbed wire, allowing the wildlife to pass over and through the fence without harm.

In 1987, Clear Creek aquatic studies determined that a small, self-sustaining Brook trout population existed. Reductions in flow due to diversions, losses to groundwater and evaporation, and densely vegetated streambanks degrade the habitat. Brown and Rainbow trout stocking has taken place in the Upper Clear Creek basin in past years by the State of Nevada. WEPD has begun analysis of the Clear Creek watershed to evaluate the potential future reintroduction of Lahontan Cutthroat Trout. In 2006, WEPD performed a preliminary watershed assessment to begin studying the creek for this potential species reintroduction.

Vegetation Resources

The vegetation of the Lower Clear Creek parcel is dominated by two vegetation types: Big Sagebrush/Bitterbrush and Riparian.

Type of Vegetation	% of Total Area
Big Sagebrush/ Bitterbrush	86
Riparian	6
Barren	3
Dry Meadow	5

Common shrubs of the Big Sagebrush/ Bitterbrush type include: Big Sagebrush, Bitterbrush, Desert Peach, Green rabbitbrush, and Green ephedra. The understory of this type is composed of Cheatgrass, Squirreltail, Indian ricegrass, and Desert needlegrass. The Riparian zone is dominated by a dense Willow overstory with a sedge and rush understory. The dry meadow is a result of a diminished water supply unable to support shallow-rooted vegetation. This has occurred as a result of the streambed cutting deeper and lowering the watertable.

The parcel contains dense riparian woodland vegetation. The riparian woodland vegetation consists of decadent willow and cottonwood stands intermixed with cattails, rushes, and sagebrush. The vegetation provides bank stabilization and shading for the watershed. The woodland vegetation surrounding the creek today is overstocked and densely populated. The current status of the riparian woodland is threatening the health of the watershed as a whole. WEPD is currently seeking funding opportunities for restoration and management of this critical woodland resource.

5. Cultural Resources

No known archaeological sites exist on the parcel although the terrain and water would suggest that it would have been used as a campsite in aboriginal times. A complete survey for cultural resources will need to be conducted.

Present day Washoe use the parcel extensively for plant materials needed to practice Tribal arts and crafts. Also, the Parcel's open space combined with the rugged canyon and plentiful water has significance to Washoe who feel that not much of this type of land remains in western Nevada.

6. Socioeconomic Conditions

The Parcel could be used for economic development potentials that could offer positive employment and income opportunities for the Washoe Tribe.

7. Resource Use Patterns

Currently, the parcel is primarily used for vegetation gathering for cultural practices. There are several native plant species on the parcel that offer traditional uses. Harvesting and gathering of these plants is permitted for Tribal members and encouraged to preserve the culture. Traditional vegetation gathering is beneficial to the environment, in the form of pruning, density reduction and rooting. The native practices contribute to vegetation diversity, and invigorate and stimulate plant health.

The Lower Clear Creek Parcel has remained for the most part unchanged and offers an ecosystem that has potential to support wildlife. This area is historically a deer migration route between the high elevations and the lower elevations and serves as winter range for the Carson-Walker deer herd. The wildlife populations have declined in recent years due to human encroachment and other human caused interference and impacts. Lower Clear Creek Parcel has large and small game species as well as waterfowl species within the Parcel.

Hunting is not recommended on the parcel due to close proximity to nearby residences and commercial businesses.

Clear Creek runs through the middle of the Parcel, and has a fresh water fishery that contains cold-water trout species. The trout species found on the parcel include rainbow trout, brown trout and brook trout. Tribal members have exclusive privileges for fishing on Clear Creek.

Water quality in this segment of the stream is impacted by increased urbanization and infrastructure (e.g. Hwy 50), which contributes to degradation of the stream through sediment loading and runoff.

The Lower Clear Creek parcel offers excellent outdoor recreational opportunities on a small scale. The parcel is surrounded on three sides by development and Hwy 50 to the north. The US Forest Service lands adjoining the parcel to the west contribute to potential outdoor activity potential. Hiking, biking, fishing and bird watching are a few of the activities the parcel has to offer. The parcel was gated and fenced off to protect the tribal lands from impacts by off road users and illegal dumping. Since the parcel was fenced in 2001, the recovery of soils and vegetation has shown significant response. Two thirds of the Lower Clear Creek Parcel is designated as Conservation land.

8. Infrastructure, Service Systems and Transportation

The Lower Clear Creek Parcel has an existing electrical power line on the north and south sides of the parcel. A sewer line is located on the north side along old Clear creek Road.

9. Other Values

Sound and Noise

Hwy 50 on the northern boundary is a four lane highway that is the dominant contributor to noise levels. Highway 395 and the commercial developments to the east of the parcel also contribute to noise levels as well. Noise levels have not been measured for this parcel yet.

Wind

The Lower Clear Creek parcel does not have a significant wind resource which is characterized as wind energy potential above a four. Seasonal and daily winds occur that are above class three; these winds are sporadic and do not meet requirements for large scale wind harvesting. Small wind turbines could be utilized on this parcel. 234 kv

transmission line proximity is relatively close allowing for grid hookup. Local wind power characterization variations exist. Seasonal and daily winds associated with the Lower Clear Creek parcel will need to be monitored to identify these variations if wind power is to be considered.

Solar

Solar radiation on the Lower Clear Creek parcel is categorized as good to excellent. Summer solar energy potential is “extremely high”; the energy potential during the winter season is categorized as “good”. Solar energy can be a viable renewable resource on the parcel. Solar energy received at ground level on average is 6000-6500 Whr/sq m; categorized as excellent. “Thermal conversion” is a less viable alternative due to seasonality of maximum solar energy and the restrictive uses of thermal solar units.

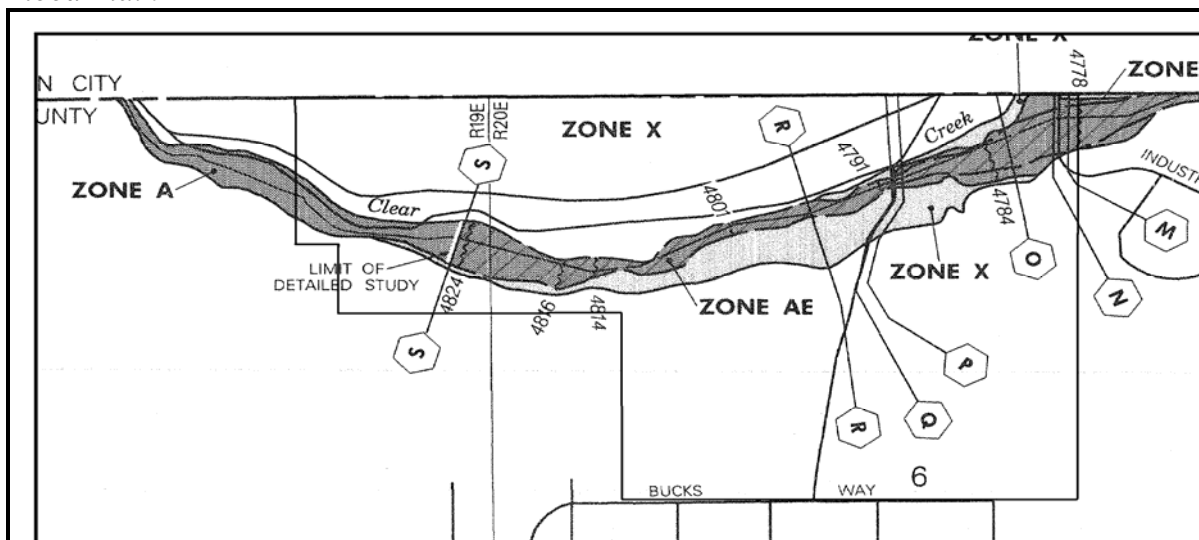
Solid Waste

Currently, Lower Clear Creek is a primarily undeveloped parcel, consisting of a small stone house, diversion structure, and gauging station. Due to the parcel’s close proximity to Highway 50, large commercial developments, and residential developments, solid waste issues arise from wind blown debris and illegal dumping. To combat these issues, the Tribe participates in Clear Creek Watershed Cleanup days to remove waste from the parcel. Other actions to prevent solid waste buildup include the construction of fences and gates throughout the parcel resulting in drastically decreased amount of trespass and illegal dumping.

Future land use of this parcel may include commercial development. Any development would need to contract services with a waste removal company; currently that company is Douglas Disposal Inc. Any new development would be required to comply with the Washoe Law and Order Code for solid waste.

10. Public Health and Safety

Flood Plain



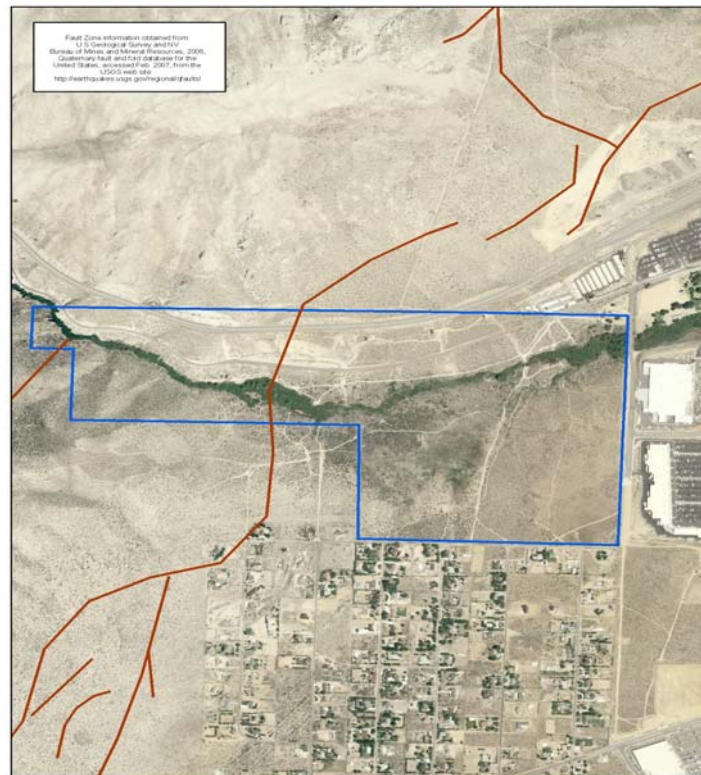
FEMA Flood Insurance Rate Map (FIRMS) for the Lower Clear Creek parcel

The Lower Clear Creek Parcel contains a relatively small portion of 100-year flood plain and 500-year flood plain zones associated with Clear Creek. The zones designated as AE are areas of special Flood Hazard inundated by 100-year floods with base flood elevations determined. Zone A are areas of 100-year floods in which base elevations and flood hazards have not been determined. The zone X that is lightly shaded is considered an area within a 500-year flooding event. Zone X with no shading is an area considered outside of the 500-year flooding events (FIRM legend).

Seismic Hazards

Typical of Carson Valley and Eagle Valley lands, this parcel is susceptible to an earthquake of magnitude 7.5 and greater. There is a fault line running north to south in the northwest portion of the parcel at the mouth of the canyon. This location is not the parcel's most developable land and can be avoided. Proximity to a fault-line means that any new development will need to be designed with modern seismic engineering to avoid structure failure and a potential disaster from occurring. The shallow depth to bedrock makes structures located on Lower Clear Creek Parcel less susceptible to damage than lands with deep valley fill deposits.

The Carson City Fault Zone runs through and adjacent to the Lower Clear Creek parcel.



Radon

Radon is another natural phenomena associated with the eastern slopes of the Sierra Nevada Mountain Range. The Carson City and Stewart area is rated as High Hazard for soil or geologic unit with Uranium content equal to or greater than 4.0 parts per million, equivalent uranium (ppmCi/L). 25% of homes in this hazard rating are measured at or equal to or greater than 4.0 pCi/L. Radon would need to be evaluated for if construction of commercial development or residential units were to take place.

Police Protection and Services

The Washoe Tribal Police Department provides police protection and services to the communities, tribal lands and the Pinenut Allotment Lands. The Washoe Police department and the Washoe Rangers provide combined law enforcement to the Washoe Lands. The tribal police and rangers are located at the tribal government complex south of Gardnerville, Nevada.

The U.S. Federal Bureau of Investigation has certain enforcement duties when a felony crime is committed on tribal lands.

The tribal enforcement departments assist the local jurisdictions with law enforcement in a combined effort. They also provide services during search and rescue operations, HAZMAT and assist during natural disasters and other emergency situations.

Fire Protection and Services

The Lower Clear Creek parcel is located within a designated wildland urban interface zone and is at significant risk for devastating wildfire. The surrounding area has seen numerous large fires with extreme fire behavior throughout recent years.

The Bureau of Indian Affairs under their Indian Trust Responsibilities provides Wildland Fire Suppression through various agreements and memorandum of agreements with the federal government for wildland fire protection services.

The local county fire departments under a Memorandum of Understanding with the Washoe Tribe provide fire protection and services. Additional services that the local emergency departments provide include: medical transfer, disaster emergencies and HAZMAT. Because the tribal lands and communities are scattered and fractionated they depend on these agreements with the local jurisdictions to supplement their efforts to protect and serve the tribal lands and population.

The Washoe Environmental Protection Department in a cooperative agreement with the Jacks Valley Volunteer Department has installed a fire break along the southern and western property lines to slow down the advance of a wildfire and prevent a threat to both property owners. The firebreak will need periodic maintenance to be effective. The vegetation is dense throughout the parcel and the fuel loading conditions can make fire suppression efforts difficult.

Environmental Issues

The Lower Clear Creek Parcel has experienced illegal dumping for many years. Several dump sites have been cleaned and the land has been rehabilitated and restored to a proper functioning system. However several small dump sites of less significant proportions and magnitude remain that do not pose an immediate threat to health and safety.

A sewer line crosses the parcel from west to east, originating from the State Facility on the upper portion of Clear Creek Road. The houses in the Clear Creek drainage are also connected to the sewer line. The proposed new SynCon Development will use a new sewer line that will be diverted to the south into Douglas County.

The property owner immediately to the northeast of the parcel is a significant issue. A portion of his mobile home is on tribal land, and this is still not resolved. The property owner has dumped dirt on the tribe's property and has graded dirt on the property line further contributing to the erosion process that the parcel is susceptible to and the invitation of invasive weeds.

Trespass is a reoccurring problem mostly because of the parcel's close proximity to a major urban metropolis. Sometimes transients take up residence on the property until the Tribal Police can remove them. To mitigate the trespass issue, WEPD had installation of a wildlife fence around most of the property. The land was suffering from impacts due to illegal dumping and off road vehicles using the parcel as a playground. After the fence construction, areas that were previously impacted have begun to recover and in some areas only scant evidence of those impacts are visible.

In 2002 the Washoe Environmental Protection Department in a collaborative effort with the local watershed stakeholder groups conducted a Clear Creek cleanup and stream restoration project.

Parcel Objectives

- Objective One:** Coordinate and facilitate with State, County and Federal authorities to resolve issues which threaten the future use and resource quality of the Lower Clear Creek Parcel.
- Objective Two:** Fence and post the lands in the five-acre parcel as soon as possible. Seek the cooperation of the counties in fencing the south ROW of old Highway 50.
- Objective Three:** Continue to monitor the creek for changes in the channel.
- Objective Four:** The proposed land use map in this document will guide siting of future development unless amending by Tribal Council.
- Objective Five:** Comprehensive water resource and rights protection for the parcel must be begun immediately and supported by Tribal funds either in part, or solely, if no other funds are available.

References

Clear Creek Decree, 1872

Clear Creek Fish Study, Washoe Tribe, 2006

Clear Creek Resource Evaluation: Washoe Tribe, 1987

NRCS Web Soil Surveys: <http://websoilsurvey.nrcs.usda.gov>

Open Files: Washoe Tribe

Open Files: Western Nevada Agency, Bureau of Indian Affairs, Carson City

The Stewart Properties: A Master Plan for Tribal acquisition and Land Use: Washoe Tribe, 1981

Tribal Strategic Plan: Washoe Tribe, 1991

U.S Geological Survey and Nevada Bureau of Mines and Mineral Resources, 2006: <http://earthquakes.usgs.gov/regional/qfaults>

Washoe Comprehensive Land Use Plan: Washoe Tribe, 1994

Washoe Water/ Resource Protection, Resource Characteristics: Washoe Tribe, Circa, 1982

Water Resources Data, Nevada, Water Year 1992: US Geological Survey Water-Data Report NV-92-1

IV. Upper Clear Creek

Issues Executive Summary

Upper Clear Creek Parcel offers some of the views, water and forests for which the Sierra Nevada is famous. Also, it symbolizes a vast aboriginal land base that once was the domain of the Washoe People. It is therefore, a place with special qualities to be preserved.

The Parcel feels the impacts of close proximity to Carson City, an urban center of approximately 55,000 persons. It is one of the most accessible spots for people who want to break away from the city and enjoy the out-of-doors. Unfortunately, this easy accessibility creates problems which require increased management.

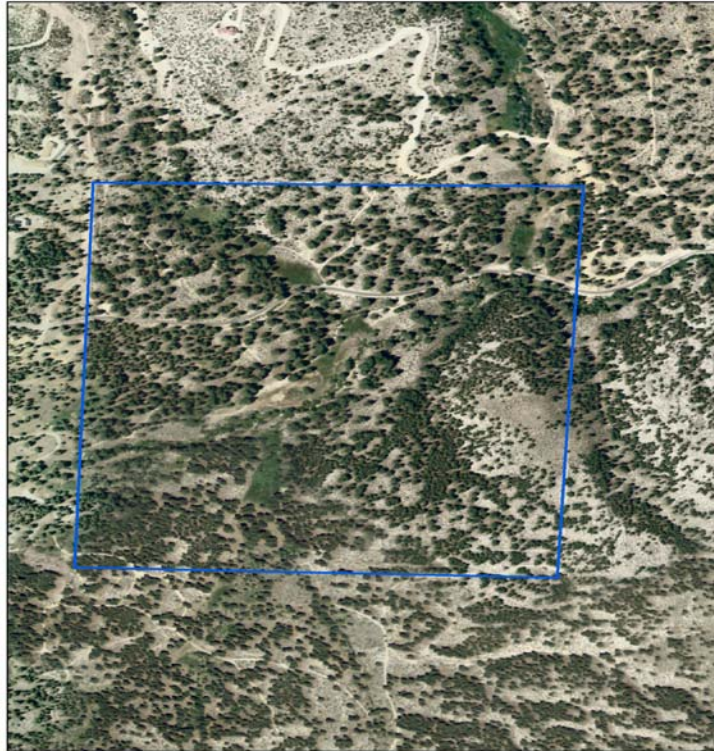
Very significant water resources are associated with both Upper and Lower Clear Creek Parcels. A great deal of money and effort has been put into mitigating the downstream impacts caused by construction of modern Highway 50. Initial success in stabilizing the creek can now be observed. Long term success will be assured with continuing protection efforts.

The parcel and specifically water resources are experiencing significant impacts from the highway interchange project and residential development occurring upstream. Syncon Homes is developing 366 homes, 18 time-share residences/ guest lodges, and a golf course adjacent to the upper boundary line of the parcel. The development and NDOT are completing the highway interchange and approximately 5 miles of roads project extending from Highway 50 to the Clear Creek subdivision site.

Location and Boundaries

This parcel is located in Township 14 North, Range 19 East, and Section 3. The location in the section is as follows: West ½ Lot 1, West ½ Lot 2, Northwest 1/4; East ½ Lot 1, East ½ Lot 2, Northwest 1/4; 157.14 acres

The parcel can be reached by driving from Hwy 395 on the Old Clear Creek Road (old Hwy 50) for 3.4 miles. The locality was resurveyed by the Bureau of Land management in 1987, providing good information that can be used to precisely locate the boundary when necessary.



Background Information

This parcel was part of the Stewart Indian School land which was turned over to the Washoe Tribe in 1982. The earliest landowner of record was E.H. Canon, who in 1872 was adjudicated water rights in a Civil Decree from the Ormsby County District Court. The Bureau of Indian Affairs acquired the property on October 26, 1908 from the Carson and Tahoe Lumber and Fluming Company.

A flume for transporting logs was known to have crossed the parcel in the late 1800's although no evidence of this can be found today. The Carson Range was extensively logged during the Comstock Era and it is likely that the existing pine forest is regeneration from that time.

Other than during the Comstock Era, little development or land-disturbing activity has taken place on the parcel except for primitive roads and drilling of two wells. The known resource uses were outdoor recreation, hunting, fishing and grazing.

1. Land Resources

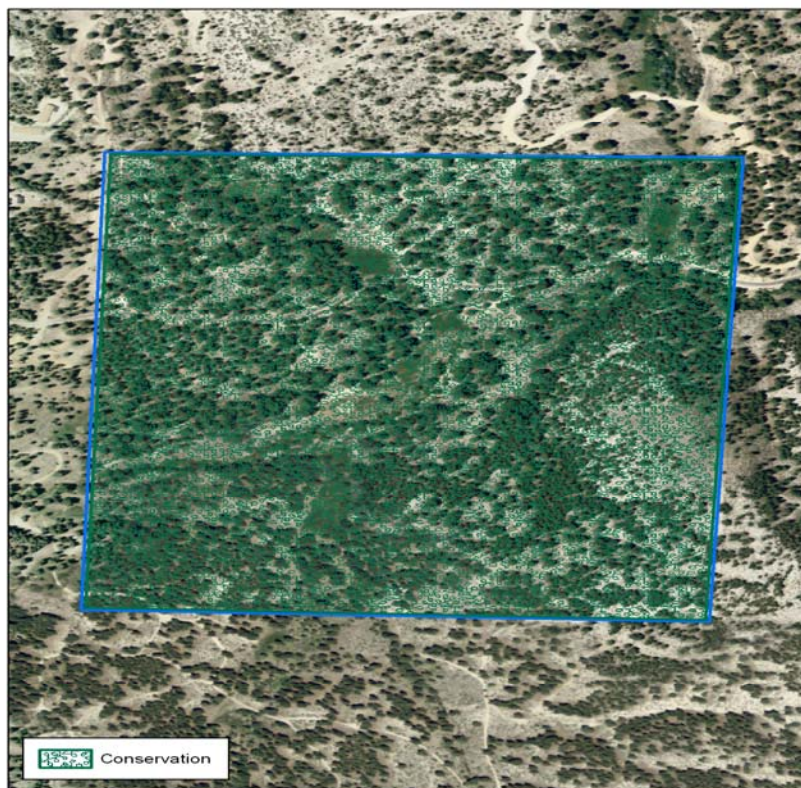
Current Land Use

The Upper Clear Creek parcel is a designated Culture and Nature Preserve. Current management of the parcel is directed at preserving forest and watershed health.

Tribal land use has been for outdoor recreation, water resources and cultural resources. Some offices and programs use the parcel in regular ways as a setting for a wide variety of uses such as group therapy, youth programs, and office retreats. The parcel has been used for a movie set when the movie “Misery” was filmed on this located in the 1980’s. A minor nuisance that occurs in late summer is trespassing by stock from neighboring ranches. WEPD continues to evaluate and repair fencing around the parcel as needed.

Frequent requests are made to the Tribe for permission to use the parcel. Clear policy direction is needed to determine administration requirements. The Humboldt-Toiyabe National Forest visitor’s map that was published in 1994 incorrectly labeled the parcel as “national forest land” and as “wildlife refuge.” This widely-used map has confused many visitors to Nevada and Carson City as well as the existing residents. The map is currently under revision which should help alleviate some of this problem.

The adjacent land use, primarily on the north side of old Hwy 50, includes a group of homes and a State Forestry facility at the end of old Hwy 50. There is a large amount of traffic and people using the Clear Creek area. With the construction of the new highway interchange and residential development, impacts from traffic and people will continue to increase. This increased use will result in resource damage and potential law enforcement issues.



Proposed Land Use

The proposed land use for Upper Clear Creek is as managed, resource conservation. In particular, the parcel should be called the Washoe Forest Reserve, with emphasis on natural resource management activities such as forestry, water resources, wildlife, and cultural resources. In order to accomplish these goals, the Tribe must seek to have a dialogue with the private land and water rights owners, the Forest Service, State of Nevada and local law enforcement authorities.

The Tribe should develop guidelines for visitor use and evaluate its law and resource enforcement policies to be able to regulate the parcel with established rules.

WEPD continues to pursue funding to implement fuels reduction treatments in the parcel to restore and preserve forest and watershed health.

The Washoe Tribe passed a resolution in September 2006 that designated the parcel as Conservation Land. Management emphasis will include protection and enhancement of the natural resources and the associated flora and fauna ecosystems and preservation of cultural use opportunities.

Agricultural Lands of Local Importance

The parcel was part of the old Stewart Indian School and during the school's operation in the early years it was thought to have served as cattle grazing range. Even before the school closed down in the early 1980's cattle grazing ceased. However the adjoining landowner continued to graze cattle on the parcel. It is not known if this was an agreement between landowners or if the grazing was trespass. As recently as the year 2005, evidence of cattle trespass was observed on the parcel. The new fence construction has stopped cattle from entering the parcel, but the fences need to be continuously monitored for damage. The parcel no longer serves as any agricultural lands for ranching.

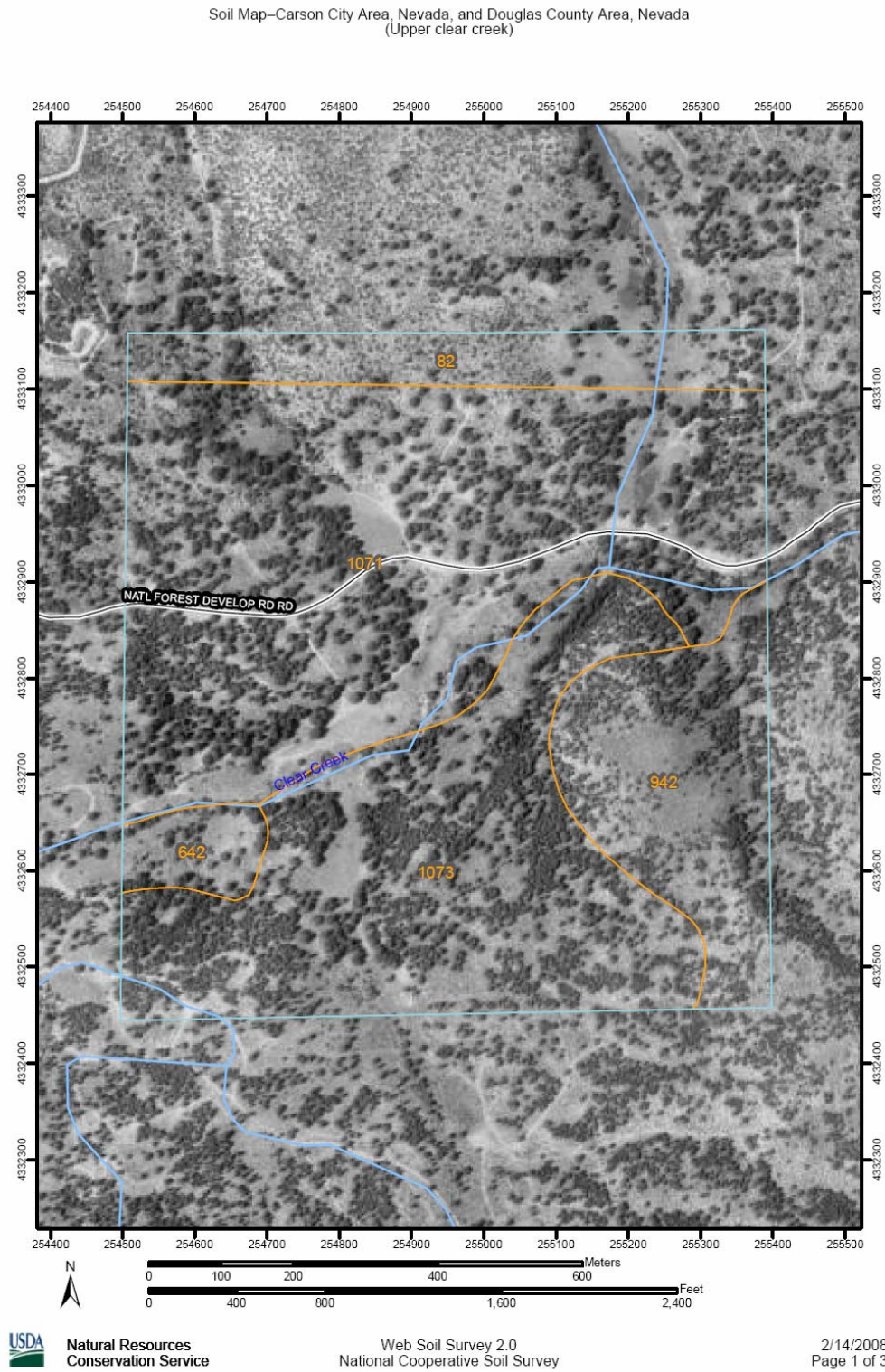
Topography/Unique Geologic Features

The Upper Clear Creek Parcel is situated in the Clear Creek Watershed Basin and is a major contributor for water recharge. Elevation ranges from 5,520 feet at the lower end of the parcel and along Clear Creek, up to 5,640 feet in the higher elevations.

Storm Drainage

The parcel is impacted by storm drainage especially in regards to sediment flowing from the upstream construction sites. Storm water samplers are placed in the creek during runoff events. The creek receives flow from high in the Sierra Nevada Mountains and is greatly impacted by rain on snow events. The new residential development, golf course and road construction projects occurring upstream will greatly affect the watershed as it flows through the Upper Clear Creek parcel.

Soils



Map Unit Legend

Carson City Area, Nevada (NV629)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
82	Corbett gravelly sand, 15 to 30 percent slopes	16.1	7.7%

Douglas County Area, Nevada (NV773)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
642	Ophir gravelly sandy loam, 2 to 8 percent slopes	5.4	2.6%
942	Toiyabe-Rock outcrop complex, 50 to 75 percent slopes	27.4	13.2%
1071	Corbett gravelly sand, 15 to 30 percent slopes	95.7	46.0%
1073	Corbett-Toiyabe association	63.6	30.5%
Totals for Area of Interest (AOI)		208.2	100.0%

Erosion and Sedimentation

Runoff is medium and the hazards of water erosion and soil blowing are slight. The main contributors to sedimentation come from Hwy 50, construction of the highway interchange, and the new residential development with a golf course. These contributors are negatively impacting the water quality and stream bank stabilization of the creek.

Mining and Mineral Resources

No mineral resources have been identified on the parcel. The parcel is not within a known historic mining district.

2. Water Resources

Surface Water—Clear Creek

Clear Creek is a fresh water perennial stream that meanders through the entire parcel with approximately 3,720 linear feet of streambed. A small perennial tributary runs into Clear Creek at the bottom end of the parcel with smaller side channels that run intermittently. Clear Creek is an important stream for the eastern Sierra Nevada, with year-round flow averaging 3,550 acre feet. Clear Creek runs into the Carson River and contributes to water recharge.

Where the creek enters the property, the channel is relatively straight with few meandering reaches. The bed is comprised of sand and gravel. The Creek flows through a meadow area in the center of the parcel where it begins to show the effects of past, heavy flows. Banks seven feet high, in some cases with lateral head cuts, and an average floodplain width of 45 feet are common. The channel becomes more rocky where it passes the east boundary, is characterized by pools and ripples, and the streambed now contains boulders.

This parcel has an average stream width of 1.9m, an average depth of 0.12m, an average temperature of 10°C, and the average shape of the channel is rectangular with some areas being inverse trapezoidal. Also in this parcel, the creek meanders more so than in any other parcel. There are also many scours caused by the meanders. The substrate is mainly gravel (8-64mm) and small cobble (64-128mm) but it varies depending on the flow.

The stream's ecosystem is primarily riparian meadow although portions have become "dry" meadow due to channel-downcutting. This downcutting was precipitated by the construction of modern, Hwy 50. The new highway drainage collected and concentrated runoff into natural watercourses, increasing the flow and sediment loads significantly over what previously existed. Also, a large flood took place in 1986 which was very destructive. Fortunately, the various agencies recognized the problem and implemented remediation plans. There are some positive signs today that reclamation efforts are restabilizing the channel effectively.

The Upper Clear Creek Parcel has numerous springs and seeps.

Fisheries for Brook and Rainbow trout have been identified on Upper Clear Creek although past decades of poor conditions due to sedimentation, destruction of banks, and elimination of pools, have created a poor habitat for fish.

The Washoe Environmental Protection Department is currently conducting studies of Clear Creek for the possible re-introduction of the Lahontan Cutthroat Trout (LCT). There is a waterfall down stream of the Upper Clear Creek Parcel which will act as a natural fish barrier that would exclude the non-native species to migrate upstream and mix with the native species. Recently the U.S. Fish and Wildlife Service have lowered the endangered species status of the LCT to threatened status. The re-introduction of the native species would limit tribal members fishing activities in the parcel until a viable population is sustainable or the protected status is lowered.

A 1988 investigation by the State Engineer into claims on Clear Creek revealed that 92.935% of water is "unofficially" claimed. This means that the State Engineer's Office has no records of ownership; rather, it is determined by the land ownership that was the basis for the 1872 Civil Decree which allocated the flow between eleven parties.

According to the 1872 Decree, the report stated that Upper Clear Creek parcel had been allocated 2.8% of flow. Eventually, a modern adjudication will be needed which perfects the Tribe's rights to surface flow on this parcel.

Groundwater development has taken place on the property. Two wells were drilled in 1965: an 8-inch diameter well, 110-feet deep, that yielded 5 gallons per minute, and a 12-inch well at 125-feet depth, yielded 30-50 gallons per minute. These wells are currently capped. Due to the fact that few production-type wells have been drilled in the Upper Clear Creek Basin, detailed information about groundwater is lacking.

Clear Creek's watershed, or drainage basin, is approximately 10,500 acres in size. The two Clear Creek parcels are positioned squarely across the main stem of the drainage.

These locations are ideal in terms of water resources, though easily impacted when conditions are deteriorating. During the Tribe's 1987 Resource Evaluation study into conditions affecting the Tribal lands, three cross-sections were established on Upper Clear Creek Parcel to document existing conditions. Periodically these cross-sections must be rechecked and compared with initial data to determine if additional remediation should be undertaken.

Snow

The elevations of this parcel ranges from 5,400 to 5,750 feet, MSL, making snowpack an additional hydrologic resource. The highest and steepest portion is in the southeastern corner, which also has a northerly aspect.

Interpolating the data from the Spooner Summit Snow Course, elevation 7,146 feet, down to Upper Clear Creek, elevation 5,600 feet, predicted snowfall is as follows:

Spooner Summit Average Annual Snow Depth in Inches

	Jan	Feb	Mar	Apr	May
Spooner Summit	10.00	26.00	34.00	33.00	23.00
Upper Clear Creek	4.50	11.70	15.30	14.85	10.35
2 Years out of 10, depth at U.Cl. Cr.	0.00	6.94	7.01	5.49	0.00

The reduction in snowfall from Spooner Summit is characteristic of the dryer, eastern slope of the Sierra Nevada Range. The potential for months with no snowpack at all during the drier years means that feasibility of commercial, winter sports use such as a cross-country skiing center is probably ruled out. The hydrologic contribution of snowpack to groundwater and surface flow, however, is still an important value.

3. Air Resources

Air quality standards

This property is within full attainment with respect to air quality/pollution as set by the EPA and State of Nevada (<http://www.scorecard.org>).

Odors, emissions

Odors and emissions do not exceed state or EPA standards. The close proximity to Highway 50 creates elevated levels of carbon monoxide (CO) and diesel particulates sulfur oxides (SO). These levels do not exceed attainment standards but could rise with increased development in both the Tahoe basin and Carson City/Valley area (<http://www.scorecard.org>).

Dust, wind erosion

Large particulate matter (pm-10) levels can become a problem when a large fire event occurs in or near the parcel. Highway traffic may also increase PM-10 levels; this becomes a concern during heavy wind events. These events have not yet spiked particulate levels above the standards set by the EPA or state of Nevada (<http://www.scorecard.org>).

4. Natural Resources*Wildlife, Habitat and Migration Corridors*

Due to the diversity of vegetation and a reliable water source, wildlife potential is very good for the parcel. In addition to the large animals such as Black Bear, Mule Deer, Mountain Lion and Coyotes, small animals are found as well, such as Porcupine, Squirrels, Chipmunks and Rabbits.

Red-tailed hawk, Clark's nutcracker, Stellar jay, Mountain chickadee, Brown creeper, Pygmy creeper, Rufous-sided towhee and Yellow warbler are species often present on the parcel. Birds that depend on the stream environmental such as the Kingfisher and Dipper have also been found on the parcel.

Endangered, Threatened or Rare Species

The US Fish and Wildlife Service provided the Washoe Tribe a list of "Species of Concern" for the Upper Clear Creek Parcel which includes:

- Birds: Bald Eagle, Northern goshawk, Western burrowing owl, California spotted owl
- Mammals: Pygmy Rabbit, Pale Townsend big-eared bat, Pacific Townsend big-eared bat, Spotted bat, North American Wolverine, Sierra Nevada snowshoe hare, Small footed-myotis, Long eared-myotis, Fringed myotis, Longed legged myotis, Yuma myotis, and the Sierra Nevada red fox
- Amphibian: Mountain yellow-legged frog
- Invertebrates: Carson Valley wood nymph butterfly, Mono checkerspot butterfly, Carson Valley silverspot butterfly
- Plant: Webber ivesia

Vegetation Resources

There are six different vegetation types found on the Upper Clear Creek Parcel.

Vegetation Type	% of Parcel
Jeffrey Pine, Shrub Association	70
Jeffrey Pine	4
Big Sagebrush/ Bitterbrush	10
Mixed Shrub	6
Dry Meadow	8
Riparian	2

The Jeffrey Pine characterizes the overstory because of its size and area covered and can range from 10 to 50 inches DBH (diameter at breast height).

Concern for the fire danger prompted the Washoe Tribal Council to request assistance from the Bureau of Indian Affairs to develop a forest management plan for this parcel in January 1995. The Forest Management Plan requires needs to be updated to reflect current stocking levels and associated impacts and threats to forest health. The parcel is located within a designated wildland urban interface zone and is at significant threat to devastating wildland fire. Increased use and urbanization increases the risk of human caused fire in the area.

The Upper Clear Creek Parcel has some of the finest timber stands in the area for its potential merchantable timber harvest. The Carson Range was extensively logged during the Comstock Era and it is likely that the existing pine forest is regeneration from that era. The parcel has been noted as one of the most productive lands for the growth of pine trees in western Nevada, even more so than some of the lands along the shores of Lake Tahoe.

The Washoe Environmental Protection Department (WEPD) recognized the importance of the healthy forest ecosystem on the parcel and the need to protect it through various Silvicultural practices. WEPD began a forest health project by thinning a portion of the timber stand to improve forest health and reduce the fuel loading on a selected stand. Future fuels reduction and timber stand improvement projects are necessary to improve forest health in the parcel.

Riparian vegetation is very sparse throughout the parcel consisting primarily of riparian forbs, willow and some aspen stands. The small amounts of willow along the riparian corridor, suggest a direct result from previous cattle and ranching operations. WEPD has implemented stream bank restoration projects and revegetation projects along the creek in the parcel.

5. Cultural Resources

No significant archaeological or anthropological sites are known to exist on the parcel. However, the topography and presence of water are significant predictors of these resources existence, which perhaps have not yet been discovered. The entire parcel is rated as having a moderate to low potential for cultural resource sensitivity. The Carson Tahoe Logging Company used the area as a lumber milling site. There is still evidence of a logging flume in portions of the parcel. A cultural resource inventory needs to be completed for the parcel.

The relatively large numbers of plant species offers many plant materials probably used by early Washoe in their traditional crafts. Successful perpetuation and management of the plant and animal species should place a priority on their use for Tribal programs or individuals who are actively enhancing the Washoe Tribal Culture. The Upper Clear Creek has been used and continues to be used for a place of contemporary ceremonial practices. The Washoe Tribe encourages traditional ceremonial practices.

6. Socioeconomic Conditions

Due to the parcel's placement in the Washoe Land Conservancy, socioeconomic impacts are not applicable.

7. Resource Use Patterns

Hunting, Fishing and Gathering

The Upper Clear Parcel contains a pine forest, mountain meadows, several small tributaries that feed Clear Creek, and one of the last remaining natural creeks on the eastern Sierra Mountains (Clear Creek). The Tribe has set aside this parcel for a Culture and Nature Preserve.

The Upper Clear Creek Parcel has large and small game species as well as waterfowl and upland game species within the Parcel, however there is no hunting within the Parcel. The parcel contains several mammal and bird species that are or can be classified as species of concern.

Clear Creek runs through the middle of the parcel and has a freshwater fishery that contains cold-water trout species. Tribal members have exclusive fishing rights on Clear Creek.

The creek is impacted by urban development and Hwy 50. The creek is being significantly impacted by the new residential development/ golf course just outside of the parcel boundary and the new highway interchange and road construction occurring upstream.

The Washoe Environmental Protection Department (WEPD) is in the process of evaluating the potential reintroduction of the Lahontan Cutthroat Trout to the creek. The cutthroat is a federally recognized protected species. The reintroduction would assist in protection of the stream.

There are several native plant species on the parcel that offer traditional uses. Harvesting and gathering of these plants is permitted for Tribal members and encouraged to preserve the culture.

Parks and Recreation

The entire Upper Clear Creek Parcel has been set aside for the purpose of conservation, recreation, and cultural resource uses. The parcel ecosystem and environment is very important to the Washoe Tribe.

The parcel has been used and is still being used for various outdoor activities, including camping, fishing, hiking and contemporary cultural uses. The Tribe has a yearly picnic event and Clear Creek has been used frequently for its aesthetic and peaceful qualities. In 2006 the parcel was formally designated as a Culture and Nature preserve providing conservation status to the parcel and its resources.

8. Infrastructure, Service Systems and Transportation

Clear Creek Road passes through the parcel. Highway 50 and a new interchange are located approximately 5-6 miles northwest of the parcel. Numerous residences are located adjacent to and nearby the parcel. The parcel contains two capped wells.

9. Other Values

Wind

The Upper Clear Creek parcel does not have a significant wind resource, (wind energy potential above a 4). Seasonal and daily winds occur that are above class three; these winds are sporadic and do not meet requirements for large scale wind harvesting. Small wind turbines could be utilized on this parcel. Local wind power characterization variations exist; seasonal, daily winds associated with the Upper Clear Creek parcel will need to be monitored to identify these variations if wind power is to be considered.

Solar

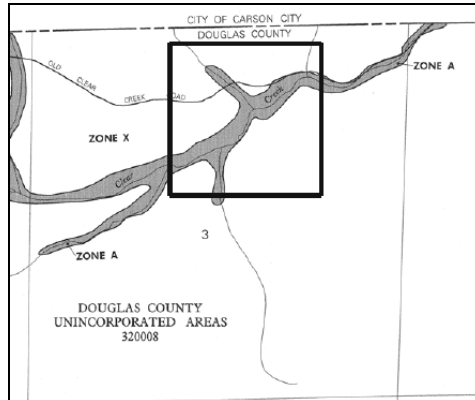
Solar radiation on the Upper Clear Creek parcel is categorized as good to excellent. Summer solar energy potential is “extremely high”; the energy potential during the winter season is categorized as “good”. Solar energy can be a viable renewable resource on the parcel. Solar energy received at ground level on average is 6000-6500 Whr/sq m; categorized as excellent. “Thermal conversion” is a less viable alternative due to seasonality of maximum solar energy and the restrictive uses of thermal solar units. 234 kv transmission line proximity is relatively close allowing for grid hookup.

Solid Waste

This parcel is undeveloped and maintained as open space. Due to the parcels natural qualities it is utilized as a gathering and recreational location for the Tribe. These gatherings are the main source of solid waste production on the parcel. Social gatherings utilize different options in solid waste management; smaller gatherings use the pack it in pack it out method by removing all waste generated during the event, WEPD assists many events with recycling service and zero waste composting, and larger gatherings normally contract with a solid waste collection service, currently Douglas Disposal Inc. This parcel also is affected by illegal dumping and is monitored by Tribal staff and cleaned accordingly. Debris from construction sites poses significant impact to the water resources in Clear Creek. The waste affects the water quality, aquatic life, vegetation and wildlife.

10. Public Health and Safety

Flood Plain-100year

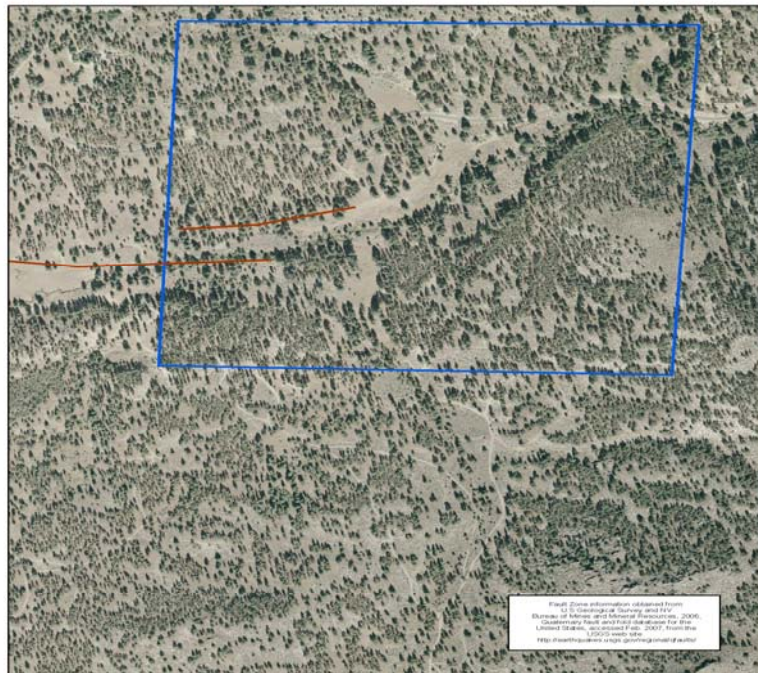


FEMA Flood insurance rate map of Upper Clear Creek parcel area

The Upper Clear Creek parcel is primarily contained within Zone X, an area considered to be outside of the 500-year flood plain, however, some of the parcel lies within zone A, which is considered a special flood hazard area inundated by 100 year flood with no flood elevation determined. This area is relatively small due to the size of the stream through the parcel. These designations are based on FEMA Flood Insurance Rate Maps (FIRMS).

Seismic Hazards

The Kings Canyon Fault Zone runs through a portion of the Upper Clear Creek parcel.



Radon

Radon is another natural phenomena associated with the eastern slopes of the Sierra Nevada Mountain Range. The Carson City and Stewart area is rated as High Hazard for soil or geologic unit with Uranium content equal to or greater than 4.0 parts per million, equivalent uranium (ppmCi/L). 25% of homes in this hazard rating are measured at or equal to or greater than 4.0 pCi/L.

Police Protection and Services

The Washoe Tribal Police Department provides police protection and services to the communities, tribal lands and the Pinenut Allotment Lands. The Washoe Police department and the Washoe Rangers provide combined law enforcement to the Washoe Lands. The tribal police and rangers are located at the tribal government complex south of Gardnerville, Nevada. The U.S. Federal Bureau of Investigation has certain enforcement duties when a felony crime is committed on tribal lands. The tribal police departments foresee a need for future protection capabilities that would benefit the tribal communities and lands.

The tribal enforcement departments assist the local jurisdictions with law enforcement in a combined effort. They also provide services during search and rescue operations, HAZMAT and assist during natural disasters and other emergency situations.

Trespass continues to be a problem with off road vehicles destroying the environment. WEPD has fenced off most of the parcel to restrict access to unauthorized vehicles. The pedestrian trespass is less significant but still impacts natural and cultural resources and increases threat of fire starts.

Fire Protection and Services

The Bureau of Indian Affairs under their Indian Trust Responsibilities provides Wildland Fire Suppression through various agreements and memorandum of agreements with the federal government for wildland fire protection services. Federal, State and Local fire protection agencies are located in the valleys below with a fairly quick response time. The Minden Interagency Dispatch Center has given this area a “high priority” response rating for fire suppression, due to the large fuels and the urban interface.

The local county fire departments under a Memorandum of Understanding with the Washoe Tribe provide fire protection and services. Additional services that the local emergency departments provide include: medical transfer, disaster emergencies and HAZMAT. Because the tribal lands and communities are scattered and fractionated they depend on these agreements with the local jurisdictions to supplement their efforts to protect and serve the tribal lands and population.

The parcel is located within a wildland urban interface zone which is at significant risk to devastating wildland fire. Numerous fires have occurred in the area in recent years. The Washoe Environmental Protection Department working with the federal fire protection agencies has constructed a firebreak around the entire parcel. The firebreak will need periodic maintenance to be effective. The Washoe Environmental Protection Department

has implemented a Fuels Reduction Project on the parcel by thinning the overstocked timber stands. This is a continuing project that should be maintained to keep the forest safe from the threat of a potential stand replacement fire. WEPD has developed a set of rules and regulations for campfire use on the parcel.

Environmental Issues

Clear Creek poses an access problem to the opposite side for fuels reduction projects. The creek cannot be crossed without a bridge. The entire parcel is in need of a fuels reduction to reduce a potential catastrophic wildfire. If a bridge can be installed, the fuels buildup on the south side of the creek could be treated to decrease the risk of a stand replacing fire.

On the adjacent lands south and west of Upper Clear Creek Parcel, Douglas County has allowed a proposed development of a new large housing development with golf course. The tribe has argued that the proposed access route is not sufficient to support the increased traffic volume, and the impacts to Clear Creek from runoff would increase and contributing to the decline of water quality in the Clear Creek Drainage System. The new access route skirts the Upper Clear Creek Parcel on the west boundary and includes a bridge over Clear Creek just feet outside of the Tribe's boundary. NDOT has given a large sum of money to the developer to construct an interchange on Hwy 50 for the development. Both the interchange and the development pose significant threats to the parcel's water quality and watershed health. The Tribe along with other Clear Creek stakeholders and fire managers are concerned about fire protection and water quality issues.

US Hwy 50 is located north of the parcel and has contributed to sedimentation in Clear Creek from the highway storm water runoff. The new interchange and development will increase erosion and sedimentation issues in the parcel. Further upstream from the Upper Clear Creek Parcel on forest service lands there are major washout conditions caused by Hwy 50, and the conditions are similar down stream as well. The Tribe has met with NDOT numerous times to discuss the sedimentation issue, with minimal results.

In the past, Upper Clear Creek was impacted by cattle grazing operations. As a result the stream banks and vegetation suffered terribly. Cattle no longer graze the parcel but the damage still requires remediation. WEPD has completed stream bank restoration projects.

A sewer line crosses the parcel from the State Facility located northwest of the parcel. This sewer line passes through the Upper and Lower Clear Creek Parcels and Stewart Parcel. This sewer line should be monitored for leakage and breakage.

There are no structures, facilities or buildings located on the parcel that would contribute to any pollution or generating hazardous compounds.

Parcel Objectives

- Objective One:** Revise the forest management plan to reflect a healthy forest.
- Objective Two:** Continue maintenance of firebreaks and seek funding to continue fuels reduction practices on the parcel.
- Objective Three:** Continue fence repair and upgrade and construct new fence where needed.
- Objective Four:** Continue to monitor the creek for changes in the channel, water quality, and effects of the highway interchange and increasing development.
- Objective Five:** Develop and prepare parcel regulations and permits for use. Post regulations at the entrance of parcel.
- Objective Six:** Monitor the developments on the boundary of the parcel for encroachment or unauthorized use of the Parcel's resources.
- Objective Seven:** Continue with stream restoration efforts.
- Objective Eight:** Secure the Ranger Program to protect and enforce regulations on the Parcel.
- Objective Nine:** Establish a sustainable fishery and develop fishing regulations for Clear Creek.

References

Annual Snow Course Measurements: Soil Conservation Service, Reno

Clear Creek Decree, 1872

Clear Creek Fish Study, Washoe Tribe, 2006

Clear Creek Resource Evaluation: Washoe Tribe, 1987

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<http://earthquakes.usgs.gov/regional/qfaults>

Washoe Comprehensive Land Use Plan: Washoe Tribe, 1994

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Water Resource Data, NV Water Year 1992: US Geological Survey Water Data Report
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V. Silverado

Issues Executive Summary

Silverado Parcel has high potential for development because of easy access, excellent site potential, minimal slope, and adjacent growth pattern. Visibility from US Highway 395 as the “gateway” to Carson Valley is excellent.

Location and Boundaries

The Silverado parcel is 160 acres, shaped like a “T” resting on its side, with Highway 395 crossing through the middle of the parcel from north to south. It is located 10.5 miles north of Minden and 6 miles south of Carson City. The legal description of the parcel is: *Township 14 North, Range 20 East, Section 18. Includes the West ½ of the Northeast ¼, the Southeast ¼ of the Northeast ¼, and the Northwest ¼ of the Southeast ¼.* Privately-owned lands surround it on all sides.

Background Information

The homestead parcel that encompassed the entire Silverado parcel was patented by H. B. Beers in 1905. In order to obtain his homestead, Beers would have had to reside on the property, construct improvements and farm the land for at least five years. There is very little information on the Beers Homestead.

Maps produced by the Butler Ives 1861 Survey of Western Nevada shows a route named the “Carson Valley Road” which crosses through the Silverado parcel. This is believed to be the Carson Trail segment of the Emigrant Trail, which starts just east of the Humboldt Bar in Nevada and heads southwest over the 40-mile desert to the Carson River. It follows the river into the Sierra Nevada, crosses over what we now call Carson Pass (Hwy 88), and ends in what is now called Pleasant Valley near Placerville (old “Hangtown”) in California.

In 1939, the Bureau of Indian Affairs purchased this property as part of the Fulstone Ranch purchase for the Stewart Indian School. When the school was closed in 1980, this property was sited for disposal.

House Resolution 5081 (also known as the Washoe Bill) was signed into law by President Reagan on October 6, 1982, becoming Public Law 97-288. Through this legislation, the Silverado parcel was acquired by the Washoe Tribe as trust land. This legislation states “*that (a) subject to the provisions of subsection (b), all right, title and interest of the United States in the following lands (including all improvements thereon and appurtenances thereto, particularly all water rights appurtenances thereto, which are presently administered by the Bureau of Indian Affairs of the Department of the Interior) are hereby declared to be held by the United States in trust for the benefit and use of the Washoe Tribe of Nevada and California and are hereby declared to be part of the Washoe Indian Reservation.*” The following property is now known as the Silverado parcel totaling 160 acres: *Township 14 North, Range 20 East, Mount Diablo Meridian, Nevada, Section 18: West half northeast quarter, southeast quarter northeast quarter, northwest quarter southeast quarter.*



1. Land Use

Since the Washoe Tribe acquired this parcel it has been recognized for its high development potential. The growing commercial corridor along Highway 395 in North Douglas County has only increased this potential. The Washoe Tribe would like to use this property for a project that will generate large revenue.

Current Land Use

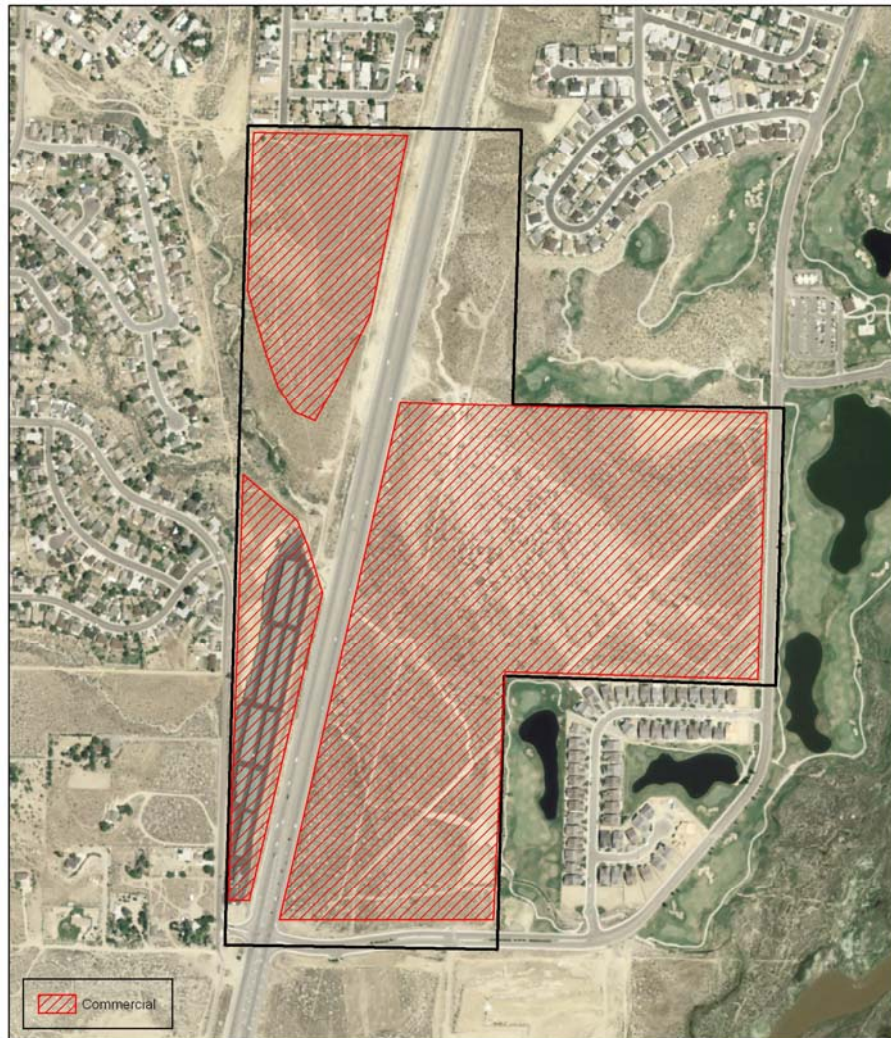
A mini-storage business called Carson Valley Self-Storage exists on the triangular 10.1-acre portion of the Silverado parcel on the west side of Highway 395. The Tribe opted for mini-storage because it was most conducive to the restraints of the parcel. Mark Michelsen, owner of Michelsen Construction built the storage facility. A lease agreement was signed in August 1996. In December of the same year the lease was approved. The lease is most likely for 20 years. Additional research needs to be done regarding the lease agreement. The facility was later expanded into the northeast corner of the Stewart Ranch property.

Clear Channel Outdoor has a lease with the Washoe Tribe to maintain several billboards on Tribal land including the Silverado parcel.

Single-family housing crowds the west and north boundaries of the Silverado parcel. The Sunridge Golf Course and approximately 380 homes are directly to the east. To the southeast there is a high density residential development. A casino and commercial complex have been approved for the parcel directly south of Silverado. It was approved several years ago, but no construction has begun.

Plymouth Drive is along the southern border of the Silverado parcel. It was built to serve the developments that border to the south and east of the Silverado parcel. A traffic light is planned where Plymouth meets Highway 395. In the Tribe's agreement with the developer, the parcel has full access to the future traffic light at no cost. At the intersection of Plymouth and the main entrance to the casino and commercial complex, turn-lane pockets are being planned for access into Tribal land directly to the north. Again, this is due to the agreement which gave a 100-foot easement on the south and east sides of the parcel for Plymouth Drive and utilities.

The long-held theory that the parcel would be a promising site for development because of the shift of growth south from Carson City appears to be coming true. The most significant obstacles are sewer disposal and water supply. The sewer and water provider is the Indian Hills General Improvement District. Keeping pace with the sewer and water demand in an area where growth is taking place is challenging for the Improvement District. The District has a treatment plant next to the Stewart Ranch and an agreement with the Tribe for land application of effluent for agricultural use. This preexisting relationship can be developed into terms satisfactory for development to take place on Silverado.



Proposed Land Use

This parcel should continue to be zoned commercial. A large commercial venture with a large return on revenue would make the most of this property. The frontage views provided by this parcel, for both northbound and southbound traffic are ideal. There are very few parcels owned by the Tribe with comparable visibility. The Tribe can begin to realize the potential for development in several ways:

1. Wait for commercial developers to make satisfactory proposals.
2. Put in infrastructure and erect commercial-type buildings ready for leasing.
3. Enter into a joint-venture with a developer or contractor.
4. Develop a Tribal enterprise (i.e. a high-end truck stop/RV-park or an automotive dealership/servicing center)

This first option does not require much financial input. However, it runs the risk of missing the best opportunities due to the passive stance towards new development. It also does not give the Tribe full control of the business. The second and fourth options require a large amount of financial backing and a good deal of risk, mostly due to the need for an entrepreneurial-type of management not tried by the Tribe yet. The return on this type of approach, if successful, will pay the biggest dividends. The third option is a kind of compromise of the first two options whereby the burdens and risks are shared, but so is the return on investment.

Tribes have successfully pursued all four approaches in other areas. Options 2 and 3 may be preferred at this time to avoid losing key opportunities. But it is important to consider all options for the future of the Tribe. Because the Washoe Tribe is concerned with a much longer view of the future than a private developer, it is difficult to determine the best time to take advantage of the many attributes associated with the Silverado parcel.

On the east side of Highway 395, the large-site commercial plan takes advantage of the frontage by creating three large sites from 15.8 to 19.5 acres in size. These sites should satisfy most commercial operations who need premium visibility and access. The buildings should be designed and constructed as close as possible to the NDOT Right-Of-Way for maximum visibility leaving parking behind the buildings, in the east portions of the parcels. In this plan, there are four, medium-sized parcels created in the back which are for business that need to be near the large-site commercial but do not require the frontage or visibility. The proposed access road begins directly across from the entrance to the casino and commercial project for the Sunridge project and terminates at the east boundary of the parcel. This scheme can be modified for a serious proposal from three large sites down to two or even one depending on the site development needs and the potential return on investment.

The nearly level 19.2 acre section on the northwest corner of the parcel is problematic due to steep slopes and limited access on surrounding property. The only available access at this time would be from Mica and Princeton Drives. The most significant asset of the parcel is the splendid view of Carson Valley from the top of the bluff. A commercial-tourist operation may find the site to be very attractive. Depending on the rate at which the Silverado sites are being leased, the 19.2 acres could be changed to Light Industrial land use in the future.

Land Use Compatibility

The parcel's characteristics are favorable for development.

Agricultural Lands of Local Importance

The parcel was originally part of the Fulstone Ranch before it was acquired by the Stewart Indian School. The land has very little agricultural value and offered scant forage for cattle grazing even when it was used for ranching. Presently the parcel is not used for agriculture and is instead zoned for commercial use.

Topography/Unique geologic features

The Silverado Parcel is located at an elevation that ranges from 4,680 feet in the lower flatlands up to 4,800 feet in the extreme upper reaches on the bluffs. The majority of the parcel is on relatively flat terrain with less than 4% grades sloping to the southeast and the Carson River. The northern quarter of the parcel contains bluffs with 8% grades. These are mildly flat with some intersecting drainages. The remainder of the parcel is allotted to the Highway 395 Right-of-Way.

Soils

There are only two types of soils found on the Silverado Parcel. For further soil information refer to the Soil Conservation Service survey for Douglas County, Nevada. A major limitation for certain kinds of uses is the high permeability of the soil. This could create a potential impact to groundwater if effluent was disposed of on the parcel. As mentioned earlier, sewer stub-outs are being provided as part of the Sunridge agreement, and on-site disposal would not be the preferred method for the larger commercial-type development envisioned at this location. Unfortunately, the nearby Sunridge Golf Course is using secondarily treated effluent to irrigate its lawns which could potentially contaminate the groundwater.

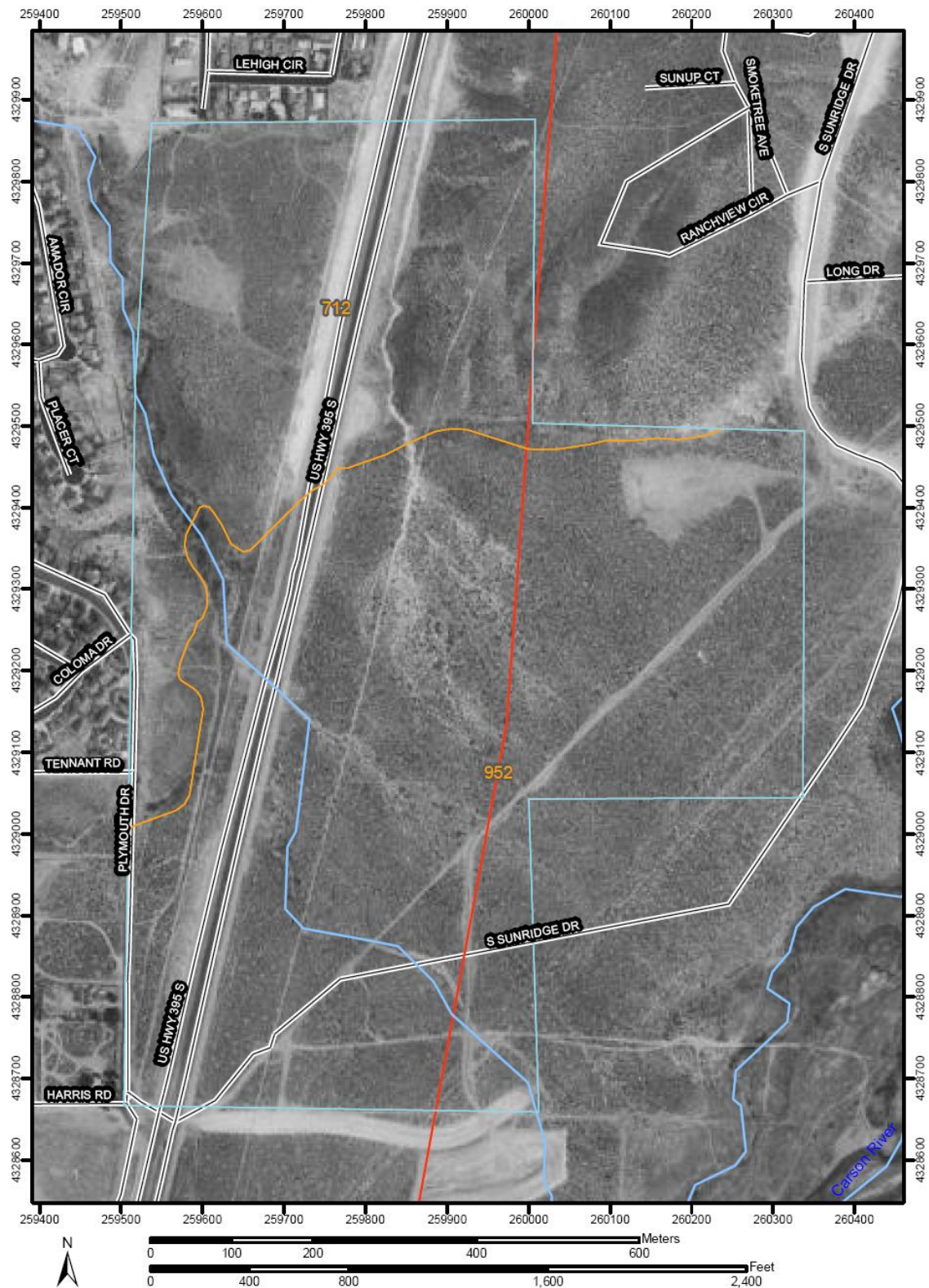
Soil Map—Douglas County Area, Nevada

silverado

Map Unit Legend

Douglas County Area, Nevada (NV773)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
712	Prey gravelly loamy sand, 0 to 4 percent slopes	60.6	32.9%
952	Toll sand, 4 to 15 percent slopes	123.5	67.1%
Totals for Area of Interest (AOI)		184.1	100.0%

Soil Map—Douglas County Area, Nevada
(silverado)



Natural Resources
Conservation Service

Web Soil Survey 2.0
National Cooperative Soil Survey

2/14/2008
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Mineral Resources and Mining

The Silverado Parcel is not within any mining district nor is there any active mineral exploration activity currently in use.

2. Water Resources

Surface Water

The surface water resources associated with the Silverado site are the Carson River and its wetlands. The Carson River is less than one mile from the project site, with one quarter of a mile of wetlands on either side of the banks. There is no standing surface water visible on site, but two effluent standing ponds are adjacent to the project site. There are no estuaries directly associated with the project site.

Wetland Resources

There are no natural wetlands associated with the site.

Irrigation Ditches

There are no irrigation ditches on the parcel.

Water Use Efficiency and Conservation

It is important for any future development to use water efficiently and to promote conservation in aspects of future plans. Xeriscaping is recommended.

Discharge to Surface Water

Some limitations are posed by stormwater run-off. Increased commercial development along Highway 395 has meant a significant increase in parking lots and roads. These large areas of impervious surfaces have multiple impacts on local surface water. Water running across hot pavement and then into streams significantly changes the stream's temperature. Impervious surfaces also cause stormwater to move faster, increasing stream flashiness. Finally, the water carries oil, trash and other debris that have accumulated on the pavement between precipitation events. Any future development on the Silverado parcel should consider stormwater management and flood prevention as well as ways to minimize the impact of impervious surfaces.

Erosion and Sedimentation

The development of housing subdivisions on the bluff just above the Silverado parcel is impacting stormwater runoff. A very old road, illustrated on the Butler and Ives survey, located near the west boundary of the parcel has begun eroding from the concentrated flow received from these developments. There are several small but growing drainages that appear to be caused by the effluent sprinklers and erosion from the Silverado Golf Course. There is an intermittent dry wash associated with the project site that visually appears to be dry for most of the year except during above normal precipitation events. Several storm systems from up gradient run into this particular ravine on the project site. There are several erosion ravines forming up gradient of the site, all of which appear to be leading to a storm containment drain, located on the southeastern end of the project site. On the southern end one major drainage system has eroded approximately 5 to 6 feet of A-B horizon sediments away.

Groundwater Quality, Rights and Supply

No wells have been drilled on the property although the area is mapped with a depth to water of 20 feet or less. The depth to rock is shallow in comparison to say, the south section of the Stewart Ranch, which is located further south in Carson Valley. A large, production well may be difficult to obtain. However, as mentioned earlier, the new Plymouth Drive will have water line stub-outs for the parcel.

An agreement between the Tribe and the owner of the nearby Sunridge development provides water and sewer stub-outs as well as access from Plymouth Drive that runs along the Silverado parcel.

Hydrologic Features

There are no known hydrologic features.

3. Air Resources

Air Quality

This parcel has a fairly high risk of exposure to air pollution; this is due to its proximity to the road as well as its current zoning for commercial use. Property is currently in attainment (<http://www.scorecard.org>).

Odors, Emissions

Diesel emissions, the highest risk pollutant in Douglas County is most concentrated along the Highway 395 corridor. The Silverado parcel abuts the road on both sides therefore running a higher risk for exposure to (CO), diesel particulates, nitrogen oxides (NO) and sulfur oxides (SO) (<http://www.scorecard.org>).

Dust, Wind Erosion

Development and construction both near and on the parcel has the potential to create elevated PM-10 (particulate matter between 2.5 and 10 micrometers) levels. This concern is elevated when strong winds are combined with disturbed soil (<http://www.scorecard.org>).

4. Natural Resources

Wildlife Habitat/Migration Corridors

Wildlife is scarce on the parcel due mostly to the parcel being surrounded by developments and Highway 395. However, Black Tailed Jack Rabbit, Cottontail Rabbit, Belding Ground Squirrel and numerous lizards inhabit the parcel. Some California Quail, and various hawk species have also been spotted. The parcel was probably a major deer migration route in the past, but due to urbanization and the highway, deer are no longer found on the parcel.

Endangered Species

The Western burrowing owl is thought to be on the parcel as noted by the US Fish and Wildlife Service. But during wildlife surveys of the parcel none have been found.

Vegetation Resources

Vegetation on the parcel consists of Mountain Big sagebrush, and Rabbit brush that reaches 5-6 feet in height. A variety of grasses and forbs occur closer to ground surface. The small ephemeral drainage that enters the property from the northwest has cottonwood trees and has the possibility of vegetation more typical of a wetter-type environment. On the south end of the parcel are a few small cottonwood trees which are most likely getting nutrients from the holding pond that is usually dry except during wet time periods.

5. Cultural Resources

The parcel was previously considered to have a low sensitivity for cultural resources. Archaeological sites were found and mitigated for the construction of the new Plymouth Drive that curves around the south and east boundaries.

Historic Properties

Maps produced by the Butler Ives 1861 Survey of Western Nevada shows a route named the "Carson Valley Road" which crosses through the Silverado parcel. This is believed to be the Carson Trail segment of the Emigrant Trail.

Prehistoric Properties

Only scant archeological evidence remains on the parcel. This could be due to the flood plain soils. The openness of the site may have limited use other than traditional rabbit drives.

6. Socioeconomic Conditions

There is no socioeconomic information associated with this parcel.

7. Resource Use Patterns

Hunting, Fishing and Gathering

The Silverado Parcel is covered in sage brush and surrounded on all sides by urban development and Highway 395. The Silverado Parcel has small game species within the Parcel, however there is no hunting within the Parcel. There are no perennial streams sustaining a fish population on the parcel. The vegetation community is predominately Sagebrush, Rabbit Brush, Desert Peach and Salt Brush, that offer minimal use for harvesting and gathering, however harvesting and gathering of these plants is permitted for Tribal members and encouraged to preserve the culture.

Parks and Recreation

The parcel is designated for commercial development, and this could mean the potential for enterprises that tailor to recreational services. For example, a water park, miniature golf, go-carts and a number of other outdoor activities could be considered for the parcel. As stated earlier in this section, the parcel is prime land for any development even recreation.

8. Infrastructure, Service Systems and Transportation

Utilities and Service Systems

The parcel is ready for development. According to the agreement with the Sunridge Development, sewer and water connections as well as an underground electrical service line are in place.

Transportation- Access

A 2004 traffic study for the Silverado Parcel found that Highway 395 has an A.M. peak hour traffic flow of 2,677 between 7:00 am and 9:00 am and 3,318 during the P.M. peak hours of 4:00 pm and 6:00 pm. If any commercial development is to happen on the parcel some traffic issues will need to be addressed. Presently the current road system is acceptable for the limited use on the parcel.

Right-Of-Ways/ Planned Routes

Before the Tribe acquired the parcel, the Bureau of Indian Affairs gave NDOT a 400-foot right-of-way for Highway 395. This right-of-way encompasses over 36 acres of the parcel. The width of the right-of-way should mean that no further consideration of additional rights-of-ways will be needed in the foreseeable future however.

Sierra Pacific Power, Southwest Gas, and Continental Telephone (now Verizon) are located within the NDOT right-of-way on the west side of Highway 395. These utilities were brought across Highway 395 at the Plymouth-Highway 395 intersection during construction by the Sunridge developer. Consequently, these utilities will be easily available for use on the Silverado parcel.

9. Other Values

Sound and Noise

The Silverado Parcel is heavily impacted by traffic noise from Highway 395 that passes through the parcel. In recent years noise levels have increased with traffic volume. Although no studies have addressed the noise levels, it remains a constant throughout the day and only subsides in the late evening hours.

Wind

The Silverado parcel does not have a significant wind resource, (wind classes that exist on parcel 0-3). Some seasonal and daily winds occur that are above class three, however, these winds are sporadic and do not meet requirements for large scale wind harvesting. Small wind turbines could be utilized on this parcel. A 234 kv transmission line proximity is relatively close allowing for grid hookup. Local wind power characterization variations exist; seasonal, daily winds associated with the Silverado parcel will need to be monitored to identify these variations if wind power is to be considered.

Solar

Solar radiation on the Silverado parcel is categorized as good to excellent. Summer solar energy potential is “extremely high”; the energy potential during the winter season is categorized as “good”. Solar energy can be a viable renewable resource on the parcel.

With highly efficient “concentrating collectors and photovoltaics” energy collected per day could reach 6000-6500 Whr/sq m; categorized as excellent. “Thermal conversion” is probably less of an alternative due to seasonality of maximum solar energy and the restricted use of thermal units.

Solid Waste

Due to the parcel’s close proximity to Highway 395, littering and wind blown debris are the major contributors to solid waste accumulation. Currently, no solid waste collection or cleanup activities exist on this parcel.

Any large development would require extensive solid waste management including traditional solid waste removal, waste oil removal, and recyclable collection. All developments would be required to comply with the Washoe Law and Order Code and anticipated to practice source reduction and reuse techniques whenever appropriate.

10. Public Health and Safety

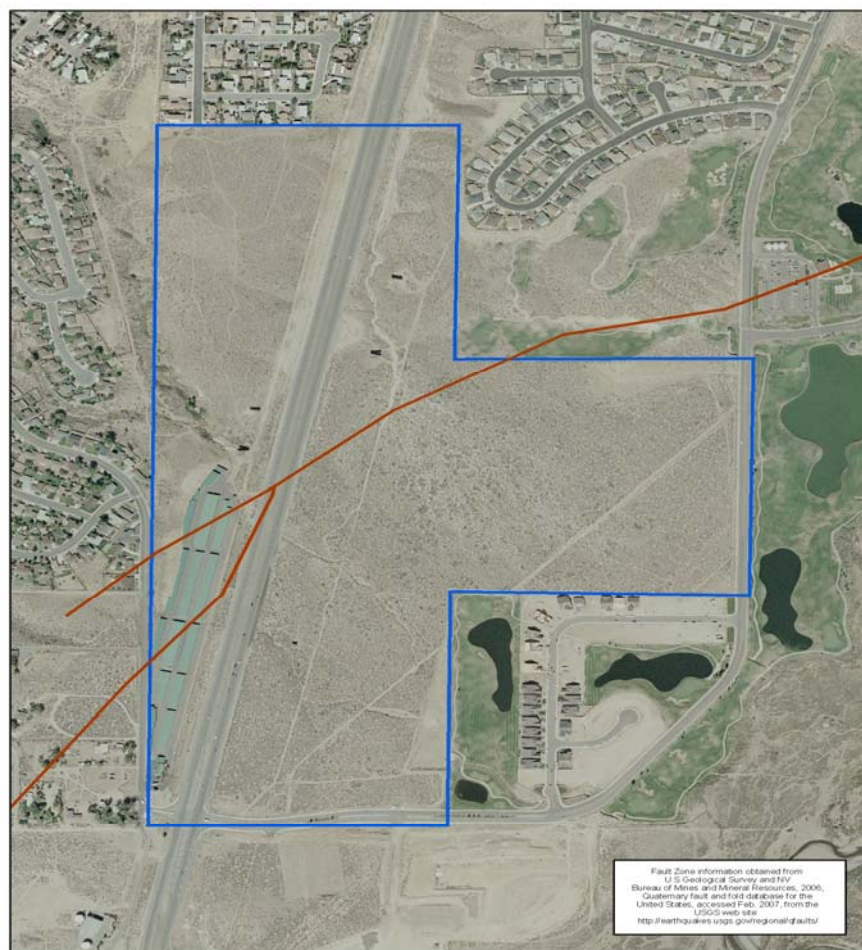
Flooding

Flooding on the Silverado parcel occurs on the eastern edge of the parcel. The 1996 FEMA Flood Insurance Rate Map (FIRM) demonstrates this delineation. Areas of the Parcel designated as X is determined to be outside the 500-year flood plain. Zones designated as AE are designated as special flood hazard areas inundated by 100-year flood with base flood elevations determined.



Seismic Hazards

The Indian Hill Fault Zone crosses through and adjacent to the parcel. Western Nevada is generally subject to 7.5 magnitude earthquakes due to the presence of the Genoa Fault Zone. This feature is located several miles to the west of the parcel. New development should presume that a tremor from this source could be quite severe and structural plans should be designed to include this possibility.



Radon

Radon is another natural phenomena associated with the eastern slopes of the Sierra Nevada Mountain Range. The Carson City and Stewart area is rated as High Hazard for soil or geologic unit with Uranium content equal to or greater than 4.0 parts per million, equivalent uranium (ppmCi/L). 25% of homes in this hazard rating are measured at or equal to or greater than 4.0 pCi/L.

Police Protection and Services

The Washoe Tribal Police Department provides police protection and services to the communities, tribal lands and the Pinenut Allotment Lands. The Washoe Police

department and the Washoe Rangers provide combined law enforcement to the Washoe Lands. The tribal police and rangers are located at the tribal government complex south of Gardnerville, Nevada.

The tribal police departments foresee a need for future protection capabilities that would benefit the tribal communities and lands.

The U.S. Federal Bureau of Investigation has certain enforcement duties when a felony crime is committed on tribal lands. The tribal enforcement departments assist the local jurisdictions with law enforcement in a combined effort. They also provide services during search and rescue operations, HAZMAT and assist during natural disasters and other emergency situations.

Fire Protection and Services

The Bureau of Indian Affairs under their Indian Trust Responsibilities provides Wildland Fire Suppression through various agreements and memorandum of agreements with the federal government for wildland fire protection services.

The local county fire departments under a Memorandum of Understanding with the Washoe Tribe provide fire protection and services.

Additional services that the local emergency departments provide include: medical transfer, disaster emergencies and HAZMAT. Because the tribal lands and communities are scattered and fractionated they depend on these agreements with the local jurisdictions to supplement their efforts to protect and serve the tribal lands and population.

Environmental Problems

The large drainage system that enters the parcel on the northwest corner of the parcel is contributing to incising the banks within the parcel and the natural process may have been interrupted by the large scaled developments to the northwest of the parcel by increasing storm drainage patterns.

The Mini-storage facility located on the parcel, by agreement does not allow hazardous materials to be generated, stored or transported on the leased premises.

Parcel Objectives

Objective One: Decide on a development approach for Silverado and implement it.

Objective Two: Safeguard the parcel from off-site effects which could reduce its suitability.

Objective Three: Base future development citing decisions on the land use map in this document as approved by Tribal Council.

Objective Four: Continue research into comprehensive water resources and rights protection for the parcel and develop a long-term water-rights strategy to accommodate future development.

References

Carson Valley Groundwater Pumpage Inventory Water Year 1991: Department of Conservation and Natural Resources, State of Nevada

Geohydrology and Simulated Response to Groundwater Pumpage in Carson Valley: Douglas K. Maurer, USGS, 1986

Indian Hills General Improvement District Effluent Management Plan: Resource Concepts, 1994

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Potential for and Possible Effects of Artificial Recharge in Carson Valley: USGS, 1994

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Washoe Comprehensive Land Use Plan: Washoe Tribe, 1985

Washoe Water Resource Protection, Resource Characteristics: Washoe Tribe, 1982

VI. Stewart Ranch

Issues Executive Summary

The Trust land in Jacks Valley and northern Carson Valley known as the Stewart Ranch was formerly operated by the Bureau of Indian Affairs as part of the Stewart Indian School. A majority of the land is well-suited for agriculture, as 60 percent of the Ranch is within the Carson River's 100-year flood-plain, and already includes intensive agricultural development. Washoe People do not want to lose the agricultural and cultural heritage of their lands, but have recognized that important new opportunities are now becoming available due to the general growth and development in Carson Valley. Lands adjacent to the Ranch are in transition from agriculture to upper-income housing and tourist/recreation-type facilities. Such transition is also likely to impact the suitability of the Ranch to continue current operations.

Good water rights exist for the property although development of the fields, and conveyance systems to them, has languished in a semi-completed condition. Significant water resources are associated with the Ranch's lands including a notable geothermal site called Hobo Hot Springs. The Ranch's prime water resources must be recognized, protected and enhanced to meet Tribal goals and strategies. A good, overall plan for future operation of the Ranch enterprise on this parcel is particularly important. Certain portions of the Ranch could possibly be developed for new, non-agricultural uses.

Location and Boundaries

The Stewart Ranch is comprised of portions of seven sections located in northern Carson Valley, and more particularly, Jacks Valley. Immediately to the north and west of the Ranch is Forest Service land while private landowners abut the remainder of the boundaries. The private landowners are typically larger in size, like Ascuaga's in Jacks Valley and Genoa Lakes which lies west of the Ranch and Settelmeyer's to the south. All the land is within Douglas County.

House Resolution 5081 (also known as the Washoe Bill) was signed into law by President Reagan on October 6, 1982, becoming Public Law 97-288. This legislation states,

“that (a) subject to the provisions of subsection (b), all right, title and interest of the United States in the following lands (including all improvements thereon and appurtenances thereto, particularly all water rights appurtenances thereto, which are presently administered by the Bureau of Indian Affairs of the Department of the Interior) are hereby declared to be held by the United States in trust for the benefit and use of the Washoe Tribe of Nevada and California and are hereby declared to be part of the Washoe Indian Reservation.”

The following properties are now known as the Stewart Ranch, totaling 2,098.36 acres:

Township 14 North, Range 19 East, Mount Diablo Meridian, Nevada

Section 14: East half southwest quarter, southwest quarter northeast quarter, southeast quarter northwest quarter excluding any portion lying west of Jacks Valley Road as it presently exists; 160.00 acres.

Section 22: South half north half; 160.00 acres.

Section 23: South half, south half northwest quarter, northeast quarter northwest quarter; 440.00 acres

Section 24: South half south half; 160 acres.

Section 25: North half, southeast quarter, northeast quarter southwest quarter; 520.00 acres.

Section 36: West half, north half northeast quarter, southwest quarter northeast quarter, south half southeast quarter, northwest quarter southeast quarter; 560.00 acres.

Township 14 North, Range 20 East, Mount Diablo Meridian, Nevada

Section 19: South half lot 2 northwest quarter, lot 2 southwest quarter, 98.36 acres

Public Law 97-288P transferred two parcels of land to the US Forest Service. These two 40 acre parcels were located high on the eastern face of the Carson Range. Presumably, this action served to rally Forest Service support for the Trust acquisition, as did a transfer of 112 acres into the Ascuaga Ranch. The law states:

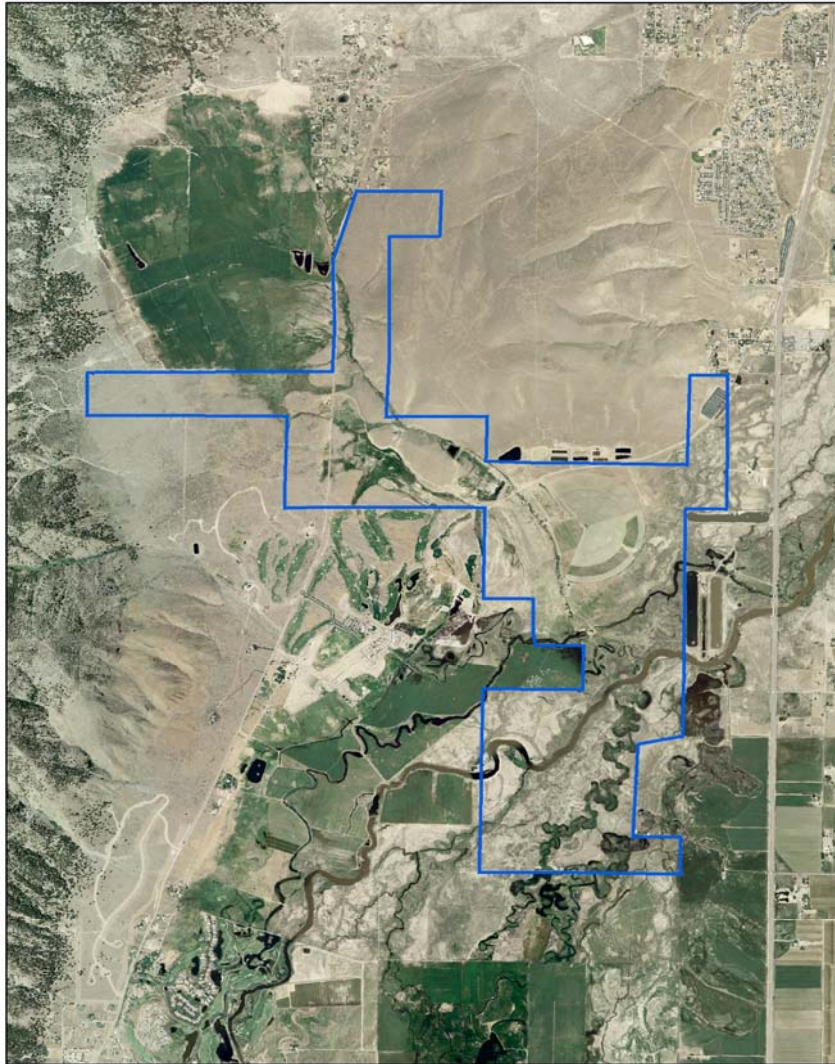
“On or before the expiration of one hundred and eighty days from the date of enactment of this Act the Bureau of Indian Affairs shall transfer to the Forest Service, United States Department of Agriculture, the following lands which shall become National Forest system lands subject to all laws, rules and regulations applicable to the national forest system:

Township 14 North, Range 19 East, Mount Diablo Meridian, Nevada

Section 21: Southeast quarter northeast quarter; 40 acres

Section 28: Northeast quarter northeast quarter; 40 acres

Total acreage: 80 acres more or less



Background

In 1939, the Bureau of Indian Affairs purchased the Fulstone Ranch to be used as part of the Stewart Indian School operation. The purchase included 1,658 acres that stretched south from Hobo Hot Springs, to Johnson Lane and also included the Tribe's trust parcel that is now known as Silverado. A Bureau appraisal report concluded:

“(t)he ranches proposed for purchase under the Carson Indian School Project were chosen (1) on account of the location in proximity to the Carson School and (2) because they provide complete beef cattle units with irrigated cultivatable land for hay production for winter feed, bottom valley subirrigated lands for spring and fall pasture and rights on the public domain for summer grazing.”

The value for the Fulstone land and stock cattle was determined to be \$19,000 at that time.

The following year, approximately 560 acres of land was conveyed to the Bureau from Schneider Ranch located in Jacks Valley. This acquisition included a 112-acre field located just north of the present holdings which was subsequently traded by the Bureau to Jacks Valley landowner John Ascuaga for land east of Jacks Valley Road. Although the Bureau also tried to purchase the Ambrosetti Ranch, it was never acquired because the owners could not agree on a selling price with the Bureau.

In 1980, the federal government decided to close the Stewart Indian School. All of the parcels belonging to the school (including the school grounds, the ranch and additional lands) would be subject to disposal. The Washoe Tribe began activities that would lead to acquisition of all the Indian School lands. It was a surprise to the Tribe when the school grounds were transferred to the State of Nevada instead. As cited under the Location and Boundaries section, several parcels including the Stewart Ranch were conveyed into Trust for the Washoe Tribe under Public Law 97-288. The Washoe Tribe continues to pursue land acquisition in this area.

1. Land Resources

Current Land Use Zoning

Symbol	Land Use	Acres	Percent
AGI	Agriculture I	415	20.0%
AGII	Agriculture II	98	4.7%
C	Commercial	404	19.4%
CR	Conservation	175	8.4%
P	Pasture/Range	988	47.5%
	TOTAL	2080	100.0%

Current Land Use

On the Stewart Ranch, approximately 155 acres were planted in 2008. The remainder is used for agricultural facilities, Heal Therapy and horse boarding. The remainder is undeveloped and the nominal use is as grazing or pasture land.

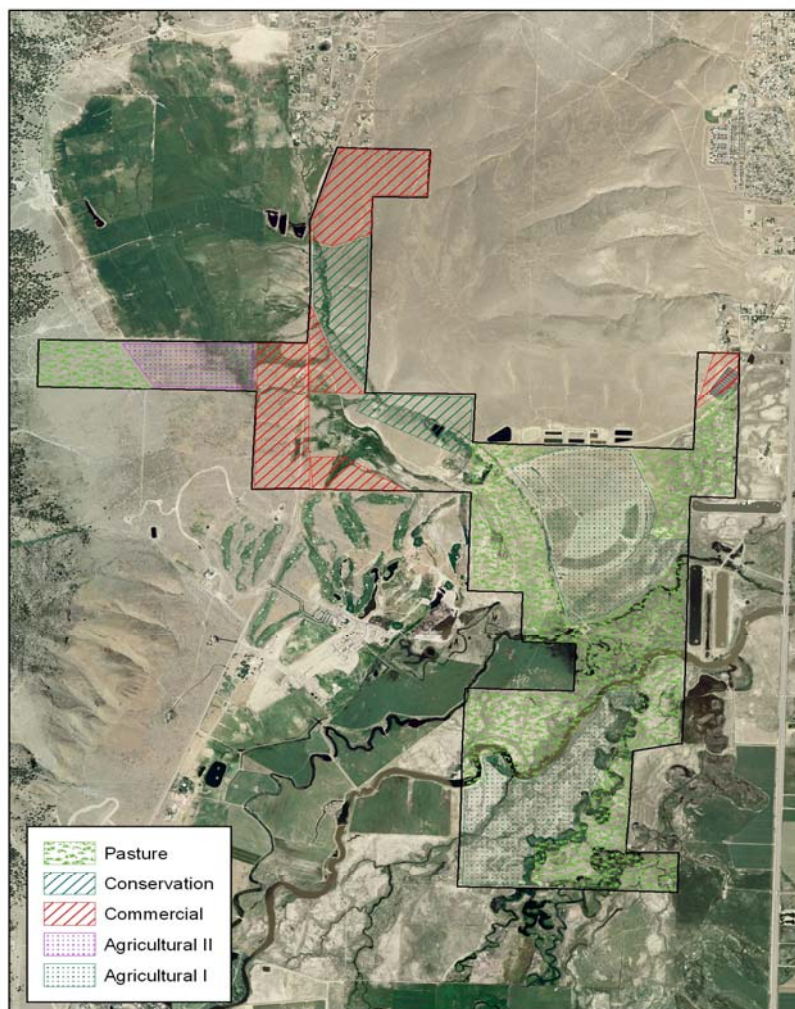
The Jacks Valley Ranch House on Jacks Valley Road currently houses Washoe Utility Management Agency (WUMA), Washoe Development Group (WDG) and Planning. The kitchen is in the process of being remodeled. The land behind the ranch house is rangeland is currently used for cattle grazing. The land to the east of Jacks Valley Road is also used for pasturing.

A mini-storage business called Carson Valley Self-Storage exists on the triangular 10.1-acre Silverado parcel on the west side of Highway 395. The Tribe opted for mini-storage because it was most conducive to the restraints of the parcel. Mark Michelsen, owner of

Michelsen Construction built the storage facility. A lease agreement was signed in August 1996. In December of the same year the lease was approved. The lease is most likely for 20 years. Additional research needs to be done regarding the lease agreement. The facility was later expanded into the northeast corner of the Stewart Ranch property.

Some of the land zoned commercial in 1994 is not suitable to that actual purpose for a variety of reasons. Agriculture and pasture/range is consistent with the 1994 plan.

In August of 2007, Heal Therapy of Nevada began boarding 10 horses on the Stewart Ranch. They are using the ranch building as their headquarters. The program uses horses combined with counseling and mental health services to help children and young adults develop confidence. The Washoe Tribe currently boards a total of about 20 horses on the ranch, some of which belong to Tribal members.



Proposed Land Use

The Ranch faces ongoing problems of decreased availability of water. The Tribe has in the past improved conditions on the Carson River Slough and entered into an agreement with a neighboring landowner to ensure the provision of water according to the Tribe's rights and needs. However, the agreement with the landowner, Simek, was cancelled, and there are ongoing issues with the Slough. The Slough is at the same elevation as the main channel of the Carson River located just to the South, and sediment in the pump intakes affects the efficacy of the pump and periodic cleaning of the sludge to access the static water level of shallow groundwater is necessary to provide a reliable supply for the Ranch's irrigable acreage. . Increased developments in the lands surrounding the Ranch also affect the availability of water for the Ranch's use.

Tribal management and the legal department are developing a long and short term water rights strategy. In this strategy, they will research issues with the slough, river and groundwater. In addition, they will develop options for water rights strategies and future water projects.

The majority of the Stewart Ranch will continue to be used for agriculture, conservation and pasture/range.

Malit k'iléti' 'itló'om (Hobo Hot Springs) will remain in conservation per the Tribal Council Resolution granting this area to Tribal elders.

A twelve-inch pipeline goes north from the Slough and terminates at the Hobo Hot Springs Road near the Tribe's feedlot. A 540-foot extension of this line will reach the Ranch's first pond, thereby providing new opportunities to manage, store, and use the Ranch's water resources. In order to accomplish this improvement, the pond's earthen structure will need to be rehabilitated and a new discharge facility constructed that allows water to be returned for irrigation of the fields using the same pipeline. Adding a few feet to the existing height of the current structure to increase storage may also be desirable. An engineering study is needed to plan this improvement. In this study, feasibility of improvements to the Ranch's other two ponds to contribute to the overall water management of the Ranch should be evaluated as well.

Section 36 of the Ranch, has become inactive. The possibility of obtaining high-volume groundwater wells in this location makes it important to consider redeveloping the fields using wells as the water source. Redevelopment of Section 36 will accomplish two things: perfecting the Tribe's groundwater claims and adding crop production for the Ranch operation. If the groundwater approach is taken for this Section, the surface water previously used there can be transferred to Section 25, where the Slough, improved by dredging, will permit maximum use of irrigation water. The redevelopment in Section 36 can also result in 200 acres of border-type irrigation fields. Considering the shape of the area to be farmed, and benefits from border irrigation such as better soil salt control, economics, pest control, and rapid application of water harvest, sprinkler-type systems, may not be the best choice for this redevelopment.

Access to Section 36 is normally across the Carson River from Section 25 although provision of other access during times of high water needs to be undertaken with the redevelopment. Power for the well site is nearby. Leveling of fields, completion of a conveyance system, well-drilling and agricultural planning are examples of expenses that would be incurred by the Tribe in any effort to reactivate croplands in this Section.

Irrigated alfalfa has a good market value and this will likely continue into the future because of the diminishing of other producers in Carson Valley, new homes being constructed with acreage for horses, and similar kinds of urbanizing effects taking place in nearby Smith Valley. The storage and use of alfalfa from the total cropland acres, for use in the feedlot will help the Ranch's profit margin considerably.

Certain lands on the Ranch can be dedicated to other uses than agricultural - lands that are marginal for agricultural development other than pasture, but are free from development limitations such as severe slopes, wetlands, and floodplains. The location of these lands is adjacent to existing roads and utilities. The land use designation for these lands is commercial, which emphasizes the kinds of developments which will be capable of generating a high stream of income per acre for the Tribe. Considering the recent negative response of the Tribe to leasing proposals which posed the possibility of certain kinds of residential or multi-family development with non-Indian people living on Tribal lands; that type of commercial leasing of land will not be considered. However, resort or spa-type developments which cater to a tourist/commercial business similar to what is taking place elsewhere in Carson Valley may be considered as will other types of development consistent with the land use designation. Due to the expected demand for sites such as those available on the Ranch, proposed developments will be considered only on a project by project basis.

The 98 acre parcel in Section 22, lying west of the Ranch House on Jacks Valley Road, is considered agricultural at the present time. Historically this land was used as irrigated cropland and a 12-inch pipeline from Jacks Valley Creek extends to this parcel. However, it is prudent to consider this parcel's designation for agriculture only as temporary, or as a holding zone, for several reasons. First, it is free of severe slopes, wetlands and floodplains, similar to the other commercial or development parcels. It is also reasonably accessible to roads and utilities. It has outstanding views, perhaps some of the best in Jacks Valley. It is not difficult to envision a commercial or tourist-type use of this parcel in the near future with a value that will exceed that which can be obtained from agricultural uses. Examples of possible commercial uses include a resort and an amphitheater for concerts. Second, other than the key factor of water, this is a more marginal parcel for agricultural uses than the river bottom parcels already being used for agricultural purposes. Money spent on improvements of the 98 acres for agricultural development will not yield the return of other lands on the Ranch better suited for agriculture. Effort should be concentrated on planning for the conservation and use of the water resources associated with this parcel in preparation for the day when change from agriculture to commercial takes place. Although not documented or evaluated, the alluvial fan upon which this parcel is located should be productive for groundwater

development and must be carefully studied for potential to supply water for any proposed commercial parcels.

The Washoe Development Group is researching options for environmentally-friendly economic development and possible alternative energy applications consistent with preservation of cultural resources.

The Stewart Ranch represents a unique cultural, environmental and economic resource for the Washoe Tribe and its members. Improvements in Tribal ranch operations will be achieved by the developing integrated strategy blending the complementary objectives of the Tribe's Environmental Protection Department – the best and most productive and sustainable use of the resource – and of the Washoe Development Group – the best and most productive and profitable use. Prudent commercial development decisions will be based on factors such as suitable location, preservation of and accessibility to cultural and recreational resources for Tribal Elders and youth, profitable return to the Tribe, its programs and members, and consistency with Tribal vision and values.

Agricultural Lands of Local Importance

These lands were used for the Stewart Indian School's agricultural education program.

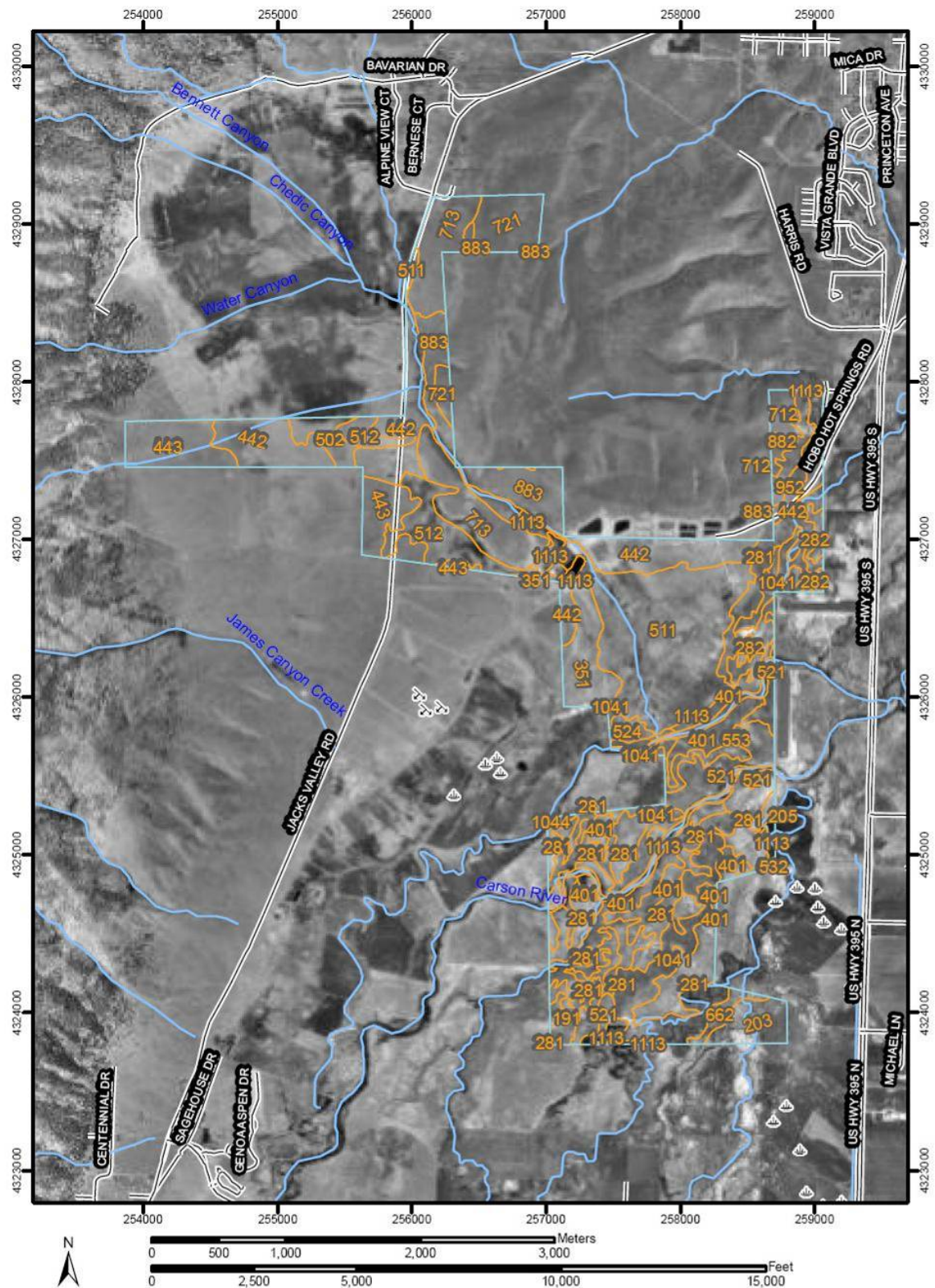
Topography/Unique Geologic Features

The elevation ranges from 4,650 feet along the Carson River up to 5,400 feet in the upper northwestern portion of the parcel, where the boundary stops at the bottom of the Carson Range of the Nevada Mountains. The ranch house sits at an elevation of 4,960 feet.

Soils

There are 18 soil types on the Stewart Ranch. A large portion of Stewart Ranch soils composition contains saline-alkali. Other portions are comprised of various hydric soils. And still other portions mostly in the upper reaches are of sandy-loam composition. The soils information is too numerous and the soil localities are very complex to give a good designation and classification in this document. It is recommended that the Soil Survey of Douglas County Nevada be referred to for any soils information.

Soil Map–Douglas County Area, Nevada
(stewart ranch)



Map Unit Legend

Douglas County Area, Nevada (NV773)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
191	Cradlebaugh clay loam, drained, slightly saline-alkali	16.8	0.8%
203	Dangberg clay, strongly saline-alkali	38.9	1.8%
205	Dangberg clay, wet, strongly alkali	5.1	0.2%
281	Fettic very fine sandy loam	309.9	14.4%
282	Fettic clay, strongly saline	39.5	1.8%
351	Godecke fine sandy loam	63.7	3.0%
401	Heidtman clay loam	198.5	9.2%
442	Holbrook gravelly fine sandy loam, 2 to 8 percent slopes	224.9	10.5%
443	Holbrook very stony sandy loam, 4 to 15 percent slopes	114.4	5.3%
461	Hussman silty clay loam	0.1	0.0%
502	James Canyon loam, drained, 4 to 8 percent slopes	24.9	1.2%
511	James Canyon variant loam, 2 to 4 percent slopes	294.1	13.7%
512	James Canyon variant loam, slightly saline, 4 to 8 percent slopes	80.5	3.7%
521	Job loam	58.9	2.7%
524	Job loam, clay substratum	11.4	0.5%
532	Jubilee clay, slightly saline-alkali	0.4	0.0%
553	Kimmerling clay loam	30.0	1.4%
662	Ormsby gravelly loamy coarse sand	14.0	0.6%
712	Prey gravelly loamy sand, 0 to 4 percent slopes	21.8	1.0%
713	Prey stony sandy loam, 4 to 15 percent slopes	143.7	6.7%
721	Prey variant stony loam, 2 to 15 percent slopes	61.7	2.9%
801	Riverwash	7.5	0.3%
882	Springmeyer stony fine sandy loam, 15 to 50 percent slopes	21.0	1.0%
883	Springmeyer very stony fine sandy loam, 30 to 50 percent slopes	98.1	4.6%
952	Toll sand, 4 to 15 percent slopes	22.8	1.1%

Douglas County Area, Nevada (NV773)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
1041	Voltaire silty clay loam, wet, strongly saline-alkali	173.7	8.1%
1044	Voltaire clay, slightly saline-alkali	0.4	0.0%
1113	Water	70.2	3.3%
Totals for Area of Interest (AOI)		2,146.8	100.0%

Environmental Problems

The main environmental threats to the Stewart Ranch are created by,

1. *Threat 1 - Impacts from changing uses of water resources in Carson Valley*
Water resources around the Stewart Ranch are limited. The Tribe had an artesian well that flowed on the Ranch on an annual basis. After the nearby ski school and two homes drilled wells, the artesian well no longer flowed. The Tribe had several artesian wells as well as several wells 10- feet deep that flowed year-round. Now they are dry by July. Land use around the Stewart Ranch is changing quickly and so are the water resources. As the population of Northern Nevada grows and agricultural lands are converted to homes, golf courses, and commercial centers, the demand for water will increase. The Washoe Tribe must be fully aware of its water rights in order to protect and maintain them
2. *Threat 2 - Development changing downstream flow patterns*
Development and growth around the Stewart Ranch must also be carefully watched and assessed for potential to either significantly reduce or increase the surface flows that historically reached the Ranch. Construction for residential, commercial, or industrial changes the patterns of runoff and generally increases the volume as well, creating flooding for downstream landowners. The developments adjacent to the Ranch are large in size and therefore have a greater impact potential. In some circumstances, intergovernmental action makes it easier to affect the final plan. This is more difficult with less centralized development, such as hundreds of small landowners building individual homesteads as in Johnson Lane area.

The development taking place in the floodplain of the Carson River may pose a threat. The more changes in the surrounding land uses, the greater the risk if adequate flood planning is not completed. The result is likely to be greater amounts and velocities of water coming downstream to impact the Ranch location. The best response for the Tribe is to strongly advocate that development not take place in the upstream floodplains and pursue policies that strengthen existing regulations. In addition, the Tribe should strongly advocate against proposals, such as the channelization of Carson River, as if channelization does

take place, the water table will be lowered for the entire valley, streambed downcutting will increase, and remaining unchanneled stretches will experience a higher frequency of out-of-bank occurrences.

3. *Threat 3 - Airport industrial park chemical spill*

The airport industrial park chemical spill from Bently's manufacturing plant has been the subject of a great deal of plans and remediation. TCE, a degreasing solvent that's considered "a probable human carcinogen," was released at the Bently site between 1961 and 1986 and has since contaminated the groundwater, rendering it unusable for drinking or irrigation. The chemical is a threat to fish, wildlife and humans. Unfortunately, the plume of contamination continues to move closer to the Carson River and the Stewart Ranch. It is somewhere in the vicinity of Highway 395 and its direction of travel has proven somewhat difficult to predict. Pumping of the aquifer to remove the contamination has gone on for years but has not been adequate. The permeable nature of the alluvial fill makes it easy for the contamination to migrate toward the River and the point of low elevation in the area - Section 36 of the Ranch. The clean-up is being monitored by the State but attention to the Tribal interest has been minimal. Evaluation by the Tribe's hydrologic experts is crucial to determine what response may be needed. In 2003, the Settlemeyer family sued Bently for groundwater contamination on their property and received a settlement out of court.

4. *Threat 4 - Open dump in NE corner of Section 26*

An open dump of approximately 5 acres and made up of unknown materials is located against the Tribal boundary of the Ranch near Section 26. The dump is on the Simek property that was sold to Genoa Lakes. The dumpsite could easily impact the Tribe's Hot Springs area as leachate is moving toward the Tribal boundary. It has been reported that the State is supervising the clean-up although no plan has been given to the Tribe to be reviewed. Any action regarding the dump should include input from the Tribe.

5. *Threat 5 - Feedlot nitrates polluting water resources*

The feedlot on the Ranch can pollute the ground and surface water from uncontrolled runoff carrying nitrates from the manure generated by the stock being fed. Generally, this is not the serious problem that exists in other parts of the country where a higher amount of rainfall takes place. The feedlot needs to be evaluated to determine if the potential for pollution is great enough that a drainage system and holding pond are needed.

6. *Threat 6 - Indian Hills General Improvement District*

Indian Hills General Improvement District operates a treatment plant with many acre feet of raw effluent stored just uphill from the north boundary of the Ranch. The facility operates in accordance with State regulations. The distance from these storage basins to Tribal lands is very short, and seepage or a catastrophic event such as an earthquake or excessive rainfall could affect Tribal land and

resources. There are monitoring wells in place but the Tribe should review all operating conditions regularly to make sure no impacts have commenced.

The rapid rate of development and change surrounding the Ranch means that new threats could develop, which will have to be understood and a position on their degree of seriousness taken by the Tribe. Continued vigilance will be mandatory to protect Tribal interests.

2. Water Resources

Remarkable hydrologic resources are incorporated into the Stewart Ranch including resources from the Carson River, Jacks Valley Creek, sloughs, several ponds, hot springs and groundwater wells. According to the BIA Title Status Report, the United States purchased all water, water-rights, flumes, ditches and dams. As mentioned above, Public Law 97-288 transferred all of the U.S. interests in the property, including its water interests, to the Washoe Tribe.

Surface Water

Surface water resources on the Stewart Ranch includes the Carson River, Jacks Valley Creek, multiple hot springs, a slough that branches off from the Carson River, and a few ponds.

Several historic decrees influence water rights of the area. A civil decree of 1886 adjudicated water rights from Jacks Valley Creek, and included the Stewart Ranch property now owned by the Tribe. (At the time of the decree it was the Fulstone Ranch.) On the Carson River, many of the Tribe's water rights are governed by the Alpine Decree of 1980. In addition, a James Canyon Creek decree is known to have supported a water diversion to the lower lake near the feed lot on the Stewart Ranch. Additional research into these water rights would benefit the Tribe.

Slough

The slough is an abandoned river channel. The slough borders parcel 1419-35-001-003 before running onto the Stewart Ranch. In 1988 an agreement between the Tribe and the adjacent land owner was created to "better manage water in the Old Carson River Channel." This agreement was cancelled in 1996 due to failure to comply. It may be in the best interest of both parties to renew the agreement and/or for the Tribe to seek other agreements with adjacent and area water users.

The slough, where river pumping is currently taking place, is in need of dredging after flood events to enable the pump intakes to be set lower and work effectively. An old pump intake now abandoned, is completely buried in mud, making it evident that at some point in the past, the Slough was deeper. The level of water in the Slough matches the static water level in the active channel of the Carson River located about 2,000 feet to the southeast. The downcutting of the River's main channel combined with the filling in of the slough with sediment for decades, has created a situation whereby the Ranch operation is finding that in addition to drought conditions, the normal, irrigating season is being reduced by availability at the intake. The situation with the slough was presented

to the Corps of Engineers in the fall of 1994 and this agency concurred that dredging was acceptable as long as the purpose was the continuation of the agricultural activity.

River

The Carson River runs through the southern portion of the Stewart Ranch. Erosion on both banks is evident and the river is constantly changing course.

In 2001, the Stewart Ranch installed a lift station in the river to pump water to the slough. The water is then pumped from the slough to the pivot. This relieves the Tribe from being dependent on up-slough water users. Late in the season, however, during low flows, this pump is unable to move the water.

Ditches

Land in Section 36 have reverted to sagebrush. The fields need to be redeveloped in order to utilize water from the Carson River. Tailwaters from the Heyburn Ditch and Middle ditch may have watered this section at one time. More research into potential rights from these and other sources needs to be done. There is little evidence that active farming ever occurred in this Section. It was probably grazing land rather farmland.

Lakes & Ponds

There are three lakes near the channel of Jacks Valley Creek. At the time the 1994 Land Use Plan was written, these lakes totaled 14.4 acres of surface area. The amount of surface water has grown since that year. These bodies of water were designed to utilize flow from the Creek and the Hot Springs. The earthen structures of these impoundments have not been maintained for many years and need to be evaluated for repair and upgrading.

Ambrosetti Pond is located on the Tribal boundary and the water rights to this large wetland or lake, as the case may be, are owned by Carson City, for the purpose of managing releases into the River. Ambrosetti pond was built in WWI to raise muskrats. Carson City can pump additional water at its downstream wells because of the contribution of this body of water to the Carson River. Carson City suffers from severe declines due to pumping of the groundwater aquifer, hence the interest in augmenting supply by managing water at the lower end of Carson Valley. It is probable that the water sport ponds will some day be converted to a similar type of arrangement for Carson City, who happens to be the only entity that is positioned to receive a hydrologic benefit of this type. At some point, conjunctive groundwater uses such as this may proliferate, capable of being used in new ways and possibly lowering the high water table enjoyed by the Tribe.

Other water sources

In the past, Indian Hills General Improvement District supplied secondary-treated effluent for crop use to the Tribe at no cost. There was an agreement between the GID and the Tribe to provide this water for up to 100 acres of irrigated cropland. After the agreement was cancelled, the GID offered the water to the nearby Genoa Lakes Golf

Course. When the GID can not generate enough secondarily treated effluent, groundwater is used to irrigate the golf course.

Wetland Resources

The Cowardin Wetland Delineation System (1976) (the system used to describe wetlands of the United States by the U.S. Fish and Wildlife Service) was used to describe Tribal surface wetlands. For example, the Carson River is described as riverine: lower perennial: unconsolidated bottom, under this system. It is the major run-off river within Western Nevada. The Carson River is biologically impaired as a result of historic uses such as water diversions, logging, mining run-off, bridges, golf courses, residential developments, agriculture etc. The riparian woodland habitat (e.g. Fremont Cottonwood) is highly scattered due to the historical uses. When the river was channelized for agriculture, many of the old trees were destroyed. In the process it lost a lot of its oxbows and associated wetlands. The coyote willow dominates the Carson River Corridor. Some riparian and wetland vegetation is found in the Brockliss Slough and Stewart Ranch oxbows.

There are three fenced hot springs in addition to Hobo Hot Springs within the Ranch. These are considered Palustrine Emergent Thermal Hot Spring Wetlands. Other wetlands include seven other areas that either are wetlands or possess some palustrine wetland emergent qualities. South of the Carson River and on the Ranch there is an artesian well that only flows when the water table is high. A wetland has developed from the flow of this well. There is more vigorous plant growth in wetter years.

Also south of the Carson River are two tributaries that support riparian and wetland vegetation on the Ranch. The second tributary to the east is broader and wider and supports far more wetland plants. The first tributary is very narrow. There are three solar powered wells – one on the north side and two on the south side of the Ranch. These periodically support wetland-related plants.

The Washoe Tribe's 2006 Wetland Protection and Mitigation Standards govern all Tribal wetlands and riparian areas. All additional determinations, interpretations and recommendations about or related to wetlands are made by the WEPD. Set buffers are imperative for the protection of Washoe wetlands like wet meadows and creeks. Buffers protect wetland hydrology, function, and wildlife from encroachment like infrastructure development, e.g. roads, facilities and recreational use. The WEPD will inspect and certify site buffers, slopes, and monitor all related site requirements for compliance. The WEPD may direct or impose conditions related to the Washoe Tribe's 2006 Wetland Protection and Mitigation Standards or any other requirements it deems necessary or appropriate to protect Tribal wetlands. Projects or activities conducted by Tribal or non-Tribal entities that disturb, remove, fill or clear wetlands or riparian areas must mitigate that disturbance, removal, filling or clearing

Discharge to Surface Water

Surface water is influenced by runoff from animal manure during storms. Current planning practices encourage keeping the cattle and horse from direct contact with streams and the rivers.

Groundwater Quality Water Rights and Supply

The river bottom lands in Section 36 are at the lowest elevation in Carson Valley before the Carson River moves downstream to a new basin. A consequence of this geomorphology is that all groundwater in the basin is moving toward this point. Use of the aquifer here is very desirable because of the constant replenishment of the water resource from higher elevations.

When the Stewart Ranch lands were transferred to the Washoe Tribe, the water rights were also transferred. This is an enormous asset for the Stewart Ranch, and includes the groundwater. Generally speaking, the potential groundwater resources of the Stewart Ranch are excellent and should be developed to the utmost.

Wells

There are three small artesian wells located in Section 36. These artesian wells provide evidence that the static water level of the aquifer is actually above the surface of the ground at that point, which would mean maximum flow conditions and greatly reduced pumping costs. Excluding the artesian wells, there are several other wells on the lower Ranch including a 280-foot deep irrigation well with a 14-inch casing. A new well is needed to provide reliable irrigation water for Ranch operations. The upper Stewart Ranch lands to the north of the parcel are located in Jacks Valley. These lands can access an aquifer created by an alluvial fan extending from the Carson Range and two wells were developed to use this resource. No information has been found to quantify the volume of water in this aquifer.

Demand for groundwater is growing in the Carson Valley, especially with recent development and diminishing snowpack. Neighbors surrounding the ranch include the Ascuaga Ranch, three water sport facilities, two golf courses, and 3 new developments. All of these uses potentially tap the static water level of the shallow groundwater.

Hydrologic Features

Hobo Hot Springs is entirely located on the Stewart Ranch and is a product of the large, north/south fault that parallels the east face of the Carson Range. Geothermal activity is relatively near the surface of earth at this point, and interacts with some source of groundwater which eventually finds its way to the surface. At Hobo Hot Springs, the groundwater discharged on the surface is at a temperature of 115 degrees. Thermal waters usually possess large amount of minerals from their association with geothermal activity, sometimes to the point of being brackish and unusable. Hobo Hot Springs represents a remarkable good quality of water, having a total dissolved solid content of less than 500 TDS. A test of this source in 1994 registered 390 TDS.

Historically and prehistorically, Washoe Tribal members would camp on the edges of the hot springs. This area was abundant in food and wildlife.

An aquaculture project, now defunct, which used the thermal waters, was pursued by the Tribe for a few years. During this time the pools were filled and covered over and the hot water was diverted to hot pools within a building which hosted a shrimp farm and tropical fish hatchery. The deteriorating metal building, pipes and other infrastructure still remain on the property. As noted previously, the entire flow has been directed into the lakes in the past operation of the ranch. Other than these uses, the site is significant to the Washoe People who utilized these springs for their recuperative powers and pleasant bathing qualities. Most of the locations where the thermal waters surface have not been developed. The large area where springs and seeps can be observed suggests that considerable thermal water could be developed if desired.

3. Air Resources

Air quality standards

Stewart ranch is within an air quality attainment area. Levels do not exceed standards set by the State of Nevada or the EPA. Proximity to development and a major highway (395) constitute an elevated risk situation (<http://www.scorecard.org>).

Odors, emissions

Pollutants do not exceed EPA standards, however, the proximity to Highway 395 lends its self as a high-risk location, associated with mobile air pollution sources (cars, trucks, buses). Pollutants associated with these sources are (CO) carbon monoxide, (NO) nitrogen oxides, (SO) sulfur oxides, (PM-2.5) particulate matter less than 2.5 micrometers, (PM-10) particulate matter between 2.5 and 10 micrometers and (O3) ozone (<http://www.scorecard.org>).

Dust, wind erosion

Particulates associated with agricultural and ranching practices are of concern on the Ranch. PM-10 levels (particulate matter between 2.5 and 10 micrometers) are of particular concern. These large particles are associated with normal ranching and agricultural practices coupled with high winds. The Ranch possesses both of these variables (<http://www.scorecard.org>).

4. Natural Resources

Wildlife Habitat/Migration Corridors

The combination of undeveloped areas, abundant water resources and plentiful food supply make the Ranch an ideal habitat for many different species of wildlife. Mule deer, rabbits, squirrels, owls and coyotes are frequently spotted on the property. Mountain lions, bobcats, bears and typical other mountain animals are also present. The Washoe Tribe's staff informally monitors the wildlife populations. There is a herd of mule deer that moves between the Ranch north of the Indian Hills Treatment Plant and west near Jacks Creek. A flock of herons nests in the trees next to the Carson River. A family of owls raised their offspring in a tree next to the Ranch house this spring.

According to a bird inventory performed in September 2000 by WEPD staff, common birds on the Stewart Ranch include owls, red-tailed hawk, sharp-shinned hawk, belted kingfisher, turkey vulture, swallow, black-billed magpie, sparrow, killdeer, common raven, American kestrel, Northern flicker, great-blue heron, black-capped chickadee, Canada geese, blackbirds, common merganser, California quail, morning dove, and band-tailed pigeon. Golden and Bald-Headed Eagles can be found on the property at specific times of year.

Birds known to breed on the Carson River include:

Grebes:	Western Grebe, Clark's Grebe, Pied-billed Grebe
Cormorants:	Double-crested Cormorant
Plovers:	Snowy Plover
Gulls & Terns:	Forster's Tern, California Gull, Ring-billed Gull
Stilts & Avocets:	Back-necked Stilt, American Avocet
Thrushes:	Western Bluebird, Townsend's Solitaire, Mountain Bluebird, Hermit Thrush, American Robin
Mimic Thrushes:	Sage Thrasher
Shrikes:	Loggerhead Shrike
Dippers:	American Dipper
Starlings:	European Starling
Vireos:	Cassin's Vireo, Warbling Vireo
Nuthatches:	White-breasted Nuthatch, Red-breasted Nuthatch, Pygmy Nuthatch
Wrens:	House Wren, Canyon Wren, Bewick's Wren, Rock Wren, Marsh Wren, Winter Wren
Gnatcatchers:	Blue-gray Gnatcatcher
Other:	Herons, Bitterns, Egrets, Ibises: Great Blue Heron, Snowy Egret, White-faced Ibis, Black-crowned Night-heron, Great Egret, Least Bittern, Rails, Moorhens & Coots: American Coot, Common Moorhen, Virginia Rail

The Rookery at Stewart Ranch on the south side of the Carson River; it is home to Great Blue herons and egrets and includes a nesting site. It is a small, even-aged stand of Fremont Cottonwood Trees. More trees need to be put in to replace the ones that are dying. The birds are generally there in the spring and early summer.

The Tribe has been interested in enhancing the riparian areas of Jacks Valley Creek. Planning for fencing and grazing rotation has been completed. A project called "Shared Vision" has been launched by the Tribe which involves the agencies who manage lands in Jacks Valley. The consensus so far has been that it is desirable to maintain the open space and natural resources of Jacks Valley as a benefit for the future. If this effort is translated into policy, it will be very beneficial for the wildlife which is being severely crowded elsewhere in the Carson Valley.

Vegetation Resources

There is several native plant species on the Ranch put to traditional uses. Harvesting and gathering of these plants is permitted for Tribal members and encouraged to preserve the culture.

Lowland riparian habitats, areas below five thousand feet in elevation, are associated with Nevada's major river systems like the Carson River (Nevada Partners in Flight Working Group, 1999). The Washoe Tribe possesses lowland riparian habitat, though significantly degraded and highly scattered, on approximately one and a half miles at Stewart Ranch along the Carson River. Fremont cottonwood (*Populus fremonti*) commonly dominates lowland riparian habitats. Fremont cottonwood is the dominant floodplain riparian woody species in the Carson River watershed. This cottonwood occurs in narrow, periodic clusters along the Carson River (Carson River Master Plan, 2001). Cottonwood exists in highly scattered similar age galleries on Tribal lands along the Carson River at the Stewart Ranch. These galleries were extensively reduced or degraded during European settlement and water regulation and floodplain development continue to impact cottonwood species. Fremont cottonwood occupies lower floodplains with silty-loamy soils within the watershed. Cottonwood grows opportunistically, like coyote willow, and is readily propagated on floodplain restoration sites. This floodplain cottonwood is short lived however and is highly affected by disease like heart rot fungus (Nevada Partners in Flight Working Group, 1999). Extensive cottonwood galleries throughout watersheds of Washoe ancestral lands were thought to exist before nineteenth century European settlement. Agricultural clearing, water diversions, timber conveyance on major rivers and mining greatly reduced cottonwood abundance. These man-induced impacts have reduced cottonwood seeding, recruitment and establishment. Flood events influence the distribution and age of cottonwood stands. A mature Whiplash willow stand is present below the Stewart Ranch irrigation pond. Native shrubs such as Creek Dogwood (*Cornus stolonifera*), Service berry (*Amelanchier alnifolia*), and Western Chokecherry (*Prunus virginia*) are also present.

The Stewart Ranch is highly threatened by noxious weeds species, including Hoary cress "white top" (*Cardaria draba*), Canada thistle (*Cirsium ravense*), Bull thistle (*Cirsium vulgare*), Scotch thistle (*Onopordum acanthium*), Tall white top (*Lepidium latifolium*), Russian knapweed (*Centaurea repen*) and Yellow Starthistle (*Centaurea solstitialis*). In addition, cheat grass (*Bromus tectorum* L), a non-native weed, is highly wide spread on Tribal lands and much of Nevada. Thistles, like Canada thistle, grow aggressively in irrigated pasture and on rangelands like the Stewart Ranch. Tribal lands are also affected by other non-native woody, shrub and herbaceous species like Russian Olive. Non-native woody species like Apple (*Malus sp.*), Russian Olive (*Elaeagnus angustifolia*) and Black Locust *Robinia pseudoacacia* have also been introduced into the region and impact the Ranch.

Ecosystems and Biologic Communities

The Stewart Ranch area is historically a deer migration route between the high elevations and the lower elevations. The wildlife populations have declined in recent years due mostly to human-caused interference and impacts.

5. Cultural Resources

Historic Properties

The Hobo Hot Springs Road is within the general alignment of the Emigrant Trail as it headed for California over Carson Pass. Some experts believe that a roadhouse and way station was located on what is now the northwest corner of the Ranch in Section 19.

Culturally Significant Properties

The presence of hot springs on the Stewart Ranch has long been known and appreciated by the Washoe People. Archeological studies near this feature and in other areas of the ranch have found cultural significance that must be protected for the future. The majority of the ranch has a high cultural site sensitivity (both known and predicted). Ethnographically, the area is known as malit k'iléti' 'itló'om.

6. Socioeconomic Conditions

There is no socioeconomic information associated with this parcel.

7. Resource Use Patterns

Hunting, Fishing and Gathering

The Stewart Ranch is named for the ranching operations but it also offers hunting and fishing. A two mile section of the Carson River passes through Stewart Ranch. Water quality at this segment of the River is no longer favorable for trout, however there are fish. Fish types include daces, sculpins, minnows, carp and even the occasional trout. Hunting is limited to game birds, migratory fowl and rabbits. Stewart Ranch is a tribally designated mule deer refuge and no deer may be harvested. The native Lahontan Cutthroat Trout is no longer found in the River due to changes in River characteristics and alien species. Tribal members have exclusive privileges for fishing on the Carson River.

The Jacks Valley Creek enters the Ranch on the northwest corner. The stream flow has changed considerably since historic times and the only fish species in the Creek now are small minnows. The Creek terminates before it reaches the Carson River.

Mining

There is no mining on the Stewart Ranch property.

8. Infrastructure, Service Systems and Transportation

Utilities and Service Systems

Power is accessible and can be upgraded depending on the types of development and their requirements. New developments will be required to plan and provide new or improved access as part of the planned unit design process. This also covers the development of sewage treatment facilities. The Tribe has the option of effluent disposal

with Indian Hills General Improvement District, although a large project on Tribal land may well find it economically prudent to construct a treatment facility for agricultural land application. Water facilities for Tribal lands are developed by the Tribe and operated by Washoe Utility Authority. Studies for water supplies adequate to develop the Ranch's non-agricultural use must be undertaken.

Non-Vehicular Transportation

Horses are sometimes used on the Ranch.

Parking

Parking would only be an issue for new development on the Ranch.

Roads

Roads on the Ranch, and those which connect to the State Highways, are adequate for the current land uses. Lands which are proposed for development can directly connect to State Routes.

Right-Of-Ways/ Planned Routes

Right-Of-Ways are held by Sierra Pacific for electrical lines. Other easements exist for a sewer line and Jacks Valley Road. There is an easement for the US Forest Service, the Washoe Tribe and Ascuaga to use the dirt east-west road just north of the Stewart Ranch house.

9. Other Values

Sound and Noise

There are no specific sources of noise pollution on the Stewart Ranch. Some traffic noise can be heard close to Highway 395.

Wind

Stewart Ranch is in close proximity to marginal to outstanding wind resources. The Ranch itself may not contain a high quality resource (class three or above), however. The topography of the area creates intensive heating and cooling of air masses between the mountains and the valley, resulting in poor to marginal wind resources (class 0-3). These power classes (0-3) are not significant enough for large-scale turbines but may allow the use of small turbines. A 230 kV transmission line is in relatively close proximity allowing for possible grid connection. Local wind power characterization variations exist; seasonal, daily winds associated with the Stewart Ranch parcel will need to be monitored to identify these variations if wind power is to be considered.

Solar

Solar radiation on the Stewart Ranch parcel is categorized as good to excellent. Summer solar energy potential is "extremely high"; the energy potential during the winter season is categorized as "good". Solar energy can be a viable renewable resource on the Ranch and for the Tribe. With highly efficient "concentrating collectors and photovoltaic" energy collected per day could reach 6000-6500 Whr/sq m. "Thermal conversion" is

probably less of an alternative due to seasonality of maximum solar energy. The Tribe should consider the use of a solar or wind powered pump if a new Ranch well is drilled.

Geothermal

The Stewart Ranch is a strong candidate for geothermal power production similar to the geothermal facilities run by Sierra Pacific near Reno. Such a facility should not be located near the Hot Springs due to its cultural sensitivity. It is much more likely that geothermal waters are even hotter at greater depths across the Stewart Ranch. The geothermal technology uses deep wells pumps water can be injected and heated to steam which can drive a turbine when allowed to return to the surface. With a completely enclosed system, the water is then returned to the ground, maintaining the water as a renewable resource. The environmental benefits are good when compared with coal-fired power plants, but the existence of these types of plants on a large scale has been too brief to rule out the possibility of local, negative effects to groundwater or from subsidence. In order to develop the geothermal resources of the Ranch, scientific studies and drilling tests would need to be conducted across the ranch to locate the depth and temperature of the hottest waters.

Solid Waste

This parcel is currently utilized for ranching operations including agricultural and livestock. Primary waste generation consists of removed and piled vegetation. This vegetation is stockpiled and burned in accordance with traditional ranching practices. A small portion of the waste stream is non-organic material, mostly consisting of paper and individual waste. This waste is also burned on site in a 55-gallon burn barrel. This practice is not recommended for future action. Ideally the Ranch would contract with local disposal haulers to haul all non-organic waste produced. It is also possible to work with the nearby entities for composting options.

Aesthetic/Views/Glare

The Stewart Ranch is a beautiful property with fantastic views of the mountains.

10. Public Health and Safety

Natural hazards include flooding, seismic, rangeland fire, avalanches, and mud slides. These must be anticipated when considering land use on the Ranch.

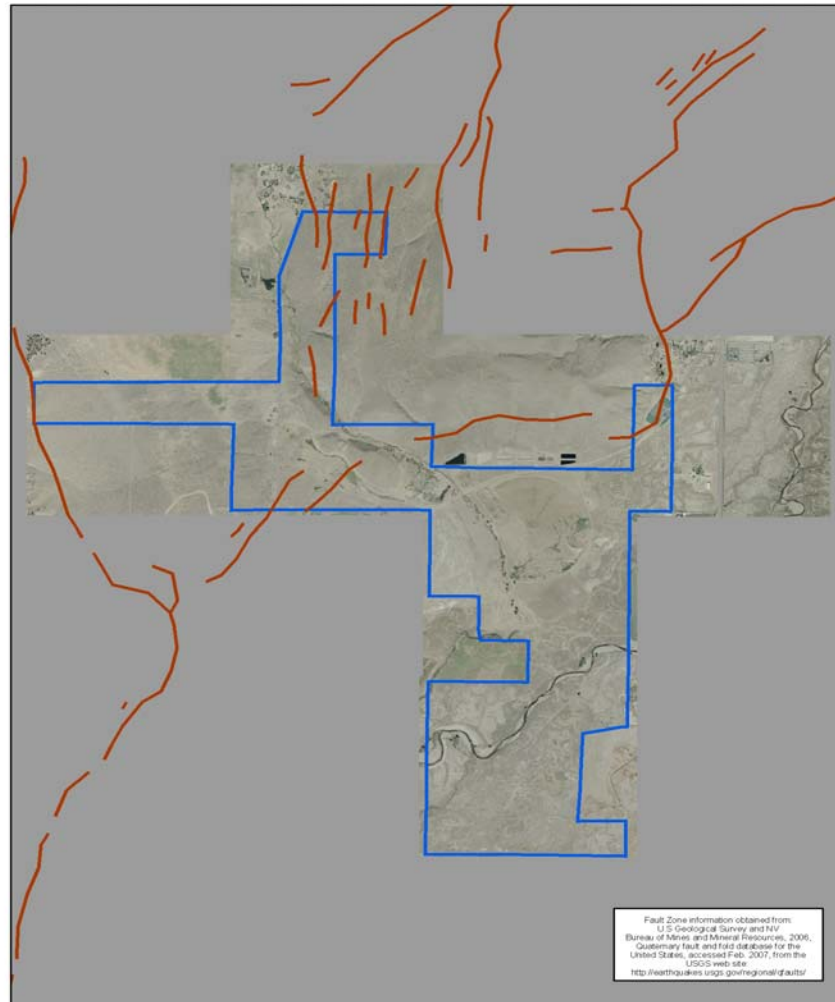
Flooding

The Carson River flood plan covers much of the Stewart Ranch. The Carson River flows through the southern portion of the parcel thus making flooding events fairly common. The gray portion of the below figure is delineated as Zone A. This area is susceptible to 100-year floods; Zone X (non colored area) is outside of the 100-year and 500-year flood plains. Irrigation ditches and natural wetlands occur on the Ranch; these have the potential to impact the Ranch in high precipitation years; the wetlands aide, by helping to diffuse the flooding problems. Ambrosetti pond has the potential to impact the Ranch. The 1997 New Year Flood saturated the entire Carson Valley. The force of the water destroyed the culverts on Jacks Valley Road and took out the Cradlebaugh Bridge. Since this flood, Douglas County has permitted more homes to be built in the floodplain.



Seismic Hazards

The presence of a major fault that parallels the front of the Sierras is indicated on the Ranch by the upwelling of the Hot Springs. The fracture in the rock due to the fault is a conduit for the thermal activity to rise to the surface. The potential exists for an earthquake of 7.5 or greater magnitude. Although some shallow rock areas are located on the ranch, the soil cover is generally deeper than it is on other trust parcels. This fact means that seismic activity is magnified from a Jell-O-bowl effect and is further worsened by the liquefaction potential due to the presence of a high water table. A location with seismic potential such as this may be better to leave undeveloped. If the Tribe decides to proceed with development on the Stewart Ranch, the standards of structural engineering on any buildings must be rigorous to withstand the most devastating seismic activity.



Other concerns

Snow storms and mud slides could impact access along Jacks Valley Road. These are only minor concerns.

Police Protection and Services

The Washoe Tribal Police Department and the Washoe Rangers provide combined police protection and law enforcement services to the communities, Tribal lands, and the Pinenut Allotment Lands. The Tribal Police and Rangers are located at the Tribal government complex south of Gardnerville, Nevada.

The Allotment lands have always been an enforcement issue, and are in need of further attention to address jurisdictional issues. The Tribal Police foresee a need for future protection capabilities that would benefit the Tribal communities and lands.

The U.S. Federal Bureau of Investigation has certain enforcement duties when a felony crime is committed on tribal lands. Certain lands in California are covered under the Public Law-280, which gives jurisdiction to the State in certain matters.

The Tribal Police assist local jurisdictions with law enforcement in combined efforts and provide services during search and rescue operations, HAZMAT and assist during natural disasters and other emergency situations.

Fire Protection and Services

The Bureau of Indian Affairs, pursuant to its Trust Responsibilities, provides Wildland Fire Suppression through various agreements and memorandum of agreement.

The local county fire departments under a Memorandum of Understanding with the Washoe Tribe provide certain fire protection and services. Additional services that the local emergency departments provide include: medical transfer, disaster emergencies and HAZMAT. Because the Tribal lands and communities are scattered and fractionated they depend on these agreements with the local jurisdictions to supplement their efforts.

Parcel Objectives

- Objective One:** Continue research into comprehensive water resources and rights protection for the Ranch and develop and implement a long-term water rights strategy for current and projected Ranch operations as well as future commercial development.
- Objective Two:** Prepare and adopt a new agricultural operation plan including proposed field and water improvements that integrate best management practices as soon as possible.
- Objective Three:** Establish a clear line of authority and funding for the operation plan.
- Objective Four:** Effectively monitor the intergovernmental aspects of the Ranch and adjacent lands with special emphasis on the six threats listed in this document.
- Objective Five:** Base future development siting decisions on the land use map in this document as approved by Tribal Council.
- Objective Six:** Seek commercial users for the commercially-zoned lands to promote employment opportunities for Tribal members and generate lease income, with regular Tribal Council oversight.
- Objective Seven:** Complete a special study of the attributes and values of the Hot Springs.
- Objective Eight:** The Tribe will continue to advance its “Shared Vision” planning project for Jacks Valley and seek to have the County incorporate the results into future planning.

References

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Carson Valley Groundwater Pumpage Inventory Water Year 1991: Department of Conservation and Natural Resources, State of Nevada

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Soil Survey of Douglas County, Circa 1981: Soil Conservation Service, U.S. Department of Agriculture

The Stewart Properties: A Master Plan for Tribal Acquisition and Land Use: Washoe Tribe, 1981

Tribal Strategic Plan: Washoe Tribe, 1991

Washoe Comprehensive Land Use Plan: Washoe Tribe, 1985

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VII. Carson Community

Issues Executive Summary

When the Carson Colony was initially settled it was several miles to the south of Carson City. Since that time, Carson City has grown and expanded around the Carson Community and even extends several miles south to the Douglas County line. The Carson Community faces many issues due to this transition from rural to urban setting and the increasing urban interface has brought both benefits and challenges. The Community-operated smokeshop has been very successful, and is proof that economic development can be a positive benefit of rapid development.

Location and Boundaries

The Community is located on 160 acres of land in the Northeast ¼ of Section 30, Range 20 East and Township 15 North. From the eastern edge of the Community on South Curry Street, about 83 acres are considered easily amendable to development, while the remainder of the acreage contains steeper slopes ranging from 10% to 40% gradient ascending the east front of the Carson Range.

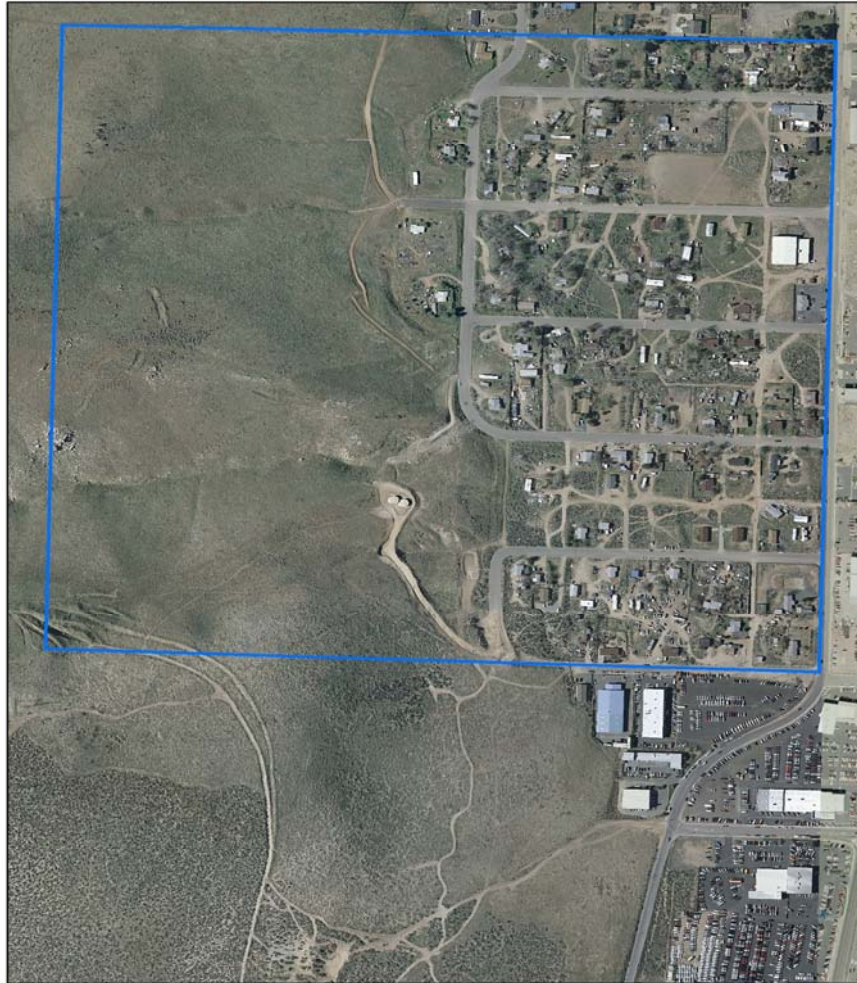
Community land consists of what were two tracts from the Blackie and Little Ranches, which were purchased in 1917 for \$3,500. This acquisition was the result of authorization from Congress to the Bureau of Indian Affairs to make land purchases for the “landless” Nevada Indians including the Washoe. In 1968, the initial purchase was augmented completing the full 160 acres by addition of 3.85 acres from John Rupert in the northeast corner of the Community.

Carson City was formerly within Ormsby County, a small county but nevertheless important as it contained the Nevada State Capitol and was the scene of much activity during the Comstock mining boom. In 1969, Carson City expanded its corporate boundary to include all of Ormsby County, thereby including the Carson Community within Carson City limits. Carson City is now considered an independent city and county.

Background Information

From Carson Community’s beginning as ranchlands until 1937 when the Washoe Tribal government was formed under the Indian Reorganization Act, development was directed by the Bureau of Indian Affairs. Visible effects of this period include the one acre parcels - the Carson Community was initially laid out as 64, one-acre lots – and the street layout. Early sewer and water systems were also planned by the federal government. Considering the ranchland origins of the Community, the rural setting, and the time period, the one acre lots were probably initially conceived as lands on which individuals could undertake minor agricultural activities such as gardening and running a few head of stock. This historical period in Indian policy certainly was one of attempting to turn Native Americans into farmers and speed their assimilation into the dominant society. One-acre lots were not typical of nearby Carson City during this time period. Because of the original standard lot size, as the Carson Community gradually became a more

suburban setting, the process of subdividing for residential use became the driving force in development of the Community.



After the Washoe Tribal government was formed under the IRA and the Carson Community Council developed further, more direction for land use came from Tribal sources and less from the BIA, though the BIA continues to involve itself at times over the years particularly when internal conflicts became protracted or divisive. The interaction and sometimes overlap between the Carson City government, the Washoe Tribal Council, and the BIA (federal government) sets the stage for the present day unease stemming from uncertainties about whose approval is needed for a particular project or activity.

A significant expression of the Community and Tribal desire to assume more control of its future came when Carson Community's five-member Council approved Community goals and objectives as part of the Tribal General Plan of 1973. This list included developing public services, landscaping, providing a Community center and recreation

facilities, building more housing, and restricting the encroachment of commercial enterprises to preserve the residential character of the area.

The area around the Carson Community has become very developed, with the Fandango Casino and other light industrial facilities and businesses. The Community's smokeshop sign can still be seen from Highway 395 but it is not as obvious. The parcel immediately east of the Carson Community on Highway 395 is still undeveloped. As a result of increased development both in the immediate area and to the south generally, there is higher traffic on Curry Street which is on the eastern border of the Community. It is important that the Tribe make clear to Carson City that the Tribe and Carson Community must be fully involved in decision-making regarding any development plans on this location.

1. Land Resources

Current Land Use

The majority of the commercial zoning is along Curry Street which has the greatest flow of traffic. The rest of the community is primarily residential use. The western half of the Carson Community has very steep slopes so it is zoned Conservation.

	Carson	Acres	Percent
Code	Total	160	100%
R	Residential	61	38%
C	Commercial	9	6%
CO	Community	1	1%
I	Infrastructure	12	7%
P	Park/Recreation	3	2%
LI	Light Industrial	0	0
AI	Agriculture I	0	0
AII	Agriculture II	0	0
C	Conservation	74	46%

Current land use on the Carson Community is largely a result of subdividing of one-acre lots into quarter acres. Many of the lots formerly zoned commercial are now used for residential purposes and are no longer appropriate or available for commercial use.

A major issue concerning current land use in the Community is the land assignments and land leases. Land assignments are a typical way of granting a limited use right, similar to a deed. Part of the special nature of Indian Trust lands is that they can not be sold, divided, or otherwise disposed of without federal approval and authority. Land transactions take place on trust lands, but are undertaken differently and for different purposes.

In Carson Community, land assignments are a grant of a use right to a particular area of the Community that is agreed upon by the Community Council and the Tribal Council before becoming effective. Such assignments are generally for residential purposes.

Most of the residential land uses on Carson Community are consummated under land assignments.

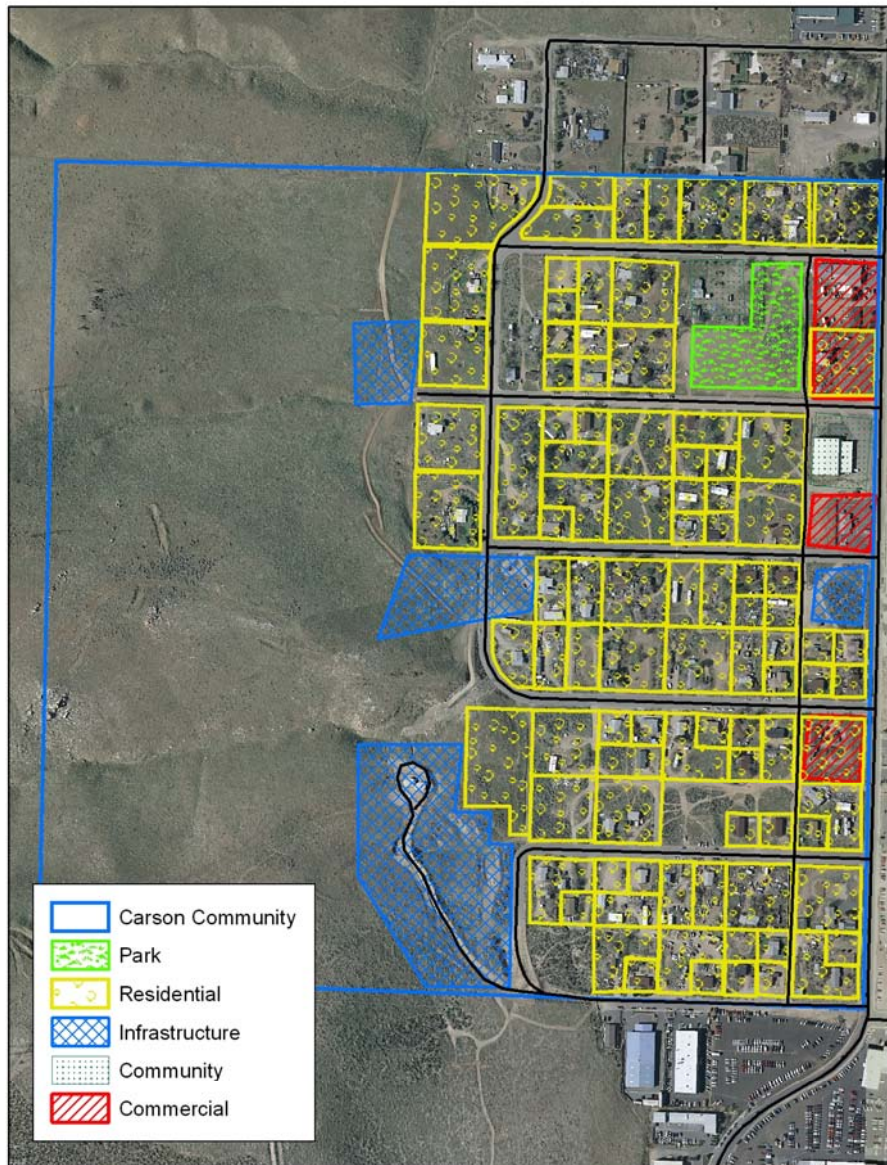
There are a few residential leases on the Community. Leases are common ways for Indian Trust lands to be obligated where a legal instrument was needed for a person, business, or developer to use and develop a piece of trust property. Frequently, lending institutions providing capital for an enterprise secure the loan with land (or a deed) as collateral. Because of the unique status of Indian Trust land, securing capital investments is more complicated and is a major stumbling block for economic development. Leases are written grants to another of the right to possess, use and enjoy a piece of property for a specified period of time often in exchange for periodic payment of a stipulated price, referred to as rent. Leases can be used to secure capital through leasehold mortgages.

The use of a land assignment can be interpreted as transferring rights to land without any particular economic potential accruing to the assignee in the minds of the two parties at the time. A land lease is a more formalized grant of use rights and often done specifically with economic potential as its purpose.

Land leases can be used to allow someone other than a Tribal member to use and control Tribal trust land. Residential leases, depending on their terms and conditions, can result in non-Tribal members residing on Tribal trust land under a lease. For instance, leases may be “assignable” to a third party in the lease’s terms. A business lease to a non-Tribal member with the purpose of generating revenue for the Tribal membership as a whole is a clear use of the leasing concept. A lease for residential use, if not properly defined and understood can be ambiguous and have unintended consequences.

Though originally used for the assignment of residential use lands, from time to time a land assignment has been used for “cottage industries” on Carson Community. Such assignments can evolve over time, especially with the economic possibilities present in a growth area such as Carson City, but may be unnoticed or unregulated by the Community or Tribal governments. This is an area that needs some study, consideration, and perhaps ordinances providing standard terms, due process, and protection of health, safety and welfare.

The land assignment and lease processes, especially as it relates to the existing conditions in Carson Community, must be reviewed for revision or updating. Inconsistent application of grants of land use could cause division within and among the Community and Tribe as lands are subdivided for various uses. On the residential, 1-acre lots, there is potential for approximately 100 more subdivisions, and without clarification of policies governing the process, a situation much more troublesome and painful than what is now experienced may develop.



Proposed Land Use

The land use trend for Carson Community has been mostly and increasingly for residential use. The ability of residents to enter the Carson City job market and secure employment may be the factor that deemphasizes development of a wider variety of Community commercial enterprises. Nevertheless, there are some small acreages left with ideal locations for commercial use, and should be set aside for that purpose.

In the 1994 Land Use Plan, there were some sites that may have been seen as unsuitable for some residential uses because of the need for special construction and site development beyond the scope of programs like HIP or HUD. Since 1994, the options available for individual Indians to finance residences on trust land have changed, and there may now be opportunities for financing a home site that would allow those sites to be used for residential development. Since special conditions of slope exist on these lots, in addition to the land assignment or lease process, the Community and Tribe will need to have full review authority over individual home projects. With the very limited land base for development on the Community, use of these sites may be allowed if an individual can show that they have successfully met the special development problems posed by the sites.



Community Facilities

Development of the four blocks conceptually includes ball field, spectator stands, parking, playgrounds, a new community building (which may include a head-start facility), and landscaping. This year, the Community built a new community center, which is where Community and Tribal Council meetings are held.

Mining and Mineral Resources

The Carson Community is within the historic Voltaire Mining District. The Carson Black Lead Mine and the Voltaire Mine are located about 2 miles southwest. In the early history of the District, active mines were producing gold, silver, arsenic and copper. The Premier Mine, approximately three miles northwest, was the most significant producer. There are at least five known sites inside the west boundary of the Community, where minerals were explored and/or extracted. Though it is no longer actively mined, evidence of mining activities can still be seen on the higher slopes above the Community. During the Waterfall Fire Rehabilitation work on the western edge of the Community, a former mining tunnel was discovered and reburied. Gold and silver were the principle metals that were mined at the site.

A 1983 study by the U.S. Geological Survey and U.S. Bureau of Mines entitled “Status of Mineral Resource Information for Assorted Indian Lands in Nevada” concluded that, “Carson Community has good potential for metallic resources.” Also, “[s]and and gravel appear to be other possible mineral resources.” The report concluded by saying that, “[t]he Carson and Ely Colonies are the only ones with metallic mineral potential. Geochemical exploration is recommended to determine if any areas contain economic deposits of gold, silver, or copper.”

Having discussed the importance of the ridges of the watershed directly west of Carson Community for maintaining the groundwater resource, it should be quite evident that any new mining activity has potential to impact area water resources. The extreme steepness of land makes it very difficult, with any kind of development, to avoid alteration of surface features. Surface change is linked to reduced percolation of runoff down into the aquifer and therefore reduced recharge potential. Acquisition of the 110 acres of Forest Service land immediately south and west of the Community, in addition to the ability to assert primacy over aboriginal lands, is the best way to exert control over potential mining activity in the area and is the best protection possible for Community resources.

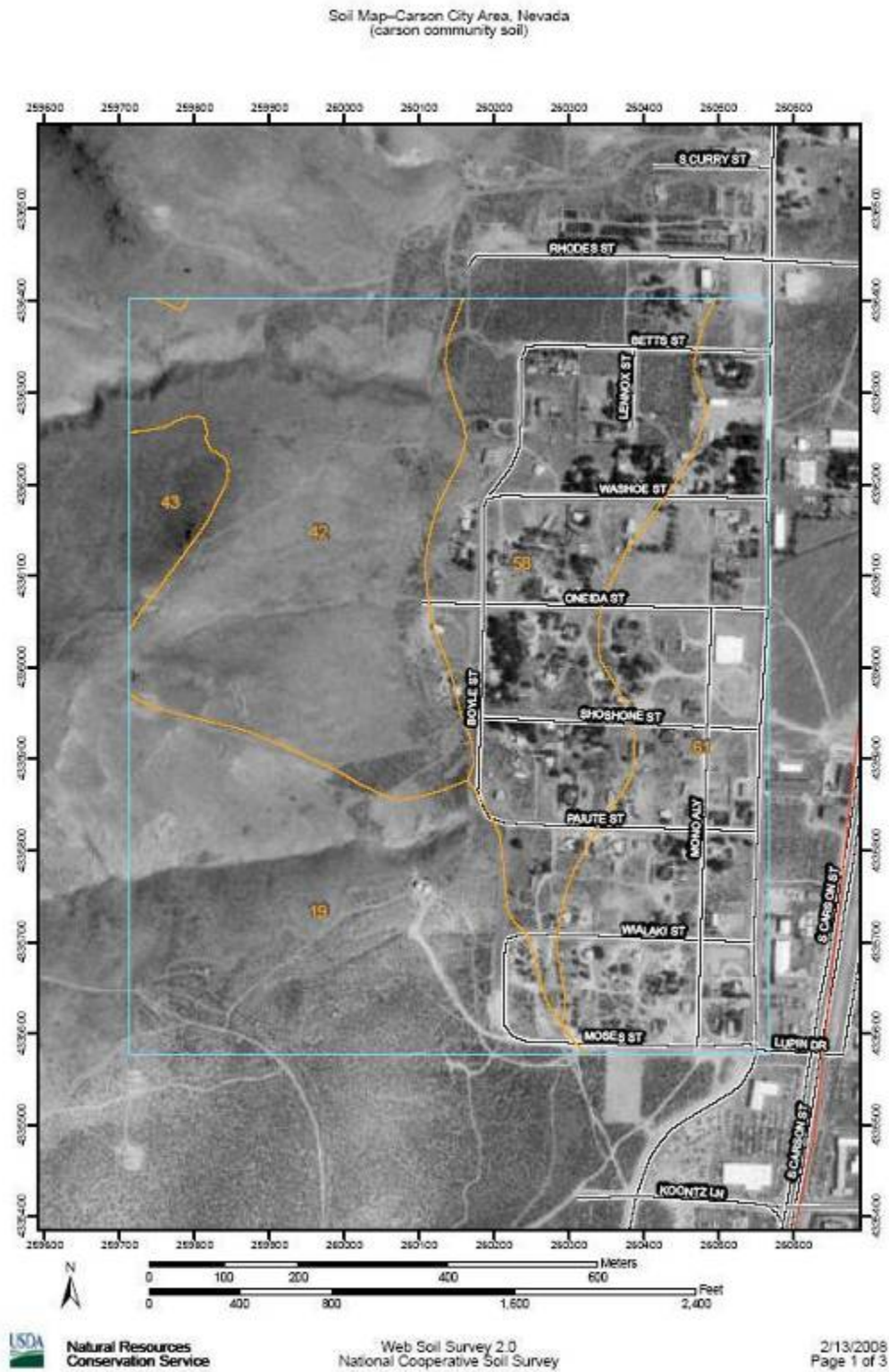
Soils

Soil Map—Carson City Area, Nevada

carson community soil

Map Unit Legend

Carson City Area, Nevada (NV629)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
19	Glentbrook-Rock outcrop complex, 30 to 50 percent slopes	51.2	24.1%
42	Koontz-Sutro variant association, moderately steep	58.0	27.3%
43	Koontz-Sutro variant association, steep	5.7	2.7%
58	Surprise coarse sandy loam, 2 to 4 percent slopes	49.8	23.4%
81	Surprise gravelly sandy loam, 0 to 2 percent slopes	47.8	22.6%
Totals for Area of Interest (AOI)		212.6	100.0%



2. Water Resources

Wetland Resources

There are minimal wetland resources on the Carson Community. Groundwater seeps associated with old mining tunnels support willow groves.

Irrigation Ditches

There are no irrigation ditches or associated agricultural operations within the Community.

Discharge to Surface Water

WEPD made improvements to stormwater transfer and debris containment as a result of the Waterfall Fire. There are still major stormwater issues in the developed part of the Community, particularly those related to drainage.

Erosion and Sedimentation

There are still concerns regarding erosion on the Watertank Road, but much of the threat was alleviated as a response to the Waterfall Fire.

Groundwater

Carson Community is located on the southern edge of the Eagle Valley groundwater hydrographic basin and is a part of the larger Voltaire Canyon watershed which is utilized for water resources by Carson City and the Tribe. This hydrographic basin is 71 square miles in size and is the smallest in the Carson River watershed. The underlying aquifer is accessible within a few feet of the surface in many areas and may be hydraulically connected to water bearing formations consisting of glacial outwash and poorly sorted sand and gravels. Due to this connectivity, the Tribe must be concerned when actions are proposed that could easily impact its water resources.

No year-round surface flow exists within the Community; instead it depends on two wells, which along with the distribution system are managed by the Washoe Utility Management Authority. The hydrologic conditions are somewhat complicated by the fractured characteristics of the aquifer due to faults making siting a good production well difficult. The two existing wells each produce 150 gallons per minute.

Springs occur on the Community as a result of faulting and fracturing. The set of springs at the foot of Paiute Canyon were developed by the Bureau of Indian Affairs in 1936 and are tied into the existing Community water distribution system. Oneida Gulch also has a set of springs, which are not hooked in to the system. These sources of water are valuable to the Community and the Tribe and should be studied to determine if they can be enhanced or better and more efficiently utilized.

The total current ground water resources for the Carson Community consist of these two wells and a spring “well” connected to the Community’s water distribution system. The contributing recharge area for this spring is 112 acres in size. This well has some arsenic, perhaps related to the geology and connate source, and is not currently in use. Due to

high nitrate values close to or exceeding the national drinking water standards, only the southernmost of the two supply wells is currently being pumped. A nitrate treatment plant utilizing ion exchange is planned for installation in the next year.

The south well is currently pumped at a rate of 145 gallons per minute (2006). This well was drilled in April 1981 by Enroe Drilling to a depth of 250 feet. Depth of the seal is 50 feet, with screening from 56 feet to 250 feet. The lithologic log indicates coarse to medium sand and some clay streaks and cobbles from 70 to 250 feet. The log also indicates rock was hit at 250 feet. Static water level at the time was 53 feet below ground level.

The 50-year WHP area is an ellipse of 6,000 feet wide and 6,200 feet in length. Lands outside the boundary to the west of the Community are undeveloped and under the jurisdiction of the USFS. The majority of the lands within the WHP are outside the boundaries of the Carson Community and are residential, commercial, and industrial areas in Carson City. The ten-year wellhead protection area around the two wells is about 480 feet by 600 feet. The five-year wellhead protection area is about 1200 feet long by 900 feet wide and encompasses residential and commercial areas within the Community predominantly. The ten-year wellhead protection area is 1500 feet long and 1320 feet wide and includes residential areas on the Community to the northwest of the wellheads and some commercial areas.

The sub-basin in which the Community wells are located is approximately 225 acres in size and extends to the west onto Forest Service lands. The aquifer's recharge is from this sub-basin as well as the faulted and fractured rock below the surface.

Carson City has developed a large tank and supply facility in Voltaire Canyon about $\frac{3}{4}$'s of a mile to the south of the Community. There are numerous other private wells within close proximity. The growth of Carson City has made it difficult for the City to keep ahead of the demands on the aquifer. The water levels in wells have been noted in United States Geological Survey publications as being in a long period of decline. Wells on the west side of Carson City have experienced declines of over 50 feet. It is inevitable that the sub-basin utilized by Carson Community will be affected by the general decline although the recharge provided by the 225 acre sub-basin will buffer the effect to some extent.

Management of the watershed on and above Community lands is an important aspect of the Community's water supply. If the watershed vegetation is in poor condition, the velocity of surface flow is higher and as a result, percolation into the ground which recharges the local aquifer is less and the potential for flooding is increased. Attention to the condition of the contributing area, regardless of ownership, is very important. Acquisition of the Forest Service lands, which contain the sub-basin, should be considered to allow a direct approach to watershed management. Although their intentions may be good, relying on Carson City to develop a sustainable supply may be unwise. Careful monitoring of, and interaction with the City and State water authorities as they develop resource policies is necessary to safeguard Community and Tribal

interests. Water rights issues as well as self-determination have driven the development of independent supplies on all Tribal lands and still remain as the best reasons for independent Tribal water supplies and water supply systems.

Water Quality

Several years ago, water sample tests in the Carson Community in repeatedly came back with nitrate tests over 10 mg/L. After the Community went to bottled water, WUMA obtained grant funding and installed a nitrate removal plant that went online in January 2008. Arsenic is still an issue at the spring well source, which is shut down.

3. Air Resources

Air quality standards

The EPA establishes air quality standards through regular tests of the primary or “criteria” pollutants. The standards are set for the protection of public health. Carson Community is within attainment (meets the air quality standards) for the main pollutants established by EPA. Thus the health risk from air pollution does not exceed EPA standards, though high levels of pollutants have been recorded in the past (http://www.epa.gov/oar/oaqps/air_risc/-3_90_024.html). Carson City County ranks 2nd in Nevada for cancer causing mobile air pollution emissions recorded. Carson City County also ranks third in non-cancer causing mobile air pollution emissions within the State. This seems to indicate air quality in the Carson Community area may be worse than EPA and other organizations (governmental/independent) report. (<http://www.scorecard.org>). Overall air quality according to the EPA is relatively good in the Carson Community area and has become better within the last 10 years.

Odors, Emissions

Carson Community has a relatively high-risk susceptibility to two primary airborne pollutants - CO (carbon monoxide) and PM-2.5 (particulate matter). Prolonged exposure to high concentrations of both CO and PM-2.5 can lead to liver problems, asthma, nervous system damage, throat irritation, birth defects, and more. Mobile sources include buses, trucks, trains, cars, and recreational vehicles. PM-2.5 pollution levels often peak in December and January due to personal wood burning stoves, and these months remain the most susceptible to high levels due to calmer winds and colder temperatures on average, keeping the particulates close to the ground and sedentary. Areas of concern in the Community are Rupert’s Auto Body Shop as well as several businesses located on the northeast side of the Community. Odiferous emissions have been reported surrounding these businesses. TRI (toxic release inventory) sites with on-site and off-site emissions of air pollution in the Carson City area include: Capitol City Concrete, Mr. Gasket and TAIYO America, Inc., none of which exceed attainment levels. TRI sites are reported by the facilities, which mean unreported emissions may occur and go undocumented.

Dust and wind erosions caused by intense ranching and agriculture are not prevalent in close proximity to the Community. Traffic in and around Carson Community may create some elevated levels of large particulate matter, however prevailing winds seem to indicate transport of these particles away from rather than to the Community. Wildfire has the potential to impact the community. High levels of PM-10 could result from large

fires as loose exposed soils resulting from fires may become susceptible to wind transport (<http://www.scorecard.org>).

4. Natural Resources

Wildlife Habitat/Migration Corridors

This area is too urbanized to support wildlife and migration corridors.

Vegetation

Vegetative cover in the Community appears sparse and is primarily composed of Big Sagebrush, Antelope Bitterbrush and Sedge grasses. There are no native tree species occurring on the Community except for the deciduous trees planted as shade trees, windbreak, and for the aesthetic quality. A healthy ecosystem on this location may include native forbs and grasses such as: Green ephedra, Desert needlegrass, Bottlebrush squirreltail, Tailcup lupine, and Douglas rabbitbrush, percentages of each being determined by rainfall and land use.

Vegetation in good condition has a fair potential for wildlife habitat and provides food and cover for mule deer, coyote, cottontail rabbit and quail. Management of the vegetation for improved watershed characteristics will also have the benefit of increased forage and cover for wildlife. As the urbanization of Eagle Valley continues, an overall reduction of the variety and population levels of wildlife takes place due to loss of habitat.

The hills to the west of the Community have been historically prone to wildfire, either by natural occurrence or by human caused ignition, with regular fire intervals of 2-3 years. The vegetation re-growth after a fire is usually "Cheatgrass" an invasive weed that establishes itself first and will take over the landscape as the predominant plant. Cheatgrass is a primary carrier for fire spread as it cures out early and becomes fire tinder ready for a spark to ignite. The Washoe Environmental Protection Department planted the hillsides after the Waterfall Fire of 2004 with native grasses and forbs as part of an erosion mitigation plan.

5. Cultural Resources

The entire Carson Community is rated as having low sensitivity, whether known or predicted, for cultural resources, due to topography, geographic locations and pre-existing disturbance of the land. (To protect sites, maps of Cultural Resources are not included).

6. Socioeconomic Conditions

Population

The 1993 Washoe census reported that the Carson Community was composed of 337 persons in 109 households, making an average of 3.09 persons per household. Total males constituted 46.6%, and total females, 53.4%. The 1973 General Plan forecast the 1990 population, with medium growth, at 235. The 2000 U.S. Census reported the Carson Community Population to be 286 people.

2000 US Census for Carson Community

Subject	Number	Percent
HOUSEHOLD POPULATION		
Population in occupied housing units	286	100.0
Owner-occupied housing units	235	82.2
Renter-occupied housing units	51	17.8
Per occupied housing unit	3.29	(X)
Per owner-occupied housing unit	3.18	(X)
Per renter-occupied housing unit	3.92	(X)
HOUSEHOLD TYPE		
Owner-occupied housing units	74	100.0
Family households	56	75.7
Householder 15 to 64 years	49	66.2
Householder 65 years and over	7	9.5
Married-couple family	19	25.7
Male householder, no wife present	9	12.2
Female householder, no husband present	28	37.8
Nonfamily households	18	24.3
Householder 15 to 64 years	14	18.9
Householder 65 years and over	4	5.4
Male householder	13	17.6
Living alone	10	13.5
65 years and over	0	0.0
Not living alone	3	4.1
Female householder	5	6.8
Living alone	5	6.8
65 years and over	4	5.4
Not living alone	0	0.0
Renter-occupied housing units	13	100.0
Family households	10	76.9
Householder 15 to 64 years	8	61.5
Householder 65 years and over	2	15.4
Married-couple family	6	46.2
Male householder, no wife present	0	0.0
Female householder, no husband present	4	30.8
Nonfamily households	3	23.1
Householder 15 to 64 years	2	15.4
Householder 65 years and over	1	7.7

Subject	Number	Percent
Male householder	1	7.7
Living alone	1	7.7
65 years and over	0	0.0
Not living alone	0	0.0
Female householder	2	15.4
Living alone	1	7.7
65 years and over	1	7.7
Not living alone	1	7.7
Subject	Number	Percent

(X) Not applicable.

Source: U.S. Census Bureau, Census 2000 Summary File 1, Matrices H11, H12, and H17.

Carson is one of the oldest of the Communities and a noticeable statistical detail is the lack of any males in the 75 & up age cohort. Carson has more persons that Tribal average in the male and female 50-74 years of age, so the circumstances surrounding the 75 & up males may be explained by a number of factors including possible unmet needs for elderly facilities and health issues that are as yet unexplored. Carson City's population growth is a contributing factor to many aspects of the Carson Community. This growth translates into potential additional economic development opportunities and employment. It also means that impacts to the Community from surrounding land use are greater, both in terms of the speed with which they happen and their magnitude. The isolation of the Community in earlier times is now replaced by a much greater interaction of the Indian and non-Indian people. This makes for many subtle changes such as crime rate and marriage opportunities. It is probably a fair statement to say that the growth of Carson City has set the pace for Carson Community in most areas of Community life and will continue to do so in the future. Regardless of the changes, Community residents want to prevent their identity and uniqueness being diminished and assimilated.

According to the 2006 Socio-Economic Profile of the Washoe People, the highest rate of disability is found among Carson Community (40.9%) household members as compared to Stewart Community (11.4%) household members (See Table VII). Most Carson Community (68.3%) households speak only English as compared to 36.0% of Woodfords households.

Carson Community (68.8%) residents are more likely to live in a mobile home than residents from Dresslerville (31.3%) (See Table I). Carson Community (60.0%) residents are significantly more likely to neither own nor rent their dwelling than respondents from Dresslerville (20.0%), Stewart (20.0%), and Woodfords (0.0%) colonies (p=.001).

The eight strategic planning priority areas of Carson Community residents are listed below by order of importance (rated “very important” or “important”):

- ◆ education and training (100.0%, n=60);
- ◆ physical health and wellness (98.3%, n=59);
- ◆ community development and infrastructure (95.0%, n=57);
- ◆ culture (95.0%, n=57);
- ◆ lands and environment (93.3%, n=56);
- ◆ sovereignty and public safety (91.7%, n=55);
- ◆ governance (88.3%, n=53);
- ◆ trade and commerce (88.1%, n=52).

Carson Community residents rated the importance (rated “very important” or “important”) of buildings and community spaces for their Community in the following order:

- ◆ health clinic (93.1%, n=54);
- ◆ gymnasium (90.0%, n=36);
- ◆ basketball court (86.8%, n=46);
- ◆ nursery or day care center (84.0%, n=42);
- ◆ neighborhood parks or green spaces (82.5%, n=47);
- ◆ libraries and information resource centers (79.3%, n=46);
- ◆ traditional landscaping for open space and meditative trails (53.3%, n=32);
- ◆ football field (39.0%, n=23);
- ◆ convenience store (36.7%, n=36);
- ◆ swimming pool (32.2%, n=19);
- ◆ grocery store (31.6%, n=18);
- ◆ soccer field (27.6%, n=16);
- ◆ deli-snack bar (22.8%, n=13).

7. Resource Use Patterns

Hunting, Fishing and Gathering

The Carson Community does not offer any hunting or fishing resources. There are no perennial streams on the parcel. Harvesting and gathering is very limited as the vegetation is limited and susceptible to wildfire occurrences.

8. Infrastructure, Service Systems and Transportation

Water supply on the Community is a function of Washoe Utility Management Authority and Indian Health Service. WUMA maintains the service lines and mainlines. IHS funds and engineers new developments needed for the water system.

The Community system includes two wells and two 80,000 gallon steel storage tanks. The main lines are 6” and 4” asbestos-concrete material. At the present time, new water lines are not constructed using this material and IHS has recommended replacement.

Sewer is served by a 6-inch main line which was developed by the Tribe with IHS engineering. The system is connected to Carson City who operates and maintains the sewer system. Community residents support the system through user fees paid through WUMA to Carson City. The incorporation of the Community sewer system into Carson City was covered by a series of agreements dating back to 1971. In 1987, due to poor payment of sewer bills, Carson City and the Tribe negotiated an agreement to make WUMA the pass-through for billing and begin a schedule for payment of past unpaid balances by individuals.

Issues about the frequency of Carson City's service of Community lines and the connection of non-Tribal users to the Community system have arisen. Since there is a section in the agreement between Carson City and the Tribe about costs being related to measurements at a flow meter at the lower end of the Community the addition of non-Community users south of the Community should also be measured before the Community boundary. It is not known if this is the case. Discussions with Carson City should commence to bring all the past agreements to the table for review and develop a master agreement that irons out all unanswered questions. Stewart Community and Clear Creek lands could also be a part of the overall review and discussion.

Gas, electric, telephone, and cable television services exist on the Community. The status of easements for these utilities and agreements for these companies to be on Trust Lands varies and in some instances may be nonexistent.

Roads have been built by the Bureau of Indian Affairs within the Community, and maintenance may be supplied by BIA, the Tribe, or Carson City. Other than the paving of Mono Alley, significant road-building is not needed in the immediate future for the Community. Poor access to some of the subdivided interior parcels has become an issue. The Bureau of Indian Affairs will only fund road improvement if a road can serve four or more residences. The land assignment process should be modified to include certainty of provision of access along existing property lines. Figure Ten-VII illustrates where the need for driveways has been identified.

9. Other Values

Wind Energy Resources

Topography associated with Carson Community does not create a highly productive site for harvesting wind. The Carson Range to the west blocks the dominant westerly winds. The rapid heating and cooling of the air from the crest of the Carson Range to the Valley floor does create substantial winds, however the inconsistency and seasonality of these winds likely prevents this area from being a major wind harvesting area. Proximity to 230 kV transmission lines does make this area feasible for connection to the grid. Local wind power characterization variations exist; seasonal, daily winds associated with the Carson Community parcel will need to be monitored to identify these variations if wind power is to be considered. Current known wind classes range from 0-3 (poor to fair).

Solar Energy Resources

Solar radiation on the Carson community is categorized as good to excellent. Summer solar energy potential is extremely high; winter energy potential is categorized as moderate/good. Solar energy can be a significant renewable resource on the Community. With highly efficient “concentrating collector photovoltaics” energy collected per day could reach 6000-6500 Whr/sq m, categorized as excellent.

Solid Waste

Carson Community has 85 households and an estimated population of 280 (WEPD, 2004). There are two Tribal buildings: the Carson Community Gym and the Old Community Building. There are also three enterprises located in Carson: Rupert’s Auto Body, Darlene’s Day Care, and the Smoke Shop.

Curbside solid waste collection services are available to Carson Community residents through Capital Sanitation, located in Carson City. Approximately 48% of Community households subscribe (Capital Sanitation, 2004). Solid waste is collected weekly and disposed of in the Carson City Sanitary Landfill located east of Carson City. Capital Sanitation also has a bi-weekly curbside recycling program where customers are given containers for glass, aluminum, tin, and plastic. Newspapers and magazines can be placed in brown paper bags and set on top of the containers for collection on recycling day. Containers for office paper are available upon request. A recycling kiosk for aluminum cans, metal cans, office paper, and plastic is located in front of the Community Center and is picked up weekly by WEPD staff. WEPD staff also is performing a pilot curbside recycling program for interested Community members, which is anticipated to be Community wide by the end of 2006.

Other options for solid waste disposal in the Carson Community include self-haul and stockpile. The self-haul method allows Community members to haul their waste to the Carson City Landfill on their own initiative. The Landfill accepts a majority of waste products including household hazardous waste, appliances, tires, batteries, oil, deceased animals, and construction demolition waste. Stockpiling waste is another option that is utilized in the Carson Community. On a bi-annual basis the WEPD, WHA, and the Community provide dumpsters for a Community cleanup. These days are highly exploited and yield massive amounts of waste. The stockpiling technique is discouraged due to the related health concerns and unsanitary conditions associated. It is also non-compliant to the Washoe Law and Order Code.

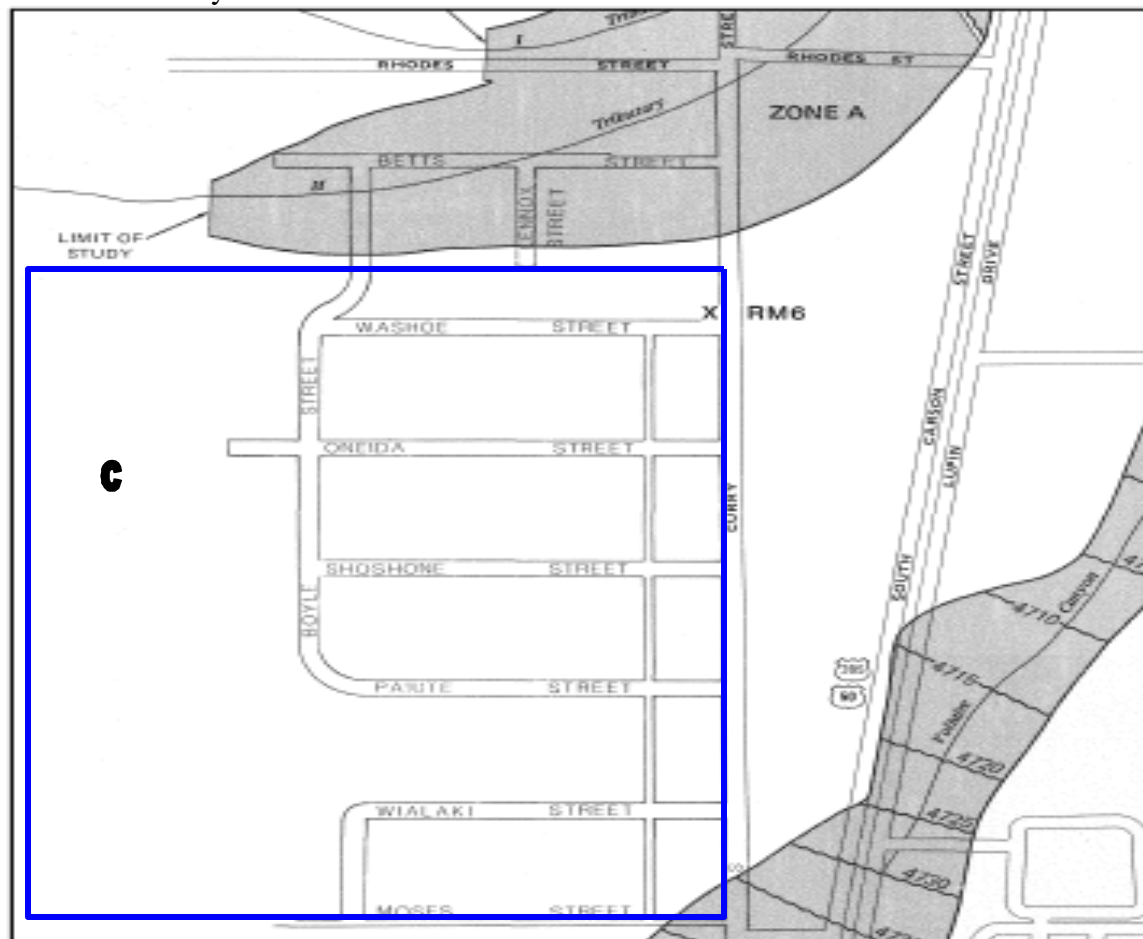
10. Public Health and Safety

Flooding

It is probable that at least every 100 years, a thunderstorm that sits over the Community watershed will produce 1.25 inches of precipitation. If the watershed was already in a saturated condition most of the precipitation could move rapidly downhill to the Community’s developed area, producing 15 acre feet or greater, of flood water. An acre foot of water is the amount of water that covers one acre of land to a depth of one foot. Because of the extreme steepness of the mountainside, runoff is almost instantaneous.

The landform feature upon which the Community is built is known as “alluvial fan” and is common throughout the Great Basin area. Alluvial fans are very difficult to manage for flood because of the shifting nature of their stream channels.

Flood Plain-100year



FEMA delineation of 500 and 100 year flood plain in the Washoe Carson Community

Flooding on the Community is generally confined to the Northeast and Southeast sections. The FEMA Flood Insurance Rate Map (FIRM) demonstrates this pattern. The 1996 FIRM delineates both the 500 and 100 year flood areas. Most of the Community lies in zone C, an area that is not affected by a 100 year flood or is affected minimally. Areas in the northeast and southeast are zoned A, areas which are affected by flooding but currently have no determined base elevations and flood hazard factors.

Seismic

The Carson City Fault Zone runs throughout the parcel and the possibility of earthquakes at magnitude of 7.5 must be recognized. The Tribe must insure that future developments are reasonably protected from seismic damage by considering appropriate structural design features.

A major earthquake will presumably disrupt service lines, roads, and cause chaos in the urbanized portion of Eagle Valley including the Community. Generally, the “built” environment of an urban area is what harms people when a quake takes place. Multi-story buildings falling and fires due to broken gas lines are typical, serious problems. The emergency planning for Carson City needs to be evaluated for its applicability to Community needs and if needed, additional features that reduce risk to life and property should be considered using Tribal resources.



Police Protection and Services

The Washoe Tribal Police Department provides police protection and services to the Community. The Tribal police and rangers are located at the Tribal government complex south of Gardnerville, Nevada. The Tribal police department foresees a need for future protection capabilities that would benefit the Tribal communities and lands.

The U.S. Federal Bureau of Investigation has certain enforcement duties when a felony crime is committed on Tribal lands, including the Carson Community. The Tribal enforcement departments assist the local jurisdictions with law enforcement in a combined effort. They also provide services during search and rescue operations, HAZMAT and assist during natural disasters and other emergency situations.

Fire Protection and Services

There are frequent fires in the Sierra Nevada Range to the west of the Community. The Waterfall Fire of 2004 was the most recent. The Bureau of Indian Affairs under their Indian Trust Responsibilities provides Wildland Fire Suppression through various agreements and memorandum of agreements with the federal government for wildland fire protection services.

Local county fire departments under a Memorandum of Understanding with the Washoe Tribe provide fire protection and services. Additional services that the local emergency departments include: medical transfer, disaster emergencies and HAZMAT. Because Tribal lands and communities are scattered and fractionated they depend on these agreements with the local jurisdictions to supplement their efforts to protect and serve the Tribal lands and population.

Parcel Objectives:

- Objective One:** The proposed land use map in this document will guide siting of future developments unless amended by Tribal Council.
- Objective Two:** Community Council and Tribal Council will initiate discussions that lead to land acquisition to improve opportunities to meet future needs.
- Objective Three:** The Tribe and Community Council will remain vigilant and involved in monitoring water conditions that could be affected by increased development surrounding the Community.
- Objective Four:** The development of commercial land use is a desirable source of economic development which will provide benefits for the Community's population and is therefore a part of the Community's economic development strategy.

References

NRCS Web Soil Surveys: <http://websoilsurvey.nrcs.usda.gov>

Open Files: Washoe Tribe

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Purchasing Lands for Nevada Indian Colonies, 1916-1917: Elmer R. Rusco, Nevada Historical Quarterly

Status of Mineral Resource Information for assorted Indian Lands in Nevada: Bureau of Indian Affairs, Administrative Report BIA-108, 1983

Tribal Strategic Plan: Washoe Tribe, 1991

U.S Geological Survey and Nevada Bureau of Mines and Mineral Resources, 2006: <http://earthquakes.usgs.gov/regional/qfaults>

Wa She Shu, A Washo Tribal History: Inter-tribal Council of Nevada, 1976

Washoe Comprehensive Land Use Plan: Washoe Tribe, 1994

Washoe Socio-Economic Profile: Washoe Tribe, 2006

Washoe Nation General Plan: Washoe Tribe, 1973

VIII. Dresslerville Community

Issues Executive Summary

Dresslerville, together with the Washoe Ranch, is the largest Washoe community and has the highest population. The Dresslerville Community has many attributes such as natural resources, farmlands, highway frontage, and open spaces with which to sustain its residents. The agricultural lands have a long history of production. Even with the estimated available 795 acres, future demands on the resources will be great.

The growth of neighboring Douglas County and the development of the Gardnerville Ranchos has been rapid and is likely to continue. Dresslerville Community residents hope to retain their Community's character. The Ranchos are zoned by Douglas County to allow one house per acre, but this is within an area able to receive development rights (TDRs). There is at least one permitted to buy TDRs to build at a higher density which could include developing alternative access to Highway 395 or a bridge over the Carson River. The Dresslerville Community and Washoe Ranch lands include almost the entire section of river east of the Ranchos. Increased interface with development could create extensive problems or prime opportunities for economic development in the near future.

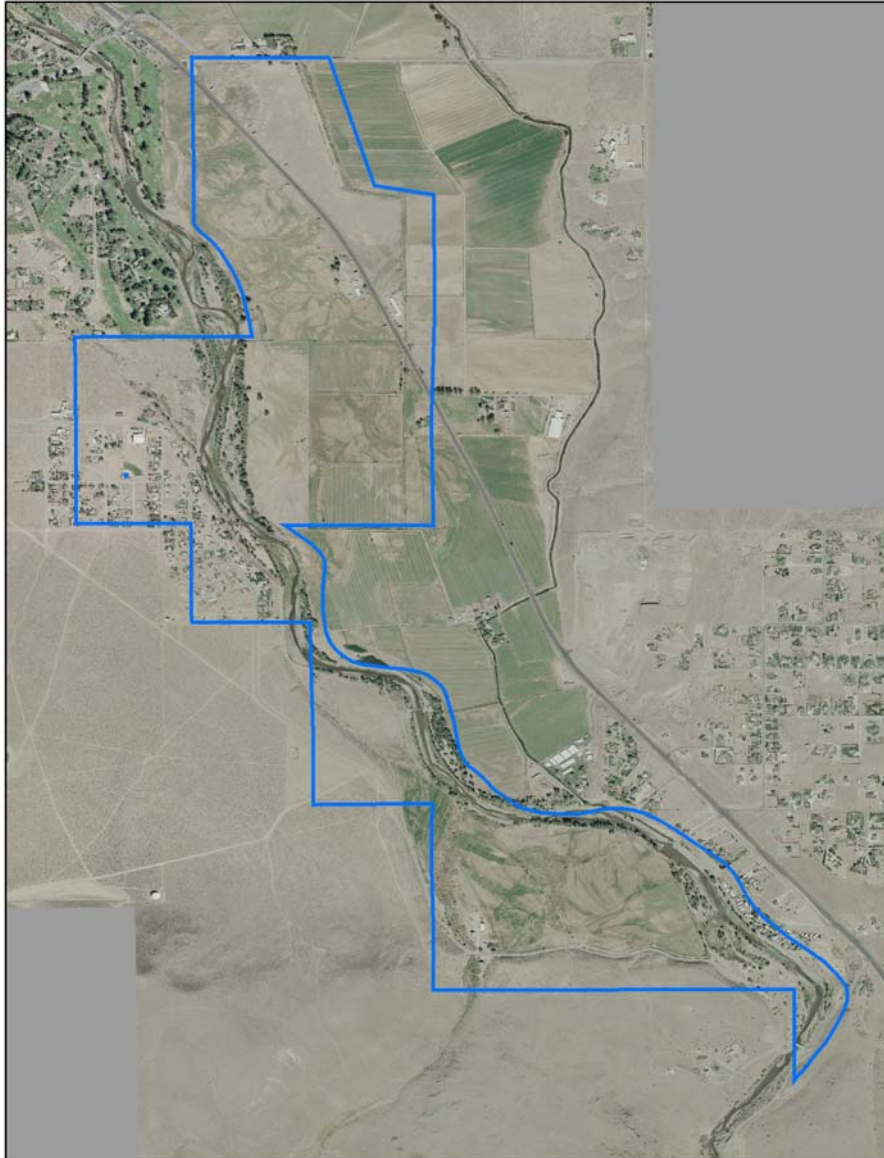
Location and Boundaries

The general description for Dresslerville is as follows:

In Township 12 North, Range 20 East:

<u>Section</u>	<u>Description</u>
11	<i>Southwest 1/4 of the southwest 1/4 , partial</i>
14	<i>Northwest 1/4, partial</i>
14	<i>Southwest 1/4</i>
15	<i>East 1/2 of the southwest 1/4</i>
23	<i>Northwest 1/4 of the southwest 1/4</i>
23	<i>Northwest 1/4 of the northwest 1/4, west of the river</i>
23	<i>Northwest 1/4 of the northwest 1/4</i>
23	<i>Northeast 1/4 of the northwest 1/4</i>
23	<i>Southeast 1/4 of the northwest 1/4 , west of the river</i>
23	<i>Southwest 1/4 of the northeast 1/4, west of the river</i>
23	<i>Southeast 1/4 lying west of the river</i>
24	<i>Southwest 1/4 of the southwest 1/4 , west of the river</i>
25	<i>Northwest 1/4 of the northwest 1/4 , west of the river</i>
25	<i>Southeast 1/4 of the northwest 1/4, west of the river</i>
26	<i>North 1/2 of the northeast 1/4</i>

In 1973, a metes and bounds survey of Dresslerville was completed. The survey center line of the Carson River serves as the boundary for 2.15 miles. The parcel is unique in that the location provides rich, river-bottom farmland and abundant water resources, along with level lands above the 100-year floodplain, suitable for community development.



Background Information

It was not until 1917 that the Dresslerville Community (and the Carson Community) began to reestablish a homeland for the Washoe people. From the 1840's on, the Washoe were relentlessly stripped of the Eastern Sierra lands that had sustained them for thousands of years. The influx of miners, emigrants, and farmers proved to be

unstoppable, and by the 20th Century, the Washoe lifestyle became one of camping along rivers and at the edge of ranches.

Some of the new residents in Western Nevada eventually began to recognize that the Washoe Tribe must have some kind of homeland. In the early 1900s, Washoe leaders continued to petition the federal government for land which they could use to sustain themselves and were supported by prominent persons from Nevada. In testimony before the U.S. Senate in 1916, Senator Harry Lane, “referred to the Indians as Washoe and said that he had known ‘personally of those Indians for the reason that I was born in this country,’ explained to the committee that ‘they are camping on the old camp grounds’ that their ancestors camped on hundreds of years ago, and the town has come in there and they do not desert their camp ground any further than they have to.”

Dresslerville is a collection of several old ranches, the earliest dating back to 1859, which pioneered the development of irrigation systems utilizing the Carson River. Additionally, the site of the “12 Mile House,” at the present day location of the Washoe Smokeshop on Highway 395, was a great crossroads of territorial toll-roads. The Cradlebaugh or Esmeralda Toll Roads advanced east, the Van Sickle and Haines Toll Roads lead west to Kingsbury, and the Bryan and Desert Creek Toll Roads went south.

In 1917, William F. Dressler, a local rancher who had employed many Tribal members, deeded 40 acres to the federal government for the Washoe. By 1929, under the supervision of the Bureau of Indian Affairs, a water system was installed, and, “nearly 300 Washoe lived on the 40 acres.” The Dresslerville Public School “taught children and served hot lunches daily.”

In 1929 Winfield Scott, a Baptist minister, wrote a letter to Senator Oddie asking for, “electricity, fire hydrants and extension of the telephone line and a policeman’s house and salary.” In 1936, seven new homes were built at Dresslerville with the funds provided by the “resettlement administration.” The Dresslerville School, which adjoined the Community, was staffed by three teachers.

Through the Indian Reorganization Act, the Washoe acquired the 755 acres known as the Washoe Ranch, between the years of 1936 and 1940. One of the first maps of the Community and the Washoe Ranch titled “New Washoe Indian Colony,” illustrates the initial 40 acres, plus 17 new lots along the River bluff. These lots were approximately 500 feet long by 75 feet wide, and 0.86 acres each. This shape may have indicated that they were laid out for farming although the lands located above the bluff are unsuitable for cultivated row crops.

1. Land Resources

Land Use Compatibility – Zoning Current and Proposed

The Dresslerville Community and Ranch are primarily Agricultural. The community made a few changes, placing some historic buildings in conservation. The area north of Headstart and the Health Clinic was zoned residential and community to allow for a new Tribal headquarters and approximately 16 residences if the community and Tribe choose

to do so. A community area was also added farther to the south to allow for a cemetery. Community members expressed interest in greater commercial development within the community as well as more community areas to allow for community gardens, willow farms and a sports complex.

The amount of acres and their percent of the proposed land uses are presented in the table below.

	Dresslerville	Acres	Percent
Code	Total	795	100%
R	Residential	130	16%
C	Commercial	27	3%
CO	Community	20	3%
I	Infrastructure	3	0%
P	Park/Recreation	5	1%
LI	Light Industrial	15	2%
AI	Agriculture I	455	57%
All	Agriculture II	75	9%
C	Conservation	65	8%

The Washoe Tribe has an interest in developing and securing sources of revenue. Parts of the Dresslerville property along Highway 395 have been considered for development. The Tribe has updated the configuration of a commercial tract in the northeast corner at least three times. However, because of floodplains and the presence of prime farmlands most of the Ranch should be preserved.

The designation as AGII indicates that the land is still under the classification of agriculture but is in a transition to a new use. Not knowing how rapidly development can take place, an interim step which maintains agricultural use is needed. As shown, the future commercial area is 27.0 acres, including about 20.0 acres of prime farmland. While it is not good to use prime farmland for other than farming, this area is also the best opportunity for the Tribe to have a large-scale commercial business park in the area. Sewer hookups from the north are nearly at the boundary. Adjoining lands are rapidly converting to similar types of uses. The area represents only 14% of the prime farmlands. The area soil has a “hydric” classification, meaning that there is some as yet undetermined potential for it to be a wetland. A true wetland soil cannot also be a prime farmland. The wetland resources in the area will require mitigation by any development.

Commercial use of Washoe Ranch land does not endanger the Tribe’s water rights to any large degree. The Ranch has Alpine Decreed water from the Carson River. It is very likely that some portions of the Ranch can be reconfigured to receive water if made necessary by any development and a “change in the point of diversion” can be filed if necessary.

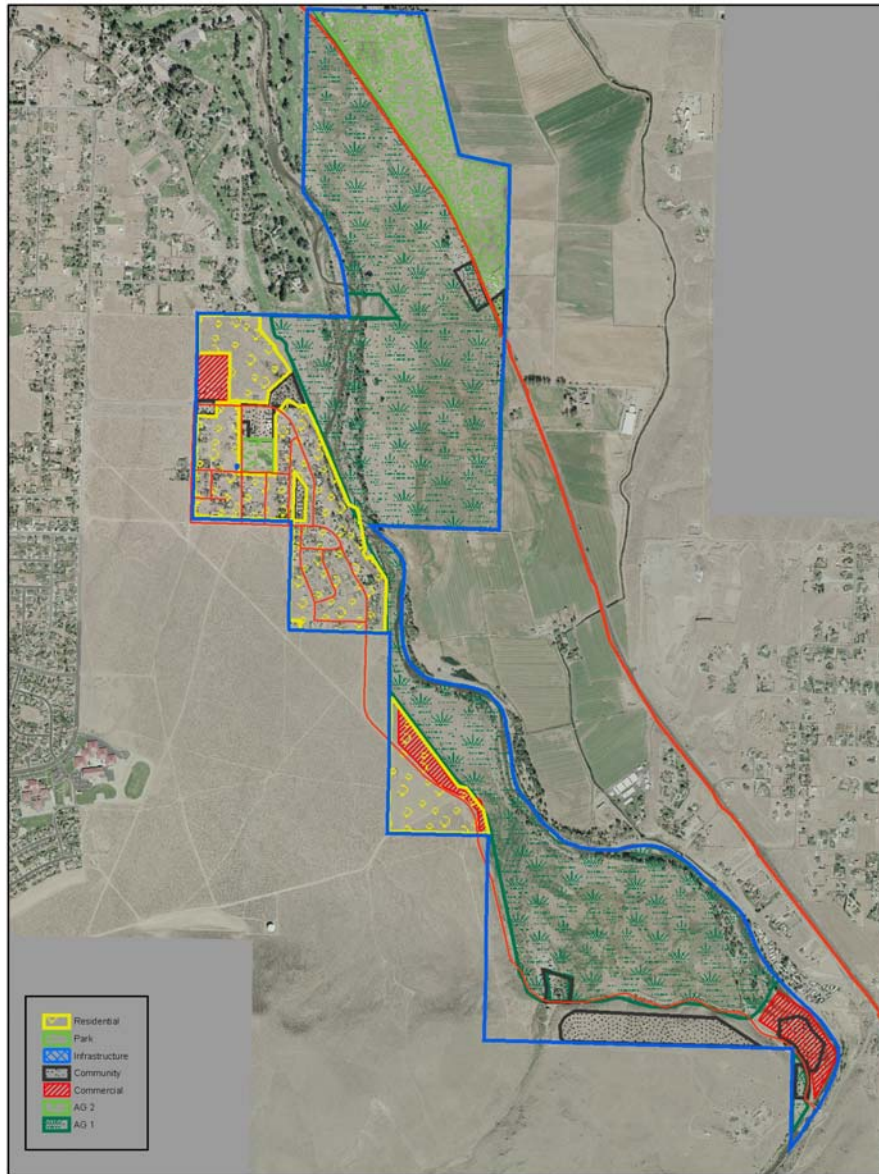
Since the 1994 Land Use Plan, a Smokeshop was installed on the west side of Highway 395 just north of the Tribe's Headquarters. It is a very successful enterprise, though an improved intersection is badly needed. The Washoe Tribe would like to have one intersection that serves both sides of the Highway with frontage roads and turn lanes and possibly a traffic signal.

As this portion of the Reservation is developed, the Tribe must not lose sight of the historical value of the 12-Mile house. This site is important because of its history as crossroads for the Nevada territorial toll-road system. Sites like this will become more valuable over time.

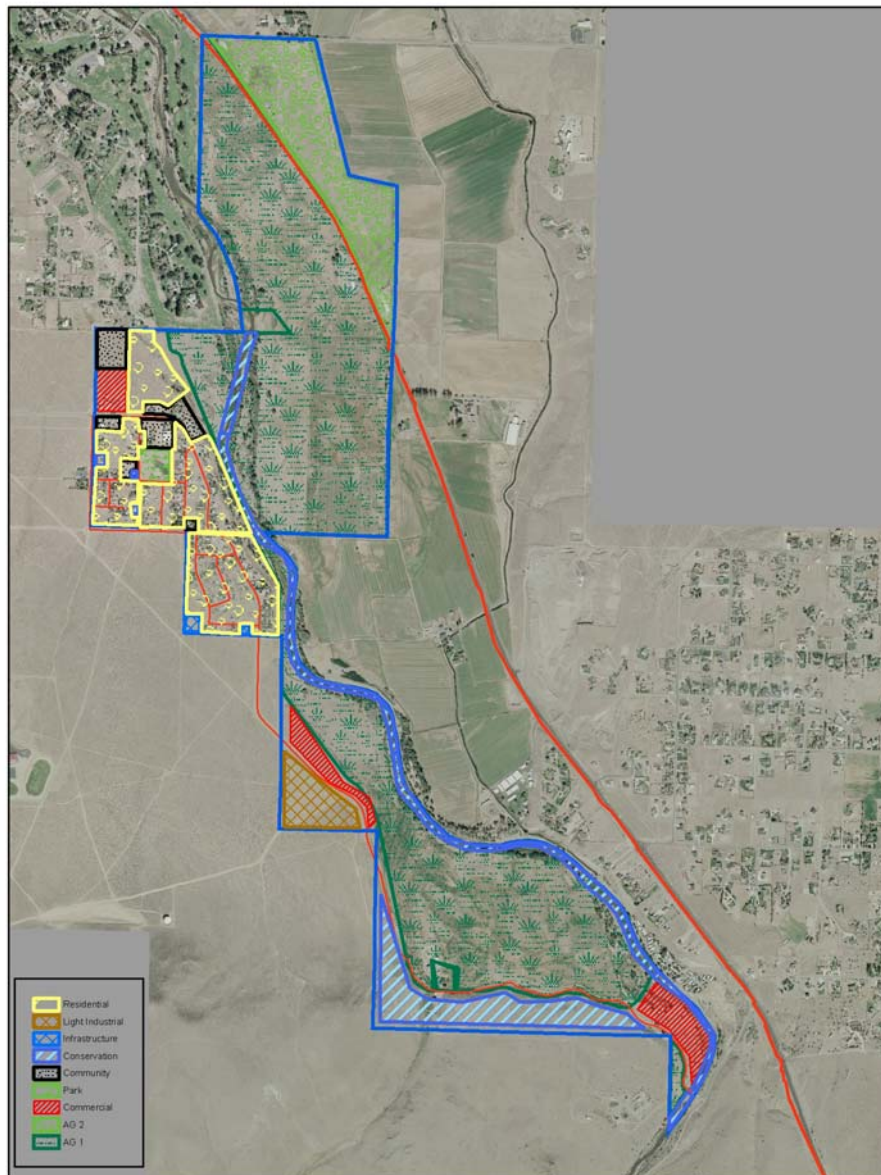
At the south border of the Reservation there is a good bluff, nearly level on top, which is above the 100-year floodplain. This document proposes 23.5 acres of that bluff area for a Community use site. This area will be used for future residences to meet the ever-growing need for housing.

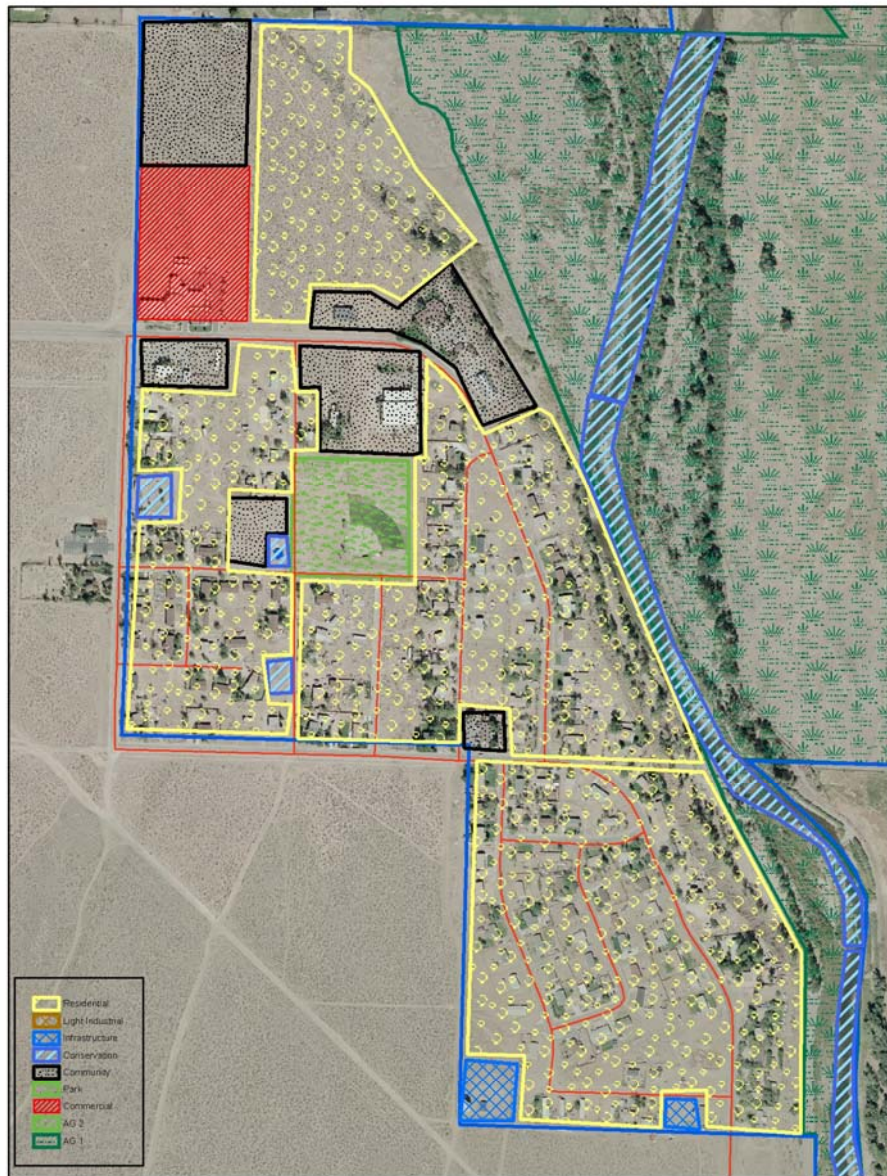
Dresslerville has expressed a need for some commercial development on the west side of the River. This document sets out some acreage for commercial land use at the west entrance to the Community.

Current Land Use



Proposed Land Use





Washoe Ranch Zoning

The Washoe Ranch is an important part of the Tribe's land base and water rights. Continued beneficial use of water at the Ranch is the best way to protect the Tribe's water rights in the area and head off possible future outside claims. The Ranch has 141 acres of farmland. In addition to the hay crop and irrigated pasture, other crops may be found which will produce a profit. Unfortunately, recent flooding washed away much of

the topsoil on this farmland, leaving behind many large rocks. Smart investment in the Ranch and careful management could help make the ranch operations very profitable.

Topography/Unique Geologic Features

The Dresslerville Community and Washoe Ranch elevations range from 4,860 along the Carson River bottom to 4,910 feet at the Community development. The Headquarters Building is at 4,840 feet.

Soils

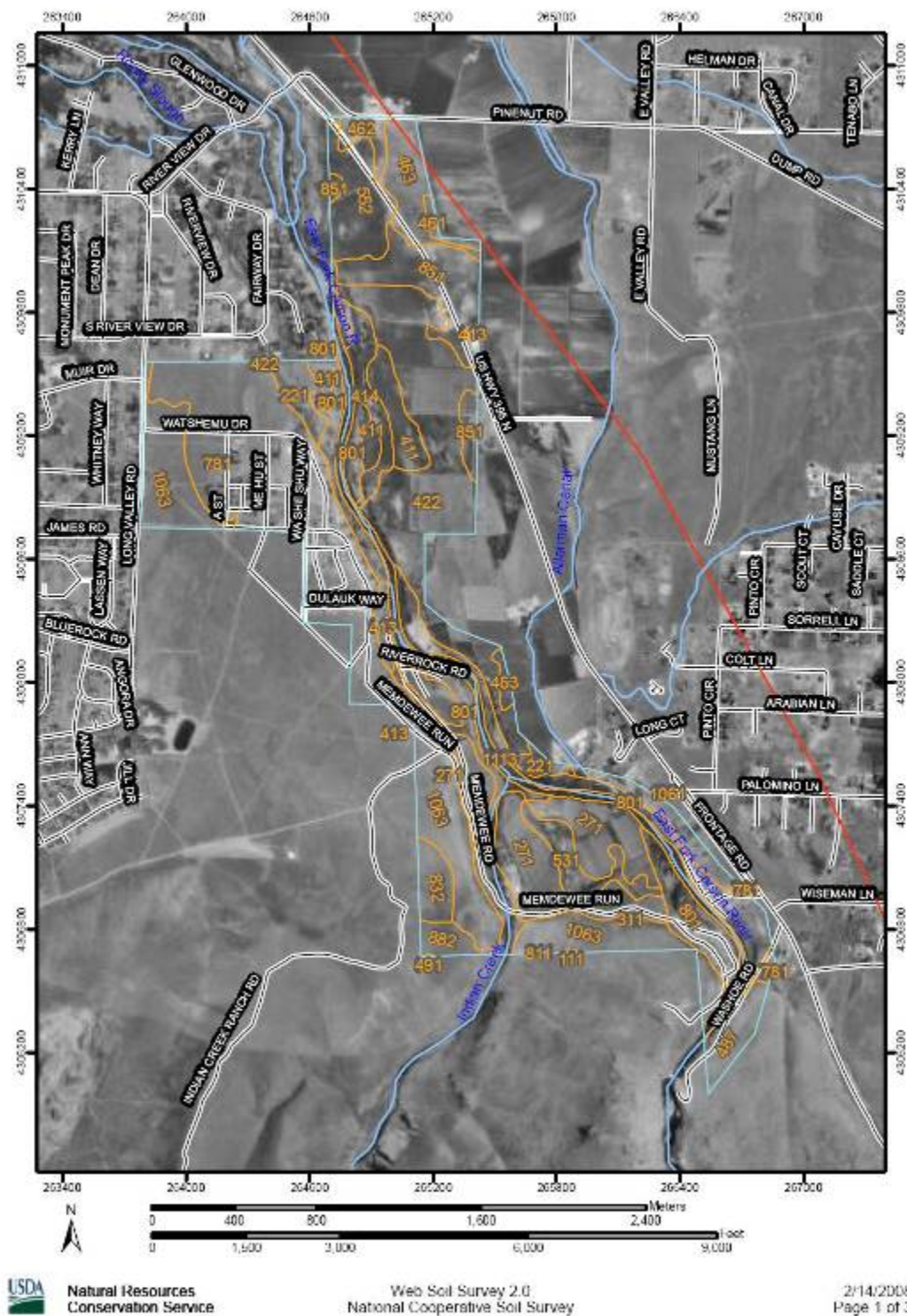
The soil deemed suitable for development in this document is “Reno gravelly sandy loam.” This soil is a moderately deep, well-drained soil, composed primarily of granite, gneiss, sandstone and igneous rock. The surface layer is a light gray gravelly sandy loam about 3 inches thick. The subsoil averages sandy clay, dark brown and 21 inches thick. The upper 8 inches of the substratum is light yellowish brown very gravelly coarse sand; the middle part is indurated silica-cemented hardpan; and the lower part to a depth of 60 inches is a pale brown very gravelly sandy loam. Permeability of this soil is very slow. Runoff is medium, and the hazards of water erosion and soil blowing are slight. Limitations for urban development of this soil type are the moderately deep indurated hardpan, inadequate filtration of septic tank effluent, and highly expandable clay. Although the hardpan is rippable with heavy equipment, installation of septic systems is not advised due to the very permeable substratum. If a septic system were installed, special systems would need to be in place to prevent the pollution of nearby water supplies. The presence of highly expandable clay limits road construction on the soil. Roads are difficult to maintain because the clay has a low strength when wet.

The northern portion of Dresslerville zoned for agricultural use is predominantly composed of the henningsen loam. This soil is a very deep, poorly drained soil on a smooth low river terrace. The alluvial soil is predominantly granite, but partially composed of basalt, andesite, rhyolite, gneiss and slate and has a slope of 0-2%. The surface layer is a grayish brown and dark grayish brown loam, and the lower part, to a depth of about 60 inches, is grayish brown very gravelly loamy coarse sand. The permeability of the soil is moderately rapid and the available water capacity is low. Runoff is very slow, and the hazards of water erosion and wind blowing sand are slight. Irrigated areas are suitable for shallow rooted crops, but are limited by the low water capacity and occasional flooding of the soil. Irrigation can be applied by the border or corrugation methods. Leveling helps insure the uniform application of water, however because of the depth to the water table and the gravel and sand layer, leveling cuts should be limited to a depth less than 12 inches. Limitations for urban development for this portion of Dresslerville include deep water table, occasional flooding, unstable cut banks and poor filtration of septic tank effluent. Drainage should be provided to buildings with basements and crawl spaces. Buildings should be located above expected flood level. Cut banks are not stable and are subject to slumping. Septic tank absorption fields do not function properly because of wetness and poorly filtered effluent is a contamination hazard to the ground water supply. Road construction is limited due to low soil strength and severe frost heaving. Traffic capability of roads can be improved by providing a stable base and an adequate wearing surface.

In the southern agricultural lands of Dresslerville, the soil is predominantly a very deep, poorly drained soil of mixed alluvial rock. The surface layer is composed primarily of a grayish brown loam roughly 11 inches thick, followed by a roughly 34 inches of a grayish brown and brown sandy clay loam. The bottom layer, to a depth of 60 inches, is a stratified clay loam. Permeability of this soil is moderately slow, and the available water capacity is high. Rooting depth averages between 3.5 and 5 ft., during the wet season of December through May. Runoff is slow, and the hazards of water erosion and soil blowing are slight. Furrow, border, corrugation, and sprinkler irrigation methods are suited to this soil. Irrigation water must be carefully applied, however, to avoid raising the water table. The organic matter content can be maintained by returning all crop residues, plowing under cover crops, and using a suitable cropping system. Returning crop residue to the soil or regularly adding other organic matter improves fertility, reduces crusting, and increases the water intake rate. Limitations to urban development in this part of Dresslerville are rare flooding, moderately slow permeability, and high seasonal water table. Buildings should be located above expected flood level, unless flooding is controlled through the use of flood control systems. Septic tank absorption fields do not function properly because of wetness and moderately slow permeability. Road construction is limited due to low soil strength and severe frost heaving. Quality of roads can be improved by providing a stable base and an adequate wearing surface.

Underutilized farmland protected by levees may provide an opportunity to put in conservation easements to accept floodwaters by breaching of the levees during flood. This would provide more land that can infiltrate water. There may be financial incentives from Douglas County to enter into conservation agreements in the floodplain. The Tribe would have to build some defense to protect homes from floodwaters.

Soil Map—Douglas County Area, Nevada
(Dresslerville community soil)



Map Unit Legend

Douglas County Area, Nevada (NV773)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
111	Borda gravelly sandy loam, 4 to 15 percent slopes	0.3	0.0%
221	East Fork variant loam	20.0	1.9%
271	East Fork loam	81.8	7.8%
311	Gardnerville clay loam	14.4	1.4%
411	Henningsen loam	27.1	2.6%
413	Henningsen gravelly loam	16.6	1.6%
414	Henningsen gravelly loam, wet	22.3	2.1%
422	Henningsen variant loam	138.2	13.3%
461	Hussman silty clay loam	3.7	0.4%
462	Hussman clay loam, strongly saline-alkali	9.3	0.9%
463	Hussman clay	32.7	3.1%
487	Indian Creek variant Cassiro-Puett association	18.6	1.8%
491	Indiana stony fine sandy loam, 30 to 50 percent slopes	0.1	0.0%
531	Jubilee loam	20.3	1.9%
552	Kimmerling loam, wet	36.3	3.5%
781	Reno gravelly sandy loam, 2 to 8 percent slopes	183.4	17.6%
801	Riverwash	144.1	13.6%
811	Rock outcrop	0.2	0.0%
832	Saratoga sand, 2 to 8 percent slopes	14.5	1.4%
851	Settemeyer clay loam	56.0	5.4%
862	Springmeyer stony fine sandy loam, 15 to 50 percent slopes	10.2	1.0%
1061	Washoe gravelly sandy loam, 0 to 2 percent slopes	15.3	1.5%
1063	Washoe cobbly sandy loam, 0 to 2 percent slopes	130.3	12.5%
1113	Water	45.0	4.4%
Totals for Area of Interest (AOI)		1,041.6	100.0%

2. Water Resources

Surface Water

The Carson River's East Fork is a major part of the character of Dresslerville. A total of three miles of River form the Parcel's boundary or are wholly enclosed by the Reservation. Indian Creek is a tributary of the East Fork of the Carson River and enters through the Washoe Ranch. The water quality of this stream is degraded by the flows coming out of Alpine County, California as the stream has been impacted by effluent which in turn travels through the Tribe's land.

The upper Carson Basin covers about 2,000 square miles to the south and east of Lake Tahoe. The East Fork of the Carson River headwaters begin approximately 35 miles southeast of Lake Tahoe on the eastern slopes of 11,200 foot-high Stanislaus Peak. From here, it flows northward approximately 53 river miles to the California-Nevada state line. Joined by the West Fork, the Carson River's main channel flows for a great distance before it is dissipated into a maze of sloughs and agricultural conveyance systems that date back to the 1860's.

Since time immemorial, the Washoe Tribe's homeland in the Carson Valley was a water resource paradise providing sustenance for their ancient culture on the edge of the Great Basin desert. The creeks and rivers dropped steeply from the high mountains and entered the Valley where they spread out into the meandering, braided channels and wetlands. The historic River channel probably had very little, if any, river bank, and easily overflowed laterally, flooding the Valley floor, thereby slowing the passage of excess runoff. In times of drought and sparse runoff, the aquifer gave back to the River and sustained the surface flow. This was a stable system relied upon by the Washoe people.

As noted above, the Washoe Ranch and Dresslerville Community have Alpine Decreed rights to receive water from the Carson River.

Groundwater Quality, Water Rights and Supply

The Dresslerville Community located in the Carson Valley ground water hydrographic basin, which consists of 420 square miles. Intense development in this area is causing concern of the possibility that ground water mining may actually be occurring as the recharge is estimated to be almost equivalent to the discharge or total pumpage in the aquifer. (See Hydrologic Section)

The Dresslerville Community is served by two public water supply wells. The first well, drilled in April of 1986 by Kawchack Drilling, is 300 feet in depth. It has a seal to 50 feet and is screened from 278 to 300 feet. Static water level at the time of drilling was 110 feet below surface. Welsco Drilling Corporation from Fallon, Nevada, drilled the newer well, not yet fenced, in May of 1997 to a depth of 300 feet. This well is sealed to a depth of 50 feet and is screened from 120 to 300 feet. The lithologic log indicates narrow lay lenses mixed with multicolor gravels. These two wells are generally alternated at a pumping rate of 150 gallons per minute.

In 2008, a new water supply well was drilled at Tribal Headquarters. WUMA is waiting for the casing of the wellhead and development of the pad to support the wellhouse in order to bring the well online. The environmental and justice buildings are on separate wells. Although there have never been any problems with the existing wells supplying those buildings, WUMA recommends not using them due to the proximity to agricultural fields. Eventually, WUMA plans to rebuild the chlorination system.

Wetland Resources

The south end of the Washoe Ranch is a Cattail Palustrine Emergent Wetland. The cattail wetland was found to be at Proper Functioning Condition (PFC) in May 2007, and continues to be at the PFC rating. The wetland lacked any surface water during monitoring. Fluctuation of water levels in the wetland has been excessive as result of the regional drought. Water fluctuation is relatively normal for this site given its dependency on irrigation flows. The drought has lead to un-availability of water from the East Fork of the Carson River. The Carson River is diverted at a point to the south of the cattail wetland via a cement ditch. A pipe takes water from the cement ditch to a depression immediately to the south of the cattail wetland. Water from the depression flows north into the cattail wetland. The water exits the wetland back into the West Fork of the Carson River. The site has basically achieved its potential extent, given the limitations of periodic spring flows that enter from a ditch system. Open standing water was absent and no water was entering the wetland from the ditch system that normally carries water from the west fork of the Carson River to agricultural fields. The upland watershed was not contributing to wetland degradation and water quality was sufficient to support “wetland obligate” plants like cattail (comprising approximately 95% of site) and Bull Rush communities (approximately 5% of site). Bull Rush appeared to be slightly expanding at the far south end of the site. Natural surface or subsurface flow patterns were not altered by disturbance like hoof action. An un-improved road immediately to the west creates potential erosion and may limit the expansion of the wetland.

Irrigation Ditches

There are two diversion structures on the Carson River. The Heidtman diversion delivers water to the west side ranches. The Wheeler-Buckeye delivers water to the east side. They are loose rock diversions and require maintenance after flood events. Both structures have dams that divert into the diversion structures. The headgates need to be kept clear of debris and sediment.

Water Quality

All of the water sampling panels taken by WUMA for the public water supply systems are clear and meet applicable water standards. If more homes are added to Dresslerville, a second storage tank will be necessary.

Discharge to Surface Water

Ranching best management practices should be employed on all agricultural operations.

Erosion and Sedimentation

The Ranch experiences some wind erosion during planting and harvesting seasons. Topsoil is lost through flood events. The 1997 flood scoured off the topsoil on part of the ranch, leaving rock exposed and rendering the land very difficult for farming.

Hydrologic Features

Indian Creek, Carson River, and the Riparian Corridor are key hydrologic features in this community and ranch.

3. Air Resources

Air Quality Standards

Dresslerville's proximity to Highway 395 increases its susceptibility to higher levels of diesel particulates (CO and SO). Nevada ranks among the dirtiest or worst for PM-10 (particulate matter between 2.5 and 10 micrometers) emissions. These levels do not occur outside of the acceptable levels set by the Environmental Protection Agency, but should be considered warnings for future limit violation possibilities (EPA data 2001).

Odors, Emissions

Diesel associated with PM-10 represents the most hazardous pollutant with cancer risk in Nevada. Increased truck traffic is expected in the area as it continues to develop; this may gradually increase levels in (CO) and Diesel particulates (PM-10) in turn jeopardizing populations within close proximity to the Highway. TRI (toxic release inventory) sites with on-site and off-site emissions of air pollutant include: AERVOE Industries, Inc. TRI sites are reported by the facilities, which mean unreported emissions may occur and go undocumented (www.scorecard.org).

Dust, Wind Erosion

Dresslerville is highly susceptible to PM-10 pollutants due to extensive ranching and agriculture in relatively close proximity. Large particulates (soil, dust) are easily stirred up and made airborne by grazing animals as well as ranching and agricultural equipment. PM-10 levels do not exceed EPA's standards, however, increased ranching and agriculture has the potential to raise levels. Local focused disturbances like drought, fire, crop spraying, and construction could create temporary and harmful spikes in the levels. (www.scorecard.org)

4. Natural Resources

Vegetation

The vegetation around Dresslerville is primarily Wyoming big sagebrush, Anderson peachblossom, Thurber needlegrass and Bottlebrush squirreltail. On the riverbottom lands, Wildrye, Western wheatgrass, Nevada bluegrass, sedges, rushes, Silver buffalo berry, Rubber rabbit brush, Basin big sagebrush, Fremont cottonwood, and Willow can be found. Wild rose is also very common.

Lowland riparian habitats, areas below five thousand feet in elevation, are associated with Nevada's major river systems like the Carson River. The Washoe Tribe possesses lowland riparian habitat, though significantly degraded and highly scattered, on

approximately one mile of the Carson River. Fremont cottonwood commonly dominates lowland riparian habitats. Fremont cottonwood is the dominant floodplain riparian woody species in the Carson River watershed. This cottonwood occurs in narrow, periodic clusters along the Carson River including age galleries on Tribal lands along the Carson River at Stewart Ranch and Dresslerville. Fremont cottonwood occupies lower floodplains with silty-loamy soils within the watershed. Cottonwood grows opportunistically, like coyote willow, and is readily propagated on floodplain restoration sites. This floodplain cottonwood is short lived however and is highly affected by disease like heart rot fungus. Black cottonwood is present to a lesser degree at lower mid elevation in more gravelly soils along the upper Carson River and Indian Creek. Extensive cottonwood galleries throughout watersheds of Washoe ancestral lands were thought to exist before nineteenth century European settlement. Agricultural clearing, water diversions, timber conveyance on major rivers and mining greatly reduced cottonwood abundance. These man-induced impacts have reduced cottonwood seeding, recruitment and establishment.

Wildlife

Wildlife includes bear, bobcat, coyote, Cottontail rabbit, Jackrabbit, chuckar, songbird species, and Mule deer. More wildlife is found on the river bottomlands. Typical residents include Mourning dove, Cottontail rabbit, Jackrabbit, Muskrat, Beaver, and winter range for Mule deer. Cottonwood trees are known to be used by Bald eagles during their breeding and nesting seasons. Geese and ducks are found in abundance in the migratory season. Urbanization off-Reservation has caused a decline in the habitat for all wildlife species. The trout fishery is good. The Nevada Department of Wildlife regularly stocks trout in the river just upstream of the Community.

5. Cultural Resources

The Parcel has been rated as high in sensitivity for cultural resources. The influence of the Carson River, which provided a rich spectrum of wildlife for subsistence hunting, caused these lands to be frequently used by early Washoe.

6. Socioeconomic Conditions

Population

According to 1973 General Plan, there were 300 residents in the Dresslerville Community in 1940. This number declined to less than 200 residents by 1960 before it started increasing again. It has been increasing ever since with the only variable being the rate of the increase. The census performed around 1994 by the Washoe Tribe estimated a population of 550 by the year 2000. However, the 2000 U.S. Census for the Dresslerville Community reported a population of 315 people in 113 housing units. There is a great need and demand for housing in the Dresslerville Community.

Dresslerville is the largest Colony and will therefore be most affected by an ongoing series of challenges related to meeting Community needs as growth continues. Because of the expanding demographic structure, changes in this structure will become a more important part of the Community's considerations when making decisions. Stated in practical terms, there will be new constituencies taking shape as the population base

broadens. If Community values are not widely-shared, the differences between all the constituencies will impose limits to the amount of consensus Community leadership will be able to achieve.

U.S. Census for Dresslerville Community	Number	Percent
HOUSEHOLD POPULATION		
Population in occupied housing units	315	100.0
Owner-occupied housing units	224	71.1
Renter-occupied housing units	91	28.9
Per occupied housing unit	2.79	(X)
Per owner-occupied housing unit	2.73	(X)
Per renter-occupied housing unit	2.94	(X)
HOUSEHOLD TYPE		
Owner-occupied housing units	82	100.0
Family households	64	78.0
Householder 15 to 64 years	57	69.5
Householder 65 years and over	7	8.5
Married-couple family	37	45.1
Male householder, no wife present	8	9.8
Female householder, no husband present	19	23.2
Nonfamily households	18	22.0
Householder 15 to 64 years	13	15.9
Householder 65 years and over	5	6.1
Male householder	12	14.6
Living alone	11	13.4
65 years and over	2	2.4
Not living alone	1	1.2
Female householder	6	7.3
Living alone	6	7.3
65 years and over	3	3.7
Not living alone	0	0.0
Renter-occupied housing units	31	100.0
Family households	24	77.4
Householder 15 to 64 years	24	77.4
Householder 65 years and over	0	0.0
Married-couple family	4	12.9
Male householder, no wife present	3	9.7

U.S. Census for Dresslerville Community	Number	Percent
Female householder, no husband present	17	54.8
Nonfamily households	7	22.6
Householder 15 to 64 years	3	9.7
Householder 65 years and over	4	12.9
Male householder	5	16.1
Living alone	5	16.1
65 years and over	3	9.7
Not living alone	0	0.0
Female householder	2	6.5
Living alone	1	3.2
65 years and over	0	0.0
Not living alone	1	3.2

Dresslerville Cohorts, 1993

Table from 1994 Land Use Plan

Age	0-24		25-49		50-70		75 and up	
Sex	M	F	M	F	M	F	M	F
#	86	114	115	92	50	36	2	8
%	17.1	22.7	22.9	18.3	9.9	7.2	0.4	1.6
	18.6	22.9	22.1	18.6	7.6	8.0	0.3	1.8

Dresslerville Population Growth

Table from 1994 Land Use Plan

Year	1993	2000	2010	2018	2020	2030	2040	2043
SUM	503	556	593	612	618	633	643	648
Male	253			308				321
Female	250			304				327

Natural Increase Housing Demand

Table from 1994 Land Use Plan

Year	New Units
2000	17
2010	12
2020	8
2030	5

7. Resource Use Patterns

Hunting, Fishing and Gathering

Dresslerville offers hunting and fishing resources. Rabbits, waterfowl, and upland game birds are available on the parcel and may be taken by Tribal members. Deer are not hunted even though they do inhabit the parcel mostly near the Indian Creek area. Tribal members have exclusive hunting and fishing privileges on Dresslerville, however the Carson River is the dividing boundary to private and public lands making it a shared resource. There are traditional harvesting and gathering resources available to Tribal members in close proximity to the Dresslerville Community.

8. Infrastructure, Service Systems and Transportation

The Community is the location for a great deal of Tribal programs and Community service offices. Future expansions of these programs can be expected. It is very important to reserve land where these expansions can take place. Often the opportunity in which to accept and construct a new facility is very brief. If the site selection process starts from scratch for each project, it may take too long and result in lost opportunity. This document identifies two areas of expansion within Dresslerville amounting to an increase of 20.3 acres for community uses.

The drinking water supply is Tribally-owned and operated by WUMA. In 1985, a project eliminating individual septic systems in the Dresslerville housing area was completed. The rates charged by the Gardnerville Ranchos General Improvement District for connections to their system were an area of concern when the project was completed. The GRID has agreed to negotiate an agreement which will cover their pass-through services and resolve the uncertainty over rates which will be paid by Dresslerville residents.

The Dresslerville Community's central road is mainly used by community residents but is increasingly used by residents of the neighboring Gardnerville Ranchos community. It is possible that the Tribe may need to install traffic-calming measures in the future.

9. Other Values

Wind Energy Resources

Available information about wind energy productivity (wind power class) for the Dresslerville Community rates it as poor to marginal (class 0-2). This indicates large wind harvesting operations may not be feasible. Small wind turbines may be an option as proximity to 230 kV transmission lines does make this area feasible for connection to the grid. Local wind power characterization variations exist and seasonal, daily winds associated with the Dresslerville Community parcel will need to be monitored to identify these variations if wind power is to be considered.

Solar Energy Resources

Solar radiation on the Dresslerville Community is categorized as good to excellent. Summer solar energy potential is extremely high and winter energy potential is categorized as moderate/good. Solar energy can be a significant renewable resource on

the Community. With highly efficient “concentrating collector photovoltaics” energy collected per day could reach 6000-6500 Whr/sq m, categorized as excellent.

Solid Waste

Dresslerville has 147 households and a population of 514 (WEPD, 2004). It includes three miles of frontage along the East Fork of the Carson River with substantial natural resources and farmlands with a long history of production. The Community is also within a rapidly growing area near Gardnerville, including the Gardnerville Ranchos, a non-Tribal commercial and residential development that may or may not be consistent with the traditional land uses of the Dresslerville Community.

The Tribal Headquarters are located along Highway 395 near Dresslerville. Within the Dresslerville Community and the Washoe Ranch there are ten Tribal and Community buildings: the Headquarters, the Law Enforcement and Justice Court, the Family Healing Center, the Environmental Protection Department, the Gym, the Senior Center, the Youth Center, the Washoe Housing Authority, the Health Clinic, and the Rite of Passage (ROP) Building. There is also one Tribal enterprise, the Smoke Shop.

Curbside solid waste collection services are provided to the Dresslerville Community by Douglas Disposal, Inc. Approximately 20 percent of the Community households and all the Tribal and Community buildings subscribe (South Tahoe Refuse, 2004). Solid waste is collected weekly and hauled to the Douglas County Transfer Station then to the Lockwood Landfill located east of Reno, Nevada. The Transfer Station also has a recycling center and HHW collection program. Within the Community, a recycling kiosk for aluminum cans, metal cans, office paper, and plastic is located in front of the Senior Center, the Language Program, and the Health Clinic and is picked up weekly by WEPD staff. WEPD staff also is performing a pilot curbside recycling program for interested Community members.

Other options for solid waste disposal in the Community include: self-haul and stockpile. The self-haul method allows community members to self haul their waste to the Douglas County Transfer Station. The transfer station accepts a wide range of waste products including household hazardous waste, appliances, tires, batteries, oil, and construction demolition waste. Stockpiling waste is another option that is utilized in the Dresslerville Community. On a bi-annual basis the WEPD, WHA, and Communities provide dumpsters for a Community cleanup. These days are highly exploited and yield massive amounts of waste. An alternative solution, such as a transfer station and roll-on, roll-offs would help the Tribe better address the issue of solid waste in the most cost-effective way.

10. Public Health and Safety

Flooding

The Dresslerville Community lies well within the 100-year flood plain of the East Fork of the Carson River. Most of the residential development occurs on top of a protected bluff well above the flood plain. The Tribal Headquarters, Washoe Environmental Department, Healing Center, and Police Station occur within the 100-year flood plain.

The land adjacent to the river is floodplain that is valuable for storage, recharge and conveyance of spring runoff and flood events. Typically floods are the result of rain on snow events.

Flooding and earthquakes are the principal natural hazards. The hundred-year floodplain is below the rim of the benchland upon which Dresslerville's subdivisions are located. East of the River, the floodplain is west of Highway 395. Also, some minor flooding can occur east of Highway 395 when the relatively poorly constructed drainage of 395 dams up runoff from the Ruhenstroth and Pine Nut Roads.

The flood of January 1997 had enormous impacts on the Washoe Ranch. It flooded the campground, the pagoda and wiped out the electrical system. The campground needs to be restored and repaired to be a viable commercial operation again. In the 2006 January flood, Indian Creek backed up from debris brought down by high waters. The rain-melted snow significantly increased streamflow, pushing water over the bank. The water flowed over Washoe Road. In addition to flooding the Creek, the irrigation ditches also flooded. The old Heidtman Ranch house and barn flooded. At the time, it was used as a Headstart office building. The building is no longer in use and would need to be renovated including foundation improvements. Mold may also be an issue.

Police Protection and Services

The Washoe Tribal Police Department provides police protection and services to the communities, tribal lands and the Pinenut Allotment Lands. The Washoe Police department and the Washoe Rangers provide combined law enforcement to the Washoe Lands. The tribal police and rangers are located at the tribal government complex south of Gardnerville, Nevada.

The U.S. Federal Bureau of Investigation has certain enforcement duties when a felony crime is committed on tribal lands. The tribal enforcement departments assist the local jurisdictions with law enforcement in a combined effort. They also provide services during search and rescue operations, HAZMAT and assist during natural disasters and other emergency situations.

Fire Protection and Services

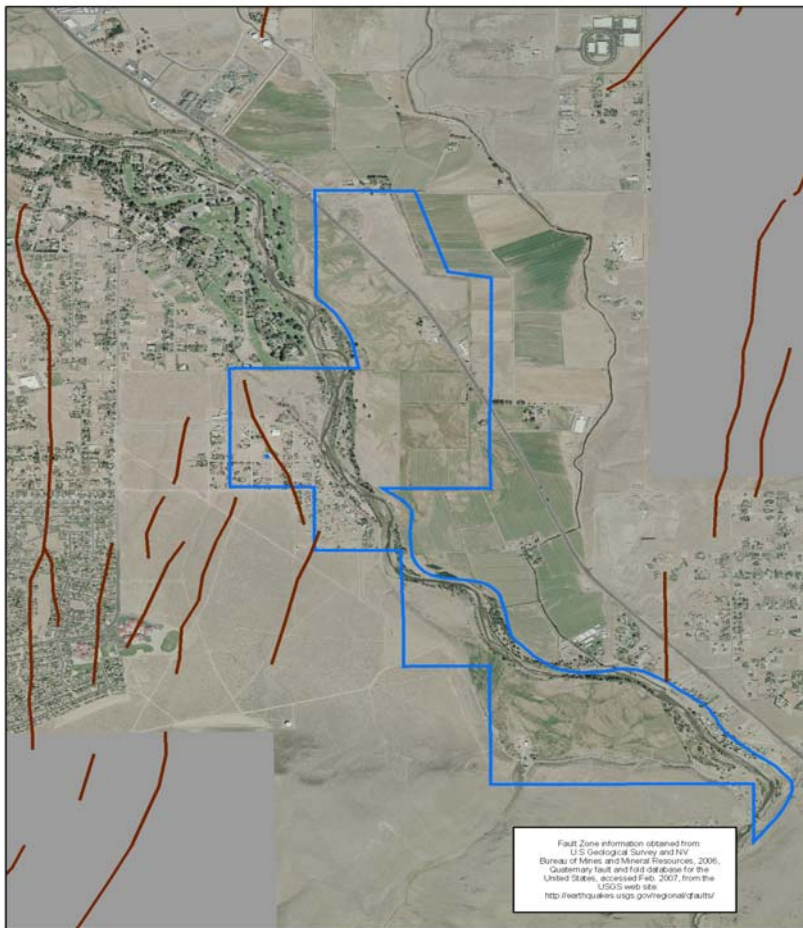
The Bureau of Indian Affairs under their Indian Trust Responsibilities provides Wildland Fire Suppression through various agreements and memorandum of agreements with the federal government for wildland fire protection services.

The local county fire departments under a Memorandum of Understanding with the Washoe Tribe provide fire protection and services. Additional services that the local emergency departments provide include: medical transfer, disaster emergencies and HAZMAT. Because the tribal lands and communities are scattered and fractionated they depend on these agreements with the local jurisdictions to supplement their efforts to protect and serve the tribal lands and population.

The Tribal Law Enforcement office coordinates with Douglas County and State of Nevada forces. Fire and Emergency services are provided by the East Fork Fire District. Wildland fires are responded to by the Bureau of Indian Affairs. With new development proposed on Highway 395, all of the emergency services will need to be evaluated in relation to the scale and scope of development to insure that public safety needs have been adequately met.

Seismic Activity

The East Carson Valley fault zone runs through the Dresslerville Community. These faults are part of the East Carson Valley fault zone has the probability of a 7.5 magnitude earthquake.



Parcel Objectives

- Objective One:** The Tribe and Dresslerville will continue to advocate for a suitable buffer requirement when the land to the west of Dresslerville is developed, to allow the Community of Dresslerville to retain its historical character.
- Objective Two:** The proposed land use map in this document will guide the siting of future development unless amended by Community and Tribal Councils.
- Objective Three:** The Tribe will invigorate the Ranch operation to insure that the true values for these lands and resources are not neglected.
- Objective Four:** The Tribe will attempt to negotiate with Nevada Department of Transportation regarding development of an intersection to serve the proposed commercial-clinic-12-Mile House-Tribal Government development area.
- Objective Five:** The Tribe will analyze the need for a Dresslerville by-pass and bridge.

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IX. Woodfords Community

Issues Executive Summary

The Woodfords Community is located in California off Diamond Valley Road near Highway 88. It is the most rural of the Washoe communities and is often considered the most beautiful because of this. It is surrounded by ranch lands close to Mud Lake and borders BLM land. Its remoteness also brings challenges. Electricity is more expensive, economic development opportunities are hard to find, and it is difficult for residents to access services without driving several miles.

Location and Boundaries

Woodfords Community is comprised of 80 acres of trust land in Alpine County, California. The general legal description of Woodfords Community is:

Range 20 East, Township 11 North

Southeast ¼ of the Southeast ¼, Section 20, and

The Northeast ¼ of the Northeast ¼ of Section 29

Woodfords Community is surrounded by BLM and private lands.



Background Information

Woodfords Community is in one of the most remote and rugged areas of the Eastern Sierra Nevada Range. The area has been the home of the Southern Washoe or Hung-a-l-el-ti People since time immemorial. In the middle of the 19th Century, the great rush to California and development of the Comstock Lode displaced the Washoe people from their Sierra Nevada homelands, which extended from Sonora Pass in the South to Honey Lake in the North. In the beginning of the 20th Century efforts were made to obtain land for the Washoe. In 1920, Congress passed Public Law 91-362 which granted 80 acres of land to the Tribe. This area eventually became the Woodfords Community, though for various reasons it did not become a reality until 1970. Prior to 1928, 59 public domain allotments (8,432.58 acres) in California were designated for individual Washoe. These lands were administered under the Sacramento Agency, separate from the Nevada Washoe lands, and are commonly referred to as the “Sacramento Allotments.” Today only about 400 acres remain. The displacing of the Washoe People caused great hardships which have gone largely undocumented and the situation in Alpine County was severe. Camps along the rivers and on what became Forest Service and Bureau of Land Management lands persisted as a way of life for decades.

On July 31, 1970 Congress finally passed a bill which established the present Woodfords Community. A plan for development was adopted in 1972 by the Woodfords Community Council and the Washoe Tribal Council. It included paved streets, 108 home sites, community center, recreational facilities, and water and wastewater facilities.

As a general rule, land that can be easily developed is very difficult to find in Alpine County. Some of the more choice lands are located on the remaining Sacramento Allotments. The Woodfords Community’s 80 acres is located on a very rocky hilltop, which requires blasting of trenches to install water and sewer lines. The Woodfords Community Council passed a moratorium on new housing development for the Community. A firehouse was completed in 1994 and a gym was recently built.

Woodfords Community tends to have a different character than the other Washoe Communities, largely due to having a smaller, more isolated land area, surrounded by rural-agricultural and public lands.

1. Land Resources

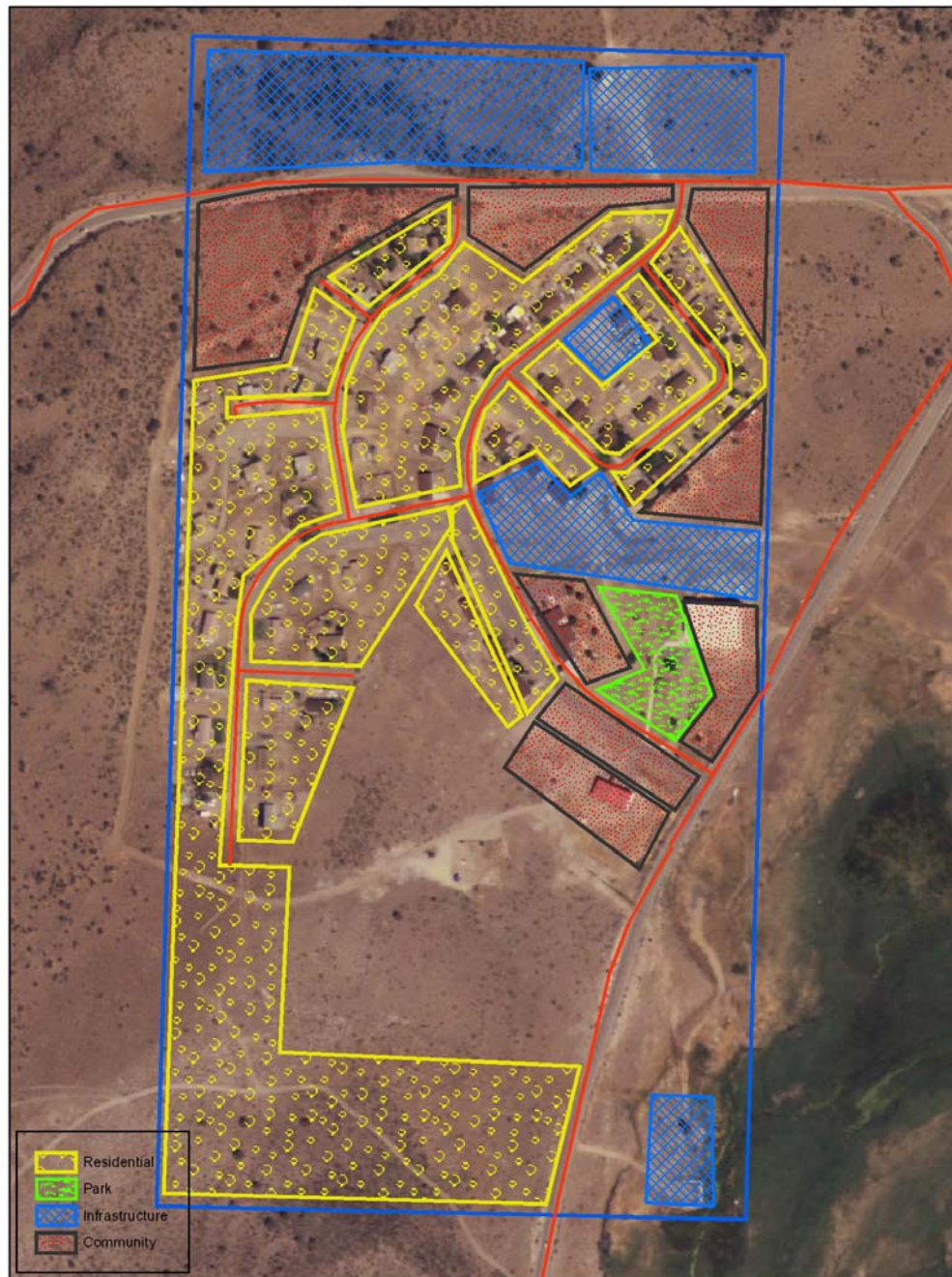
Land Use

	Woodfords	Acres	Percent
Code	Total	80	100%
R	Residential	37	46%
C	Commercial	0	0
CO	Community	11.5	14%
I	Infrastructure	14	18%
P	Park/Recreation	1	1%
LI	Light Industrial	0	0
AI	Agriculture I	0	0
AII	Agriculture II	0	0
C	Conservation	16.5	21%

Current Land Use

Half of the 80 acre Woodfords Community has now been developed. Twenty-six acres are used for single-family residential. The community area includes the Community Center, fire station, park, and infrastructure which total 14.1 acres. In the Woodfords Community 46% is residential, 14% is community, and 61.8% is infrastructure.

Consideration of future land use direction includes either use of the vacant lands for additional community-type uses such as beautification projects, or opening it up for some kind of further development. The 1973 General Plan estimated that a full build-out for Woodfords Community would have a population of 432 persons. Lot sizes in the 1973 plan were slightly larger than what has actually been constructed. An estimated 30 new homes are needed through the year 2040 to meet the population's natural increase. In addition, land will be required for expansion of water supply, sewage treatment, roadways and community facilities.



Proposed Land Use

The 7.2 acres of “vacant” lands within the Woodfords Community offer an opportunity for Community development and a creative program should be developed for their use. The proposed extension of Dutch Valley Drive to the south boundary and then east to Diamond Valley Road offers 10 acres of additional residential development. The AIE soil map unit is located on the southern boundary and if encountered, provides slightly better conditions under which site development can take place. Another advantage of this proposed land use is it sets up the possibility of continuing onto the proposed BLM acquisition lands. Opportunities for development may become a reality depending on the outcome of geotechnical studies.

The potential for retail or commercial operations on Woodfords Community is low due to the distance from a main highway or retail center. Home-based manufacturing or craft industries can be developed with careful market analysis. Potential for information-based services exists as the use of computers connected by modem increases.

Development of the lower Wade Parcel for commercial use as proposed in the Wade Master Plan represents perhaps the best opportunity for employment and business activity that can benefit Woodfords Community. It is three miles from Woodfords Community and much closer than either Markleeville or the Minden-Gardnerville area.



Agricultural Lands of Local Importance

The private lands adjacent to the Woodfords Community are used for pasturing livestock. The Tribe does not have lands suitable for agricultural operations in the Community.

Topography/Unique Geologic Features

The elevation of the parcel is approximately 5,400 feet with little change in elevation.

Storm Drainage

Storm drainage is an issue in the Woodfords Community and is generally associated with roads and development. There is a large wash that goes between the school and the gym. Weeds back up debris in the culverts, adding to flood hazards.

Soils

Good soils in Alpine County are very difficult to locate. Woodfords Community is located upon Millich soil (MhE), which is characterized as “very, stony clay,” with Andesite bedrock at an average depth of 17 inches. The NRCS has not performed a recent soil survey for this area therefore a soil map is not available.

After a field reconnaissance, the northwest ¼ of the southeast ¼ of Section 20 was determined to have initial potential for acquisition. Positive factors include: potential access, favorable slopes, public domain ownership, adjacent to trust lands, and the native soil AIE may be marginally better than MhE. Negative factors are: the development potential is only slightly improved and an inability to connect to the existing community wastewater system.

It is likely that the Tribe will have to consider including the transfer the lands on which the sewage lagoons are located when talking with the BLM. The lagoons have already utilized the few developable acres in this area and thus offer no potential for other uses.

Land Acquisition

Faced with circumstances of continued population growth and difficult site development, the Community Council has considered obtaining additional lands. The priorities for choosing such land are:

- 1) land adjacent to the existing lands,
- 2) lands in the public domain, and
- 3) lands offering an improved potential for development.

2. Water Resources

Irrigation Ditches

There are no irrigation ditches in the Woodfords Community.

Water Quality

According to WUMA, there are no water quality problems at Woodfords Community. Hard water is an issue and sometimes creates problems with water heaters.

Groundwater Quality Water Rights and Supply

Two new wells were drilled in August of 2002 and are the current water supply for Woodfords Community. These wells replace the three wells located further north that averaged 280 feet in depth and were dependent on a fairly shallow aquifer predominantly in fractured volcanic. The older wells produced only around 10 to 45 gpm. The new wells are more productive, producing 150 gpm. Acquisition of additional lands may provide new sources of groundwater.

3. Air Resources

Air quality standards

Alpine county has some of the cleanest air monitored in California. The County ranks 8th out of fifty-eight counties in having the healthiest air free from hazardous pollutants. This does not mean air pollutants are not present, it does mean levels across the county are relatively low (<http://www.scorecard.org>).

Odors, emissions

Within Alpine County, diesel emissions represent the highest contributor to cancer risk pollution. Mobile air polluters constitute 69 percent of health risk associated with air pollution, area sources (homes, small businesses) contributing up to 31 percent. Carbon monoxide (CO) is one of the top criteria air pollutants in Alpine County, with approximately 432 tons produced by mobile sources and 516 tons by area sources (<http://www.scorecard.org>).

Dust, wind erosion

PM-10 (particulate matter between 2.5 and 10 micrometers) levels were measured at 376 tons for mobile and 938 tons emitted for area sources, based on 2001 data (www.scorecard.org). Due to ranching and agricultural practices surrounding the Woodfords Community PM-10 pollution levels becomes a concern. Large particulates (soil, dust) are easily stirred up and made airborne by grazing animals as well as ranching and agricultural equipment. No TRI (toxic release inventory) sites are listed in Alpine County (<http://www.scorecard.org>).

4. Natural Resources

There are very limited natural resources on the Woodfords Community parcel.

5. Cultural Resources

The Woodfords Community Parcel has been rated as having a moderate sensitivity for cultural resources. The long period of Washoe use, both historic and prehistoric, back up this sensitivity rating. Cultural resources were located in Diamond Valley during the South Tahoe Public Utility District inventory work.

6. Socioeconomic Conditions

Population

The 1993 Washoe Census reported that the Woodfords Community had 402 persons in 119 households making an average of 3.38 persons per household. Total males

constituted 50.7%, and total females, 49.3%. According to the U.S. Census, the Woodfords Community had a population of 219 in 2000 (a very low estimate).

2000 US Census for the Woodfords Community

Subject	Number	Percent
HOUSEHOLD POPULATION		
Population in occupied housing units	219	100.0
Owner-occupied housing units	156	71.2
Renter-occupied housing units	63	28.8
Per occupied housing unit	3.84	(X)
Per owner-occupied housing unit	3.90	(X)
Per renter-occupied housing unit	3.71	(X)
HOUSEHOLD TYPE		
Owner-occupied housing units	40	100.0
Family households	37	92.5
Householder 15 to 64 years	32	80.0
Householder 65 years and over	5	12.5
Married-couple family	18	45.0
Male householder, no wife present	4	10.0
Female householder, no husband present	15	37.5
Nonfamily households	3	7.5
Householder 15 to 64 years	2	5.0
Householder 65 years and over	1	2.5
Male householder	2	5.0
Living alone	0	0.0
65 years and over	0	0.0
Not living alone	2	5.0
Female householder	1	2.5
Living alone	1	2.5
65 years and over	1	2.5
Not living alone	0	0.0
Renter-occupied housing units	17	100.0
Family households	14	82.4
Householder 15 to 64 years	13	76.5
Householder 65 years and over	1	5.9
Married-couple family	4	23.5
Male householder, no wife present	4	23.5
Female householder, no husband present	6	35.3

Subject	Number	Percent
Nonfamily households	3	17.6
Householder 15 to 64 years	3	17.6
Householder 65 years and over	0	0.0
Male householder	2	11.8
Living alone	1	5.9
65 years and over	0	0.0
Not living alone	1	5.9
Female householder	1	5.9
Living alone	0	0.0
65 years and over	0	0.0
Not living alone	1	5.9
Subject	Number	Percent

(X) Not applicable.
Source: U.S. Census Bureau, Census 2000 Summary File 1, Matrices H11, H12, and H17.

According to the Socio-Economic Profile of the Washoe people completed in 2006, there is a trend with Woodfords Community households (53.9%) paying the lowest levels of rent (\$0 to \$100) as compared to Carson City (0.0%) and Stewart (15.4%) households.

Significantly more Woodfords Community (62.3%) households were living on family incomes of less than \$20,000 in 2005 as compared to 21.6% of Stewart households.

The eight strategic planning priority areas of Woodfords Community respondents are listed below by order of importance (rated “very important” or “important”):

- ◆ education and training (98.0%, n=49);
- ◆ community development and infrastructure (96.0%, n=48);
- ◆ physical health and wellness (94.0%, n=47);
- ◆ trade and commerce (90.0%, n=45);
- ◆ culture (86.0%, n=43);
- ◆ governance (86.0%, n=43);
- ◆ lands and environment (86.0%, n=43);
- ◆ sovereignty and public safety (86.0%, n=43).

The 10 buildings and spaces that Woodfords Community lacks are presented below by order of importance (rated “very important” or “important”) as reported by Woodfords Community respondents:

- ◆ health clinic (85.7%, n=42);
- ◆ nursery or day care center (84.0%, n=42);
- ◆ neighborhood parks or green spaces (80.9%, n=38);

- ◆ convenience store (70.0%, n=35);
- ◆ traditional landscaping for open space and meditative trails (64.0%, n=32);
- ◆ grocery store (49.0%, n=24);
- ◆ swimming pool (42.0%, n=21);
- ◆ deli-snack bar (40.8%, n=20);
- ◆ football field (40.0%, n=20);
- ◆ soccer field (36.0%, n=18).

7. Resource Use Patterns

Hunting, Fishing and Gathering

The Woodfords Community is too small to offer safe hunting practices and there are no streams on the parcel that have a fish population. Harvesting and gathering is very limited to scrub vegetation. The Woodfords Community acreage is too scant for any real natural resources.

8. Infrastructure, Service Systems and Transportation

The Woodfords Community has its own water supply and sewage treatment facilities. Three, sewage lagoons are located on BLM land northeast of the Community, on the old road to Gardnerville. Three wells and 180,000 gallons of storage tanks provide the domestic water supply. Propane tanks are used for home heating. Roads are curbed and paved, with maintenance provided by the Bureau of Indian Affairs.

9. Other Values

Wind Energy Resources

Woodfords Community is in close proximity to known marginal thru good wind resources. The Community itself may not contain this resource but due to the topography of the area intensive heating and cooling of air masses between the mountains and the valleys and some marginal wind resources do exist. These power classes (0-3) may not be sufficient for large-scale turbines but may allow for use of small turbines. A 234 kV transmission line is relatively close, allowing for possible grid hookup. Local wind power characterization variations exist and seasonal and daily winds will need to be monitored to identify these variations if wind power is to be considered.

Solar Energy Resources

Solar radiation on the Woodfords Community is categorized as good to excellent. Summer solar energy potential is “extremely high” and winter potential is categorized as “good”. Solar energy can be a significant renewable resource on the Community. With highly efficient “concentrating collectors and photovoltaics” energy collected per day could reach 6000-6500 Whr/sq m, categorized as excellent. “Thermal conversion” is probably less of an alternative due to seasonality of maximum solar energy.

Solid Waste

There are 70 households in the Community, with an estimated population of 175. There are 3 Tribal or Community buildings located within Woodfords Community: the Fire Department, the Gym, and the Education Center. There are no Tribal enterprises in Woodfords Community.

Douglas Disposal Inc/South Tahoe Refuse provides curbside solid waste collection services to the Woodfords Community. Approximately 20 percent of the Community households subscribe (South Tahoe Refuse, 2004). Solid waste is collected weekly and hauled to the Douglas County Transfer Station, then transported to the Lockwood Landfill. Within the Community, a recycling kiosk for aluminum cans, metal cans, office paper, and plastic is located in front of the Community Center and is picked up weekly by WEPD staff. WEPD staff also is performing a pilot curbside recycling program for interested community members.

Other options for solid waste disposal in the Community include: self-haul and stockpile. The self-haul method allows Community members to self haul their waste to the Douglas County Transfer Station or the South Lake Tahoe Transfer Station, both approximately 20 miles away. These transfer stations accept a wide variety of waste products, including household hazardous waste, appliances, tires, batteries, oil, and construction demolition waste. Stockpiling waste is another option that is utilized in the Woodfords Community. On a bi-annual basis the WEPD, WHA, and Communities provide dumpsters for a Community cleanup. Annually the Alpine County Yard hosts a free spring trash collection service. WEPD coordinates with these days to assist Woodfords Community residents with trash removal. These days are highly exploited and yield massive amounts of waste. The stockpiling technique is discouraged due to the related health concerns and unsanitary conditions associated. It is also non-compliant to the Washoe Law and Order Code.

10. Public Health and Safety

Seismic Hazards

No faults are mapped on the Woodfords Community. The Genoa Fault Zone is located southwest of the parcel. In addition, during September 1984 a 6.7 magnitude earthquake occurred with an epicenter in Double Spring Flat, five miles due east of Woodfords Community. One of the Community's water tanks is believed to have been damaged by this earthquake.



Fault Zone information obtained from:
U.S. Geological Survey and California
Geological Survey, 2006,
Quaternary fault and fold database for the
United States, accessed Feb. 2007, from the
USGS web site:
<http://earthquakes.usgs.gov/regional/faults/>

Police Protection and Services

The Washoe Tribal Police Department provides police protection and services to the communities, tribal lands and the Pinenut Allotment Lands. The Washoe Police department and the Washoe Rangers provide combined law enforcement to the Washoe Lands. The tribal police and rangers are located at the tribal government complex south of Gardnerville, Nevada.

The U.S. Federal Bureau of Investigation has certain enforcement duties when a felony crime is committed on tribal lands. Certain lands in California are covered under the Public Law-280, which gives jurisdiction to the local counties.

The tribal enforcement departments assist the local jurisdictions with law enforcement in a combined effort. They also provide services during search and rescue operations, HAZMAT and assist during natural disasters and other emergency situations.

Fire Protection and Services

The Bureau of Indian Affairs under their Indian Trust Responsibilities provides Wildland Fire Suppression through various agreements and memorandum of agreements with the federal government for wildland fire protection services.

The local county fire departments under a Memorandum of Understanding with the Washoe Tribe provide fire protection and services. Additional services that the local emergency departments provide include: medical transfer, disaster emergencies and HAZMAT. Because the tribal lands and communities are scattered and fractionated they depend on these agreements with the local jurisdictions to supplement their efforts to protect and serve the tribal lands and population.

Environmental Threats

The Diamond Valley effluent land application and Harvey Dam are products of the South Tahoe Public Utility District Wastewater Facilities Planning Program (STPUD) which pipes South Tahoe effluent over the Carson Range for disposal. These projects were implemented in 1985. It is possible that an earthquake would cause a breach of the dam. This in turn could flood of the Woodfords Community with effluent. Since effluent is stored in Harvey Dam's reservoir, the impact of flooding with polluted water is twofold. Since the structure is a modern design, it should have taken into account potential seismic forces which could cause failure. The land application of effluent in Diamond Valley has the potential to overload the soils with contaminants which in time, could threaten the Community's wells. There is regular monitoring of groundwater and no indications of contaminations have been noted. The Woodfords Community and Tribal governments vigorously opposed STPUD during the preparation of the EIS and Public input portions of the project. The concerns over cultural resources and groundwater pollution were the principal issues. A proactive stance toward STPUD must be maintained by the Community and Tribe.

Parcel Objectives

Objective One: The proposed land use map in this document will guide siting of future developments unless amended by Woodfords Community Council and Tribal Council.

Objective Two: Community Council and Tribal Council will initiate discussions aimed at land acquisition to improve Woodfords Community's opportunities to meet future needs.

Objective Three: The Tribal Council and Community Council will remain vigilant and involved in monitoring the water conditions that could be affected by surrounding development.

Objective Four: The development of commercial land on the Wade parcel is a desirable source of economic development which will provide benefits for Woodfords Community population and is therefore a part of the Community's economic development strategy.

References

Alpine County General Plan

Geohydrology and Simulated Response to Groundwater Pumpage in Carson Valley:
Douglas K. Maurer, USGS, 1986

NRCS Web Soil Surveys: <http://websoilsurvey.nrcs.usda.gov>

Open Files: Washoe Tribe

Open Files: Western Nevada Agency, Bureau of Indian Affairs, Carson City

Tribal Strategic Plan: Washoe Tribe, 1991

U.S Geological Survey and Nevada Bureau of Mines and Mineral Resources, 2006:
<http://earthquakes.usgs.gov/regional/qfaults>

Washoe Comprehensive Land Use Plan: Washoe Tribe, 1994

Washoe General Plan: Washoe Tribe, 1973

Washoe Socio-Economic Profile: Washoe Tribe, 2006

X. Wade Parcels

Issues Executive Summary

Wade is a land base for the Tribe and Tribal members that is presently unused but has significant potential for future use. Favorable soils, location, and availability of water resources are examples of advantages found on the Parcels. Impediments to economic development and wastewater treatment are examples of obstacles that must be solved to begin development.

Location and Boundaries

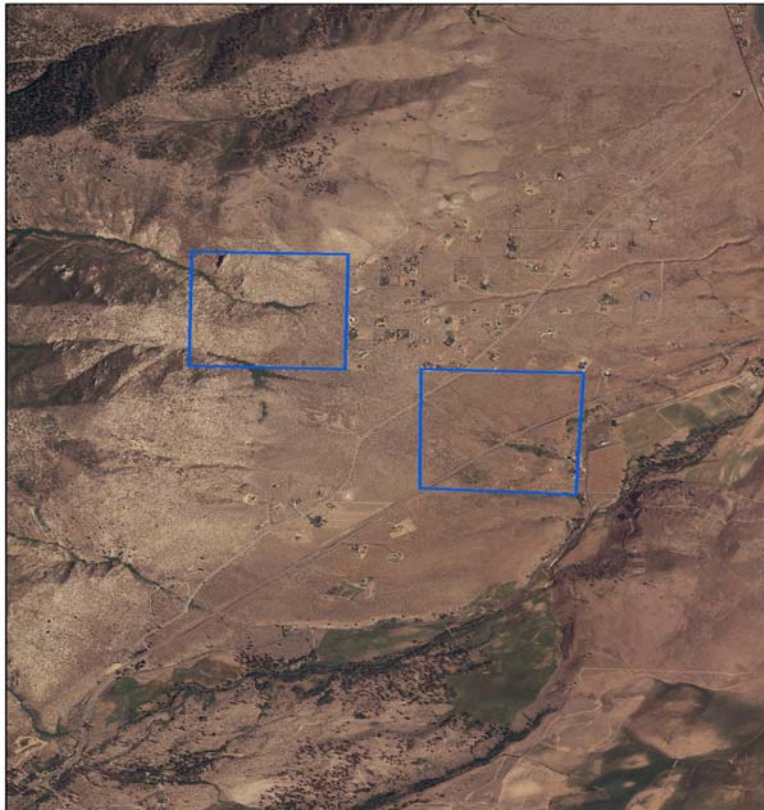
The two Wade parcels are two non-contiguous, square-shaped properties of 160 acres each. These were part of the old Sacramento Allotments that were given to the Tribe by the Allottee, Donald Wade, to become Trust Lands. These lands are in Alpine County, California, located approximately 2 ½ miles south of the Nevada border.

The general, legal description is as follows:

Township 11 North, Range 19 East

Northeast ¼ of Section 23 and

West ½ of the Southeast ¼ and the East ½ of the Southwest ¼ of Section 24



Background Information

These two parcels were Sacramento Allotments Number 17 and 22, owned by Donald Wade. As is possible with public domain allotments, these two had become “fee” land, and as such, subject to tax payments to Alpine County. In the early 1970’s, Mr. Wade became concerned that the Parcels would be sold by the County to pay the back taxes. Mr. Wade arranged to convey the Parcels into Trust status with two conditions;

1. That the Washoe Tribe pays “all outstanding property taxes.”
2. After title was obtained by the Washoe Tribe, that Mr. Wade and the Wade “heirs and assignees” be assigned a total of 160 acres of the Parcels for their “use and benefit.” These parcels were described in Washoe Tribal Council Resolution 72-W-18 as follows:

SAC-17 The SW1/4NE1/4, Sec. 23, T. 11 N., R. 19 E., MDB&M, California, containing 40 acres more or less

SAC-22 The E1/2SW1/4, SW1/4SE1/4, Sec. 24, T. 11 N, R. 19 E., MDB&M, California, containing 120 acres more or less.

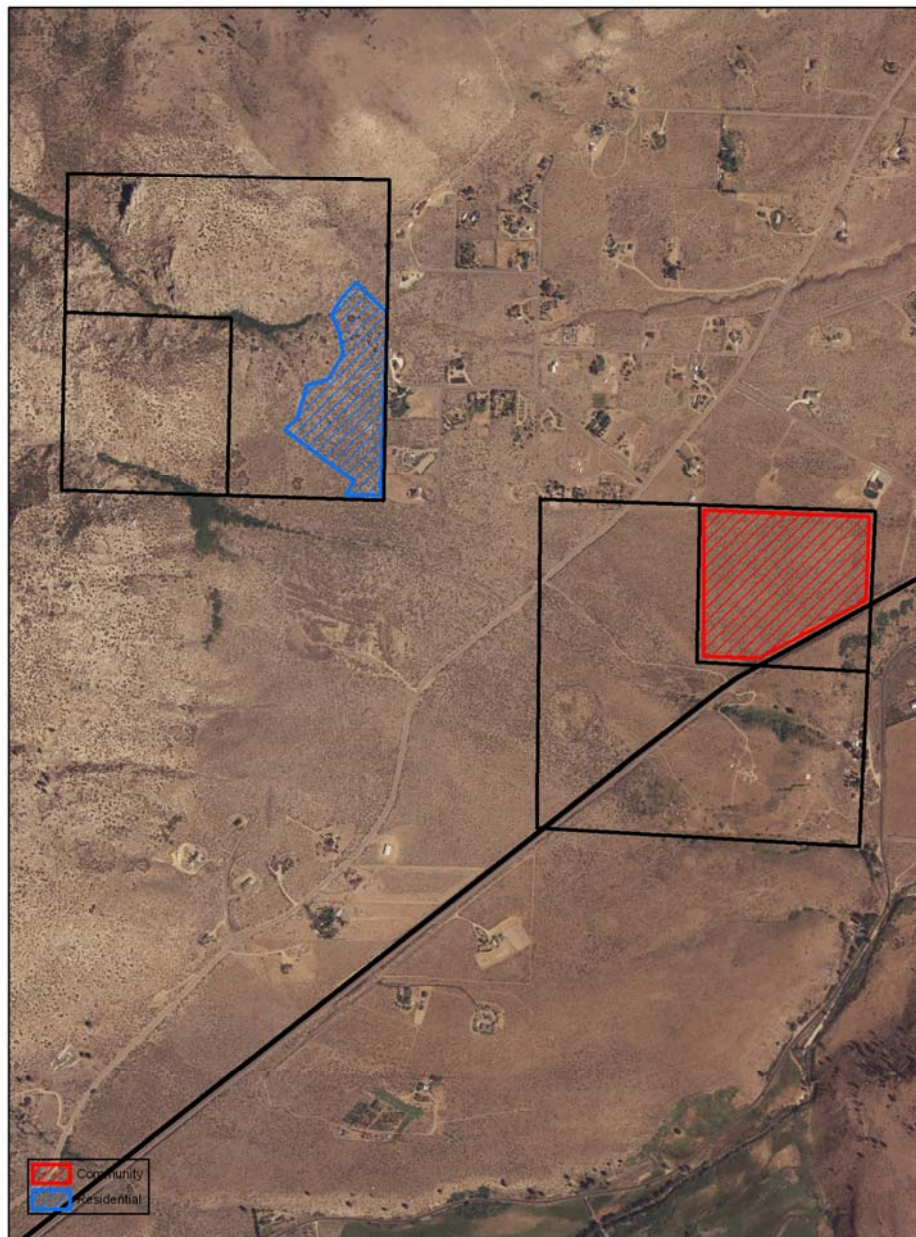
The two parcels became Trust lands in the name of the Washoe Tribe in 1976.

No development or use has taken place under the conditions listed above. Two issues that were not resolved prior to Trust status was the definition of the terms “heirs” and “assigns.” If the Tribe were to assign land, it would be under its land assignment policy. The Tribal land assignment policy is limited to dealing with Washoe tribal members.

1. Land Resources

Current Land Use

Some of the residential use from Lower Wade Parcel continues onto the lower Wade Parcel, below the bluff. No other developed uses are known on the Parcels.



Proposed Land Use

It is proposed that 40 acres of the Lower Wade Parcel be developed for commercial and 18.5 acres of the Upper Wade Parcel be used for residential.

Residential

The proposed 20 lots range from ½ to 1 acre in size. In earlier assessments of Wade by the Tribe, a low-density residential use was indicated for these same lands. In earlier assessments of the Wade parcels it was observed that in the southeast corner there is a 1 ½ acre portion for on-site wastewater treatment. A “package plant” could be installed on this site to treat the effluent from the development. This poses a higher cost than a lagoon, but there isn’t space for this type of treatment facility in close proximity to the homes. It may be possible to participate in a regional-type treatment facility which, in combination with the other residential developments, the Lower Wade Parcel, and the Sacramento Allotments may become feasible at some point in the future.

Water can be obtained from a well and a tank placed on the hillside above the development. Also, there is potential to utilize the pipeline which passes the edge of the proposed development. Access would be made at two points where County roads abut the Parcel. This would be different kind of housing project than that which has been undertaken by the Tribe up to this time. It has been suggested that it be a Mutual-Help type project. It could also be for Washoe who are well-capitalized and have a bank loan to build a residence. More Tribal members who have worked and resided off-Reservation wish to return and this may be an opportunity that would be attractive to them. Before any land assignments could be made and development begun, the infrastructure issues would have to be resolved and funded. Or, the Tribe could have a waiting list with commitments backing it up, and when 15 units (or whatever the breakeven point may be) are firm, the required improvement can be funded by the new residents. The Tribe could bank a certain percent of the breakeven point every year, with the goal of funding 50% of the infrastructure. A design standard would have to be applied to the homes going into the subdivision as well. However this is implemented, it does represent an opportunity for diversity in housing not presently available on the Reservation and which is needed.

Commercial

The proposed commercial takes advantage of Hwy 88 frontage with four lots ranging in size from 5.3 acres to 8.7 acres. The key is to be able to develop a left-turn lane on Hwy 88 for access. In addition to the proposed commercial, the access can serve for other future uses on lower wade parcel and as a connection with emigrant Trail to the west at approximately the middle of that route’s length. A frontage road would be needed to access the commercial parcels. Water and effluent issues would be handled in the same way as upper Wade.

It is recommended that two or more of the commercial parcels be combined if a proposed lessee is interested but would like more space to develop.

Economic development potential along Hwy 88 in Alpine County is not very well established, so if a Tribal enterprise is desired, a solid marketing study must be prepared on which to base the development. The lack of employment opportunities for the Alpine County Washoe makes this even more important to implement.

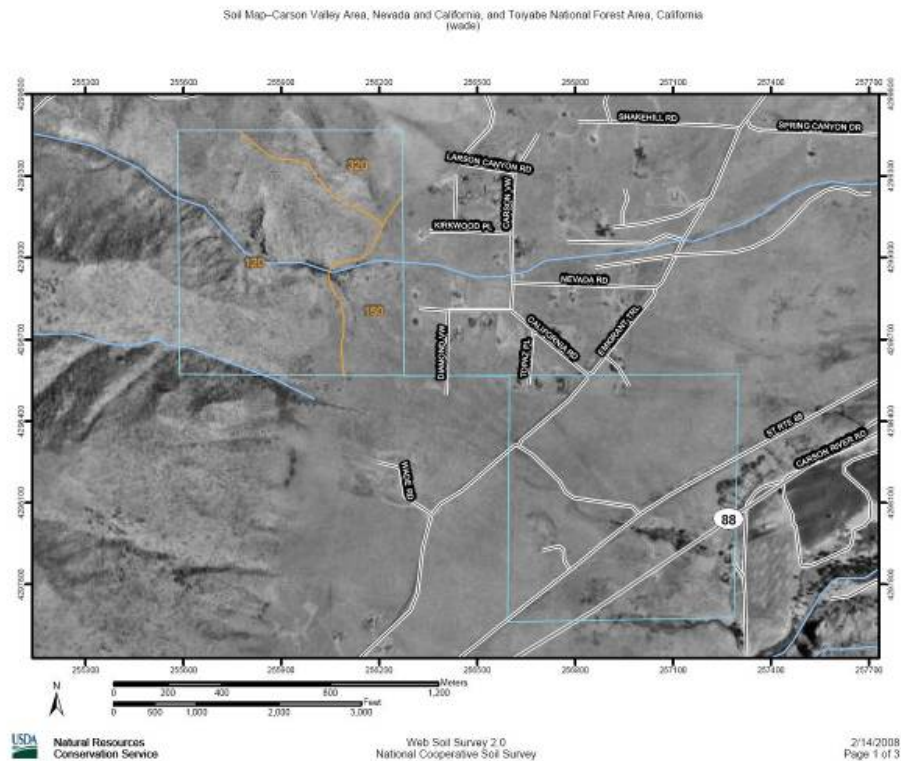
Both the proposed and commercial uses are somewhat at odds with the current land use in the vicinity. The options of the Tribe when considering the relatively small amount of land available which to develop means that a more intensive-type approach is advisable. With proper planning, compatibility and infrastructure issues can be resolved. If given the opportunity for input, Alpine County could become an important ally whose support can make a difference between success and failure.

Topography

The western two-thirds of the upper Wade Parcel are too steep for development. There are 18.5 acres of upper Wade Parcel with less than or equal to 8% slopes. The majority of the lower Wade, other than the bluff, has gentle slopes.

Soils

The river bluff in the lower Wade Parcel needs a geotechnical investigation to determine site conditions. Generally, where slopes are not limiting, the soils are favorable for infrastructure and small buildings.



Map Unit Legend

Carson Valley Area, Nevada and California (CA629)			
No soil data available for this soil survey area.			
Toiyabe National Forest Area, California (CA729)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
120	Toiyabe-Corbett-Rock outcrop complex, 30 to 50 percent slopes	128.5	34.2%
150	Mottskel very bouldery loamy coarse sand, 2 to 15 percent slopes	29.5	8.0%
320	Franktown-Rock outcrop complex, 50 to 75 percent slopes	27.7	7.5%
Totals for Area of Interest (AOI)		370.3	100.0%

2. Water Resources

Surface Water

Larson and Stuard Canyons cross the upper Wade Parcel and Stuard Canyon continues on to the Lower Wade Parcel. Although not much is known other than that it exists, a pipeline and old flume tap these surface flows on the Upper Wade Parcel and descends to the Lower Wade Parcel. No design drawings or maps have been found detailing this system. There is a probability that use of these creeks may be a water right that was the subject of a pre-1900's local decree. Early day decrees such as this are common on the Nevada side of the Carson Range. Research into decrees covering the Eastern Sierra streams needs to be undertaken to determine if the water rights has been perfected. If not, the Tribe should move rapidly to assert primacy and take steps to perfect the right to use the water as it sees fit. It is possible that the remaining Sacramento Allotments may have the Carson Range water rights under old, civil decrees as well in addition to their Alpine Decree rights.

Groundwater

The two Parcels sit over the West Fork Alluvial Fan, which has been identified as the largest source of groundwater in Alpine County. This aquifer is an extension of the Carson Valley aquifer with additional recharge supplied by the Eastern Sierra creeks such as those flowing in Larson and Stuard Canyons.

The State groundwater report suggests that the alluvial aquifer is up to 120 feet deep and contains 100,000 acre feet in storage. The potential recharge has not been estimated. The Wade Parcels have rights to groundwater pumping under the Winters Doctrine.

The favorable hydrologic conditions for groundwater storage also mean that the high permeability of the alluvial aquifer makes it very susceptible to pollution from discharge sources like septic systems. Any Tribal development must be very cognizant of protecting this important water resource. The neighboring land use is low-density

residential. Changes in density should be monitored by the Tribe to safeguard water quality.

3. Air Resources

Air quality standards

Alpine County has some of the cleanest air monitored in California. The County ranks fifty-first out of fifty-eight counties for health risks from hazardous air pollutants. This does not mean air pollutants are not present, it does mean levels across the County are relatively low (<http://www.scorecard.org>).

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Dust, wind erosion

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4. Natural Resources

Vegetation

The Parcels are dominated by big sagebrush, Bitterbrush, Western Needle grass, and Mountain Brome. The potential for grazing is low because the soil is quite permeable and thus has a low, water-holding capacity. Improvement for grazing by rangeland seeding is thwarted by sandy surface soils and low, water capacity.

Wildlife

The Big sagebrush-Bitterbrush vegetation combined with close proximity to the West Fork of the Carson River creates a good habitat for Mule deer winter range. Other species include Mountain Lion, Chuckar, Cottontail rabbit, Jackrabbit and Sage grouse.

5. Cultural Resources

Prehistoric

The Parcels are within the ancestral use areas of the Washoe. The lower elevation portions have been rated as possessing a “moderate sensitivity” for cultural resources. There are known cultural resources on the parcels.

Historic

The Emigrant Trail passed near the parcel and was most likely the route of Snowshoe Thompson, a historic figure in the local region.

Contemporary Use

There are no known designated contemporary cultural use sites. Although not known, tribal members may still be involved in traditional practices on the parcel.

6. Socio-Economic Conditions

There are no socio-economic conditions for this parcel.

7. Resource Use Patterns

Hunting, Fishing and Gathering

The Wade Parcels do not currently offer hunting and there are no streams on the parcel that have a fish population.

8. Infrastructure, Service Systems and Transportation

State Highway 88 runs through the Lower Wade Parcel.

9. Other Values

Wind Energy Resources

The Wade parcels are close to excellent wind resources but an anemometer is needed to measure their full potential. These wind sources may be sufficient for large or small scale turbines. A 234 kV transmission line is relatively close, allowing for possible grid hookup.

Solar Energy Resources

Solar radiation on the Wade parcels is categorized as good to excellent. Summer solar energy potential is “extremely high” and winter potential is categorized as “good”. Solar energy can be a significant renewable resource. With highly efficient “concentrating collectors and photovoltaics” energy collected per day could reach 6000-6500 Whr/sq m, categorized as excellent. “Thermal conversion” is probably less of an alternative due to seasonality of maximum solar energy.

10. Public Health and Safety

Flooding

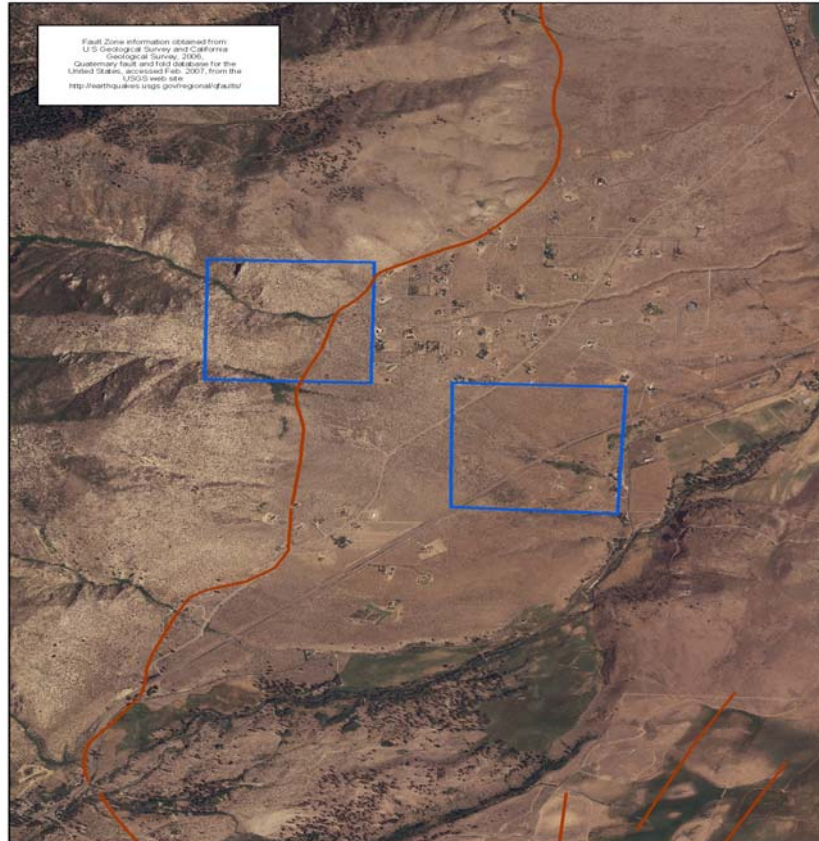
Flooding can be a problem on alluvial fan terrain found on the Wade Parcels. The ability of creeks to move around and create unexpected channels is difficult to control. Future development on the Parcels must be required to study the potential for damage due to changes brought about by this condition.

Some minor flooding adjacent to the existing channels is possible and must be evaluated before any designs are made for development near these channels.

Seismic Activity

The Genoa Fault Zone runs throughout the upper Wade Parcel and throughout the surrounding area. Future development should assume the possibility of a magnitude 7.5 or greater earthquake and incorporate suitable design features for that eventuality.

On the upper Wade Parcel, new development must evaluate the potential for snow slides. Measures can often be taken to prevent damage from this source.



Police Protection and Services

The Washoe Tribal Police Department provides police protection and services to the communities, tribal lands and the Pine Nut Allotment Lands. The Washoe Police department and the Washoe Rangers provide combined law enforcement to the Washoe Lands. The tribal police and rangers are located at the tribal government complex south of Gardnerville, Nevada.

The U.S. Federal Bureau of Investigation has certain enforcement duties when a felony crime is committed on tribal lands. Certain lands in California are covered under the Public Law-280, which gives jurisdiction to the local counties.

The tribal enforcement departments assist the local jurisdictions with law enforcement in a combined effort. They also provide services during search and rescue operations, HAZMAT and assist during natural disasters and other emergency situations.

Fire Protection and Services

The Bureau of Indian Affairs under their Indian Trust Responsibilities provides Wildland Fire Suppression through various agreements and memorandum of agreements with the federal government for wildland fire protection services.

The local County fire departments under a Memorandum of Understanding with the Washoe Tribe provide fire protection and services. Additional services that the local emergency departments provide include: medical transfer, disaster emergencies and HAZMAT. Because the tribal lands and communities are scattered and fractionated they depend on these agreements with the local jurisdictions to supplement their efforts to protect and serve the tribal lands and population.

Parcel Objectives

- Objective One:** The proposed land use map in this document will guide future siting of development unless amended by Tribal Council.
- Objective Two:** Tribal staff will begin seeking ways to accommodate the infrastructure needed to implement the residential and commercial developments.
- Objective Three:** Tribal Council will review a yearly budget for implementing the Wade projects and appropriate funds according to the needs.
- Objective Four:** The Tribe will research, perfect and defend water rights on the Wade Parcel.

References

Alpine County General Plan

Alpine Decree, United States District Court, Civil No. D-183 BRT, 1980

Geohydrology and Simulated Response to Groundwater Pumpage in Carson Valley, by: Douglas K. Maurer, USGS, 1986

Open Files, Washoe Tribe

Soils Survey of Alpine County, Soil Conservation Service, U.S. Department of Agriculture

State of California, Special Studies Zones, Woodfords Quad, 1985

Tribal Strategic Plan, Washoe Tribe, 1991

Washoe Comprehensive Land Use Plan, Washoe Tribe, 1985

XI. Frank Parcel

Issues Executive Summary

A portion of one of the Pine Nut Allotments, CC-186, was purchased by the Tribe in March of 1994. This public domain allotment land was being sold by the owner, Garfield Frank, under the Bureau of Indian Affairs bidding process for a supervised sale.

The parcel was surveyed by the Bureau of Land Management (BLM) and is estimated to be approximately 11 acres. Access is convenient to Hwy 395. Power and telephone service are obtainable. The general area is mountainous and rural with scenic values.

Location and Boundaries

The Frank Parcel is located in the SW $\frac{1}{4}$, of the SE $\frac{1}{4}$, of the NW $\frac{1}{4}$, of Section 15, Township 11 North, Range 21 East, and Mount Diablo Meridian. The parcel is located in Douglas County, Nevada.

The east boundary is the right-of-way of Hwy 395, and the other two boundaries of the parcel are described by “aliquot parts” description common to Indian Land in the Pine Nut Allotments and are unfenced.

A cadastral survey of the parcel was completed by BLM. When the parcel was first offered for bid by the Bureau, it was listed as approximately 6.0 acres. This was later revised to approximately 11.0 acres.



Background Information

The original Washoe Allottee was Senah Pitchwood. The allotment number is CC-186, and was issued to the Allottee on December 31, 1895. These public domain allotments to Washoe Tribal members were not inside a Reservation boundary and under the General Allotment Act it is possible for the owner to request a supervised sale of their land. When the sale is completed, the allotted, trust land moves from public domain into fee status. This has happened to many acres of the original Pine Nut Allotments and represents the passing of Indian heritage lands from Indian ownership to Non-Indian ownership.

When the opportunity to purchase this small portion of Allotment CC-186 became known to the Washoe Tribe, Tribal Council moved to purchase the parcel as an expression of their displeasure with the Washoe aboriginal lands passing out of Indian ownership as had happened so many times in the past. The land was purchased at a value of \$5,795.45 dollars per acre.

The parcel is located 7 ½ miles south of the Tribal Headquarters on Hwy 395, and 1 mile north of Double Spring Flat.

The area surrounding the parcel is undergoing increasing development and use. This is impacting the natural and cultural resources in the area.

1. Land Resources

The southern Pine Nut Range, including the area of the Frank Parcel has been the site of significant mineral resources. The Veta Grande Mine is about one mile away and many prospects are located nearby. The historic, Bodie Stage Road, used in the late 1850's probably crossed the parcel. The scenic and rugged Pine Nut Mountains lands are more frequently being looked at as desirable for home sites when fee land can be obtained. A corridor of marketable, fee lands extends north from Holbrook Junction nearly reaching the Frank Parcel. With mature woodlands and rural, mountainous setting, interest in this type of land continues to grow.

The Parcel's soils are of low permeability, with depth to bedrock 1-2 feet. The soil survey indicates that the primary limitations are for sanitary facilities, recreational development, and building-site development.

Other owners in the general area have overcome the limitations of the soils to develop their lands. Other than extra costs arising from site limitations, there is no reason why the Tribe cannot do the same for a project which offers sufficient potential.

Proposed Land Use

The Bureau's appraisal indicated that the best use of these lands was for a large, rural homesite, or some sort of speculative investment. With the average, daily traffic on HWY 395 over 3,900 vehicles a day, there is potential for a commercial enterprise which caters to the traveler and tourist.

2. Water Resources

A small, dry watercourse crosses the Parcel which needs to be evaluated for run-off potential before development takes place. Development should stay out of the dry stream and wash channels. Wells have been located in the vicinity which produce sufficient amounts of water for domestic uses. Water-intensive uses should be avoided.

The numerous mine sites in the area may be impacting the surface and groundwater of the parcel. The Veta Grande Mine is located about one mile away and is being investigated by the BLM for contamination to water resources from the ore processing. Water contamination could have significant impacts to the Carson River Watershed as the water from the Pinenut Mountains contributes to the Carson River.

3. Air Resources

The Frank Parcel's close proximity to Highway 395 creates high susceptibility rates to mobile air emissions as well as particulates created and carried by winds associated with autos, trucks and buses. Levels in this area do not exceed EPA or Nevada state standards (<http://www.scorecard.org>).

Carbon monoxide (CO) and diesel particulates represent the highest danger associated with air pollution. Mobile sources (car, truck, bus traffic) may increase with rapid development along the Highway 395 corridor. These sources emit (CO) carbon monoxide, (NO) nitrogen oxides, (SO) sulfur oxides, PM-2.5 (matter less than 2.5 micrometers), PM-10 (particulate matter between 2.5 and 10 micrometers) and O₃ ozone (<http://www.scorecard.org>).

Large particulate matter is a concern on this parcel as a result of dust made airborne associated with car, truck, and bus traffic (<http://www.scorecard.org>).

4. Natural Resources

The parcel contains Pinyon and Juniper woodland with sagebrush and fine flashy fuels. The parcel is suffering from increasing levels of tree mortality due to continuing drought and insect infestations. The Tribe received funding to complete a Woodland Management Project to manage the Pinyon Ips Beetle problem on the parcel. The project included removal of infected trees and served to reduce hazardous fuel loading on the parcel. The project was successfully completed in 2007 and will require ongoing monitoring of the site.

The parcel contains numerous resident and migratory bird and wildlife species. The parcel provides critical deer habitat for mule deer.

5. Cultural Resources

No known cultural resources have been identified on the parcel. A cultural resource inventory needs to be completed for the parcel.

6. Socioeconomic Conditions

No socioeconomic conditions currently exist for this parcel.

7. Resource Use Patterns

The parcel's close proximity to residences and Highway 395 limits recreational use of the parcel. Hunting and fishing opportunities do not exist on the parcel. The parcel is an excellent site for Pinyon Pinenut harvesting.

8. Infrastructure, Service Systems and Transportation

There is no developed access or frontage road connected to Highway 395. Various rights-of-ways are listed for CC-186 although their applicability and status for this parcel are not known.

Electricity and phone service are located at the boundaries of the Parcel. Highway 395 is a major thoroughfare and the parcel can be accessed directly off of the highway.

9. Other Values

The Frank Parcel area is classified as having type 4 (suitable for large turbines) winds. However, the aspect of the parcel does not allow these winds to be utilized on the property. Areas within the geographical region (Pinenut Mountains) have great potential for harvesting wind power; class 3 to 6 winds (fair to outstanding) exist within the range. The Frank parcel does not meet the class criteria for wind speeds below 30 meters (minimal height required for most wind turbines). Local wind power characterization variations exist; seasonal, daily winds associated with the Frank Parcel will need to be monitored to identify these variations if wind power is to be considered.

Solar radiation on the Frank parcel is categorized as good to excellent. Summer solar energy potential is "extremely high"; the energy potential during the winter season is categorized as "good". Solar energy can be a viable renewable resource on the parcel. With highly efficient "concentrating collectors and photovoltaics" energy collected per day could reach 6000-6500 Whr/sq m; categorized as excellent. "Thermal conversion" is probably less of an alternative due to seasonality of maximum solar energy and the restricted use of thermal units.

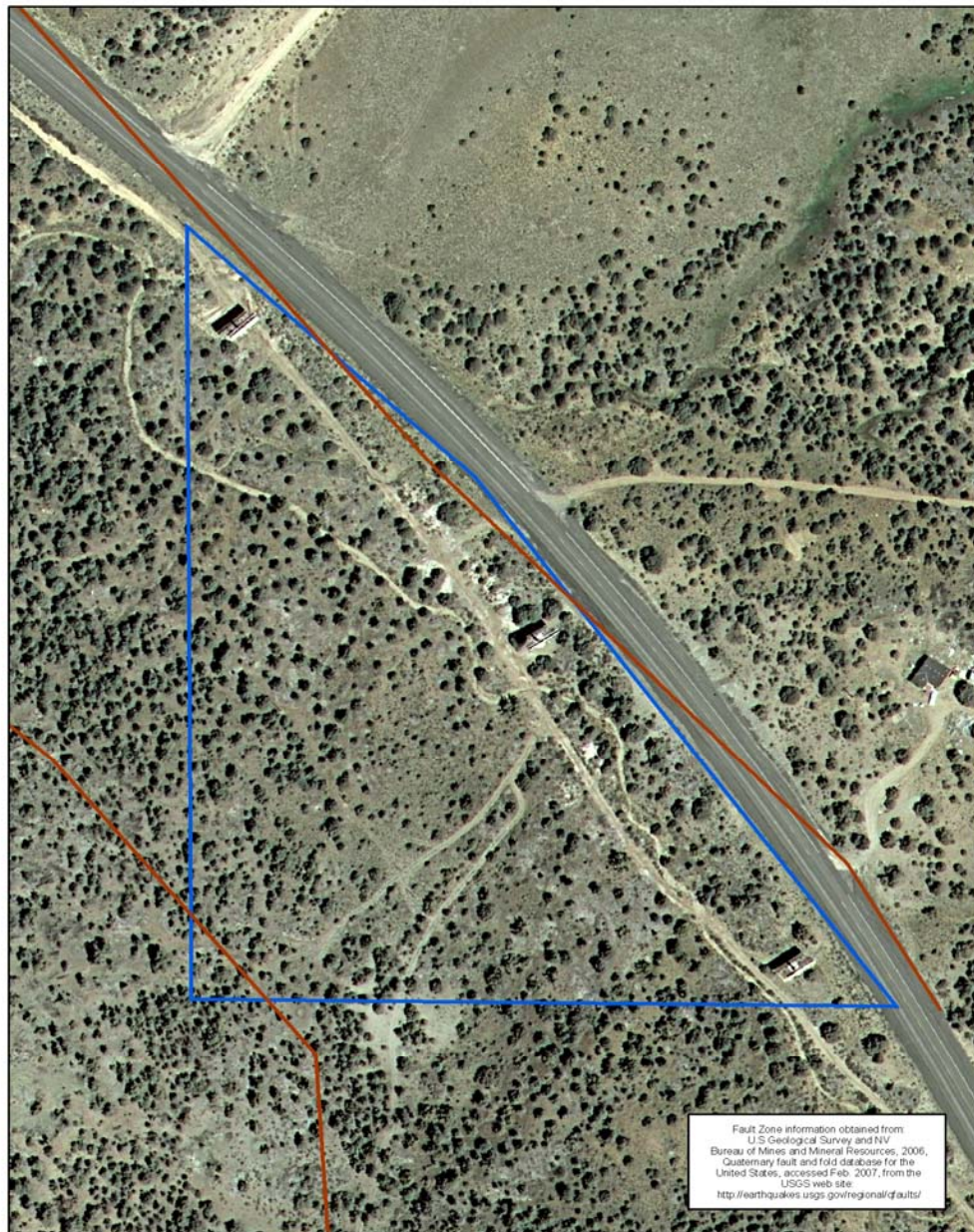
This undeveloped parcel has minimal solid waste issues. Due to the parcels close proximity to Highway 395, littering and wind blown debris are the major contributors to solid waste accumulation. The Pinenut Mountains experience significant solid waste dumping. The parcel will need to be continually monitored for illegal dumping activity.

10. Public Health and Safety

No floodplain information is available for this parcel.

Seismic Hazards

The East Carson Valley fault zone runs through the southwest corner of the parcel and along the entire eastern edge of the parcel. Numerous other portions of the East Carson Valley fault zone run throughout the surrounding area. The area experienced a 6.3 magnitude earthquake in 1994.



Police Protection and Services

The Washoe Tribal Police Department provides police protection and services to the communities, tribal lands and the Pinenut Allotment Lands. The Washoe Police Department and the Washoe Protection Rangers provide combined law enforcement to the Washoe Lands. The Tribal Police and Rangers are located at the tribal offices south of Gardnerville, Nevada.

The U.S. Federal Bureau of Investigation has certain enforcement duties when a felony crime is committed on tribal lands.

The tribal enforcement departments assist the local jurisdictions with law enforcement in a combined effort. They also provide services during search and rescue operations, HAZMAT and assist during natural disasters and other emergency situations.

Fire Protection and Services

The parcel is located in the Pinenut Mountains. The Pinenut range has been the scene to numerous large fires exhibiting extreme fire behavior. The woodland species on the parcel have been stressed by continuing drought and insect infestations. The dense stocking of trees combined with flashy fine fuel loading has created a high susceptibility to wildland fire.

The Bureau of Indian Affairs under their Indian Trust Responsibilities provides wildland fire protection services. Fire protection is also provided by the Bureau of Land Management, US Forest Service, and local county fire departments.

Additional services that the local emergency departments provide include: medical transfer, disaster emergencies and HAZMAT. Because the tribal lands and communities are scattered and fractionated they depend on these agreements with the local jurisdictions to supplement their efforts to protect and serve the tribal lands and population.

Parcel Objectives

- Objective One:** Monitor the Parcel on a regular basis for resource damage or encroachments.
- Objective Two:** Perform a feasibility and marketing study for a tourist-services type of enterprise on the Parcel. If the feasibility is low, develop other potential Tribal uses for the Parcel.
- Objective Three:** Proposed land use is for Commercial, subject to the outcome of Objective Two.

References

NRCS Web Soil Surveys: <http://websoilsurvey.nrcs.usda.gov>

Open Files: Washoe Tribe

Open Files: Western Nevada Agency, Bureau of Indian Affairs, Carson City

U.S Geological Survey and Nevada Bureau of Mines and Mineral Resources, 2006:
<http://earthquakes.usgs.gov/regional/qfaults>

Washoe Comprehensive Land Use Plan: Washoe Tribe 1994

Water Resource Data, NV Water Year 1992: US Geological Survey Water Data Report
NV-92-1

XII. Pinenut Allotments

Issues Executive Summary

As a result of the Dawes Act of 1887, Washoe Tribal members were provided with public domain land allotments. These allotments cover approximately 65,000 acres of land in the Pinenut Mountain Range near Carson Valley, Nevada. These lands are in remote areas and surrounded by growing urban communities. The lands are intermixed in areas of mixed jurisdiction including private, BLM, and US Forest Service.

These public domain allotments to Washoe Tribal members were not inside a Reservation boundary and under the General Allotment Acts; it is possible for the owner to request a supervised sale of their land. When the sale is completed, the allotted, trust land moves from public domain into fee status. This has happened to many acres of the original Pine Nut Allotments and represents the passing of Indian heritage lands from Indian ownership to Non-Indian ownership.

Presently, the majority of the allotments contain fractionated interest with many allotment owners for one allotment. The Washoe Tribe possesses ownership of a small percentage of numerous allotments. The Washoe Tribe possesses majority ownership of 10 allotments: 144, 145, 146, 147, 148, 202, 371, 464, 465, and 466.

These allotments provide Washoe Tribal members open access to Washoe ancestral and cultural lands. The allotments provide tribal members with outdoor education and cultural learning opportunities, as well as preserving Washoe Tribe scenic homelands.

Location and Boundaries

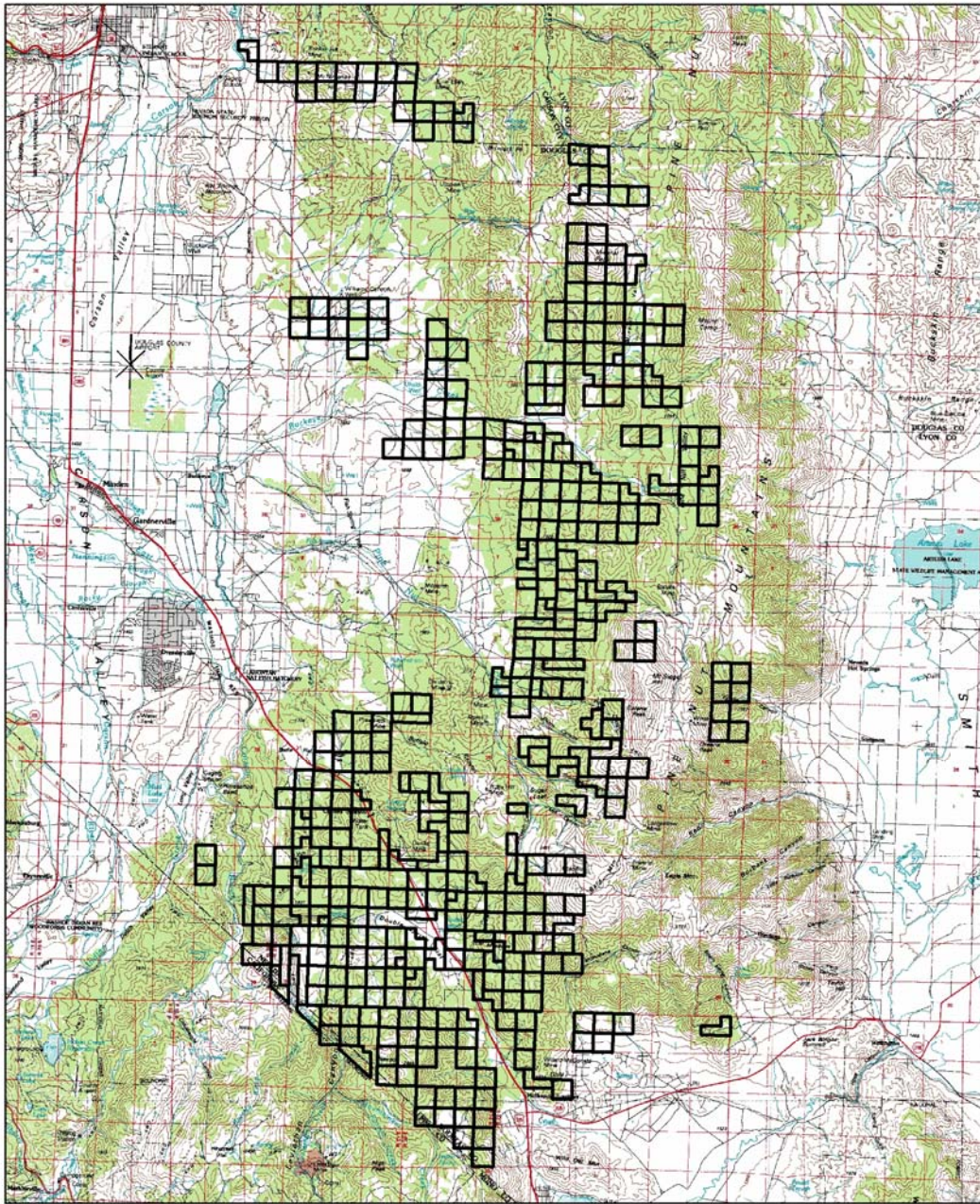
Allotments are located throughout the Pinenut Mountain Range stretching south from Topaz Lake north to Mexican Dam area. The parcels are surrounded by private, BLM, US Forest Service and other BIA allotments lands.

Allotments 144, 145, 146, 147, and 148 are located in Township 12 North, Range 22 East and are approximately 10 miles west of Highway 395. These allotments are located just west of Mount Siegel.

Allotment 202 is located in Township 11 North, Range 21 East and is approximately 1 mile east of Highway 395.

Allotments 464, 465, and 466 are located in Township 14 North, Range 21 East and are approximately 15 miles due east of Highway 395.

Allotment 371 is located in Township 14 North, Range 22 East and is approximately 20 miles due east of Highway 395.



USGS Topo 100k for Carson City and Smith Valley

Background Information

The original allotment owners for Allotments 144, 145, 146, 147, and 148 were Washoe Charley, Mary Charley, Shaddie Charley, Joseph Charley and Austin Charley respectively. These allotments include steep terrain and limited access.

The original allotment owner for Allotment 202 was Captain Jim. This allotment is relatively easy to access. The allotment contains a large previous living area/ dump site.

The original allotment owner for Allotment 371 was Washoe Tom. Access is difficult through a series of dirt roads. The site contains a known dump site in a wet meadow/ spring area.

The original allotment owner for Allotments 464, 465, and 466 were John Mocuscalle, Emma John and Tim Gibson respectively. Access to the allotments is difficult through a series of dirt roads. The allotments are on relatively steep terrain.

The allotments are currently facing increased use and stress placing additional impacts on the natural and cultural resources. Urban development is increasing on and surrounding the allotment lands increasing stress on resources and resulting in increased criminal activity in the area. For example, illicit drug activity, illegal dumping, trespass, off road vehicles and transient activity have become ever increasing problems in these areas and are a threat to the resources.

Access to many of the allotments is extremely limited and is only via 4wd roads with seasonal access. The general area is mountainous and rural with scenic values. Many of the parcels offer great views.

1. Land Resources

Grazing does takes place on lands adjacent to allotments. Some of the allotments contain evidence of previous livestock grazing.

The soils vary throughout the 65,000 acres of allotment lands. The majority of the soils are rocky and gravelly soils limiting production opportunities.

Mining activities are present on or near some of the allotments. The Leviathan Mine Superfund site is located in the southwestern portion of the Pinenut Allotment area. The superfund site poses significant impacts to the natural resources in the area especially the water resources due to leaching of chemicals into the soils and water table.

2. Water Resources

Many of the allotments contain important water resources including springs, wet meadows and riparian areas. The water resources in the Pinenut Mountains contribute to 20% of the Carson River aquifer recharge.

The majority of the allotments do not contain surface water.

3. Air Resources

Air quality throughout the Pinenut Allotments is good. Dust from 4wd roads is minimal. Development is occurring all around allotment lands and on some allotment lands. This development is having minimal impacts on air quality.

4. Natural Resources

The presence of state or federally recognized endangered, threatened or rare plant species have not been found on the allotment lands during evaluations.

A majority of the allotments contain Pinyon Pine/ Juniper woodland with sagebrush and grass understory. The woodland species provide watershed protection, wildlife cover, and timber products such as firewood and Christmas trees. The Pinyon and Juniper trees show signs of beetle and mistletoe infestations and drought stress. The understory vegetation includes species such as sagebrush, mountain mahogany, Mormon tea, rabbit brush, bitter brush and grease wood. Cheat grass, crested wheatgrass, fescue, squirrel tail, Buckwheat and Tarweed grasses are found throughout.

Wildlife in the area includes mule deer, mountain lion, bobcat, black bear, coyote, rabbits, and numerous bird and raptor species. Wild horses roam throughout the Pinenut Mountain Range. Wildlife habitat and migration corridors are being impacted by the increased development and use of the general area.

5. Cultural Resources

The entire Pinenut Range is rich with documented and mostly undocumented cultural resources that should be fully surveyed and documented in order to protect the resources for future generations.

6. Socioeconomic Conditions

Minimal socioeconomic conditions exist in the allotments. Some home sites and squatters occupy allotment lands. Pineview Estates housing development is on a portion of Allotment 234. Pineview Estates is an example of a portion of an allotment which was sold and went into fee status. The homes throughout this development are privately owned but the land that the houses sit on are on a 100 year lease through the BIA. This development has had many environmental impacts that are currently being mitigated including sewer and water issues. Housing developments such as this are in the process of being planned on other allotment lands.

7. Resource Use Patterns

The Pinenut Allotments are used for Pinyon pinenut harvesting, woodcutting, Christmas tree cutting, hunting and limited fishing. The allotments offer many use opportunities including general recreation use.

The areas surrounding the allotments are often used for off road vehicles, mountain biking, hiking and 4 wheel driving.

The Leviathan Mine Superfund site is located adjacent to some allotment lands. Heavy machinery and mining equipment often travel on Leviathan Mine Road which passes by many allotments.

8. Infrastructure, Service Systems and Transportation

The majority of the allotments have no access to utilities or service systems. There is limited infrastructure or public services available to allotment lands. Power is very limited. Transportation to the majority of the sites is through 4wd roads with limited seasonal access. The access to many allotments is through easements or rights-of-way due to mixed jurisdictions and ownerships.

9. Other Values

The allotments are used for recreational use including camping, hunting, hiking, and 4wd vehicles. Many of the allotments offer great views. Some of the allotments are used for home sites.

Allotments could be evaluated for potential solar and wind opportunities. The allotments provide opportunities for wildlife research and monitoring.

Illegal dumping is becoming an increasing problem. The open dump sites are impacting the natural and cultural resources. The sites vary in size from ¼ acre to over 100 acres and include hazardous materials. Open dump sites need to be evaluated and assessed in order to develop cleanup and closure plans. Increased patrol and enforcement are necessary throughout these areas.

10. Public Health and Safety

The allotments do not fall within the 100 year floodplain.

The East Carson Valley fault zone runs throughout the allotments.

Police Protection and Services

The Washoe Environmental Protection Rangers patrol the allotments. The Washoe Tribal Police Department provides police protection and services to the communities, tribal lands and the Pinenut Allotment lands. The Washoe Tribal Police Department and the Washoe Protection Rangers provide combined law enforcement to the Washoe lands. The Tribal Police and Rangers are located at the tribal offices south of Gardnerville, Nevada.

The U.S. Federal Bureau of Investigation has certain enforcement duties when a felony crime is committed on tribal lands.

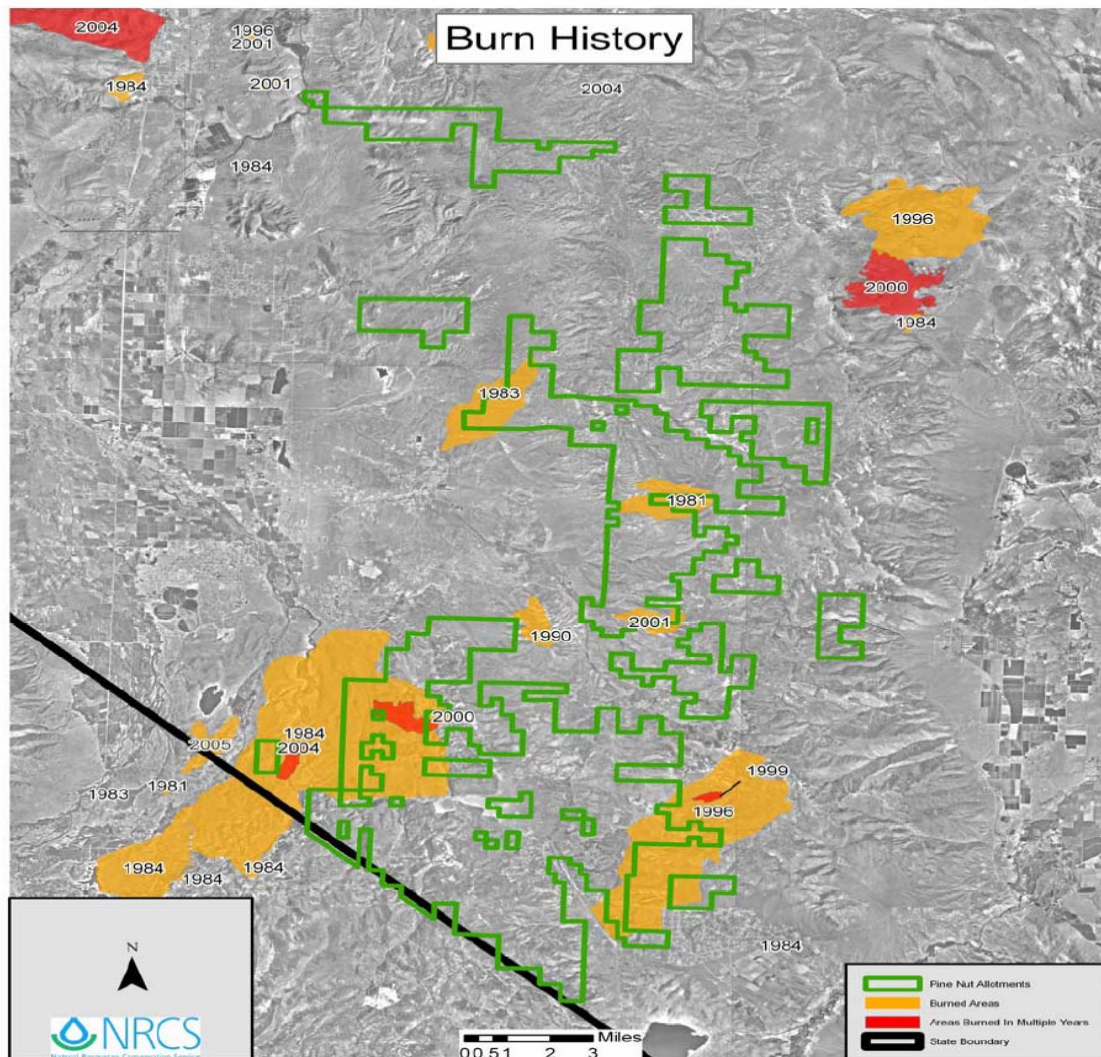
The tribal enforcement departments assist the local jurisdictions with law enforcement in a combined effort. They also provide services during search and rescue operations, HAZMAT and assist during natural disasters and other emergency situations.

Fire Protection and Services

Wildland fire is a significant threat to the allotments. Numerous wildland fires have burned throughout the Pinenut Mountain Range. The heavy fuel loadings combined with dead and dying vegetation puts the range at an even higher risk.

The Bureau of Indian Affairs under their Indian Trust Responsibilities provides wildland fire protection services. Fire protection is also provided by Bureau of Land Management, US Forest Service and local county departments.

Additional services that the local emergency departments provide include: medical transfer, disaster emergencies and HAZMAT. Because the tribal lands and communities are scattered and fractionated they depend on these agreements with the local jurisdictions to supplement their efforts to protect and serve the tribal lands and population.



Parcel Objectives

- Objective One:** Complete environmental assessments and cultural resource inventories for the allotments that the Washoe Tribe contains majority interest in.
- Objective Two:** Complete management plans for the allotments with Washoe Tribal majority interest.
- Objective Three:** Develop management strategies for fire, insect and disease, vegetation and wildlife.
- Objective Four:** Complete assessments on all known illegal open dump sites. Complete cleanup and closure documents for these sites. Remediate the sites as possible.

References

NRCS Pinenut Allotment Rangeland Resource Inventory, December 2007

NRCS Web Soil Surveys: <http://websoilsurvey.nrcs.usda.gov>

Open Files: Washoe Tribe

Open Files: Western Nevada Agency, Bureau of Indian Affairs, Carson City

U.S Geological Survey and Nevada Bureau of Mines and Mineral Resources, 2006:
<http://earthquakes.usgs.gov/regional/qfaults>

Washoe Comprehensive Land Use Plan: Washoe Tribe 1994

Water Resource Data, NV Water Year 1992: US Geological Survey Water Data Report
NV-92-1

XIII. Allotment CC-231

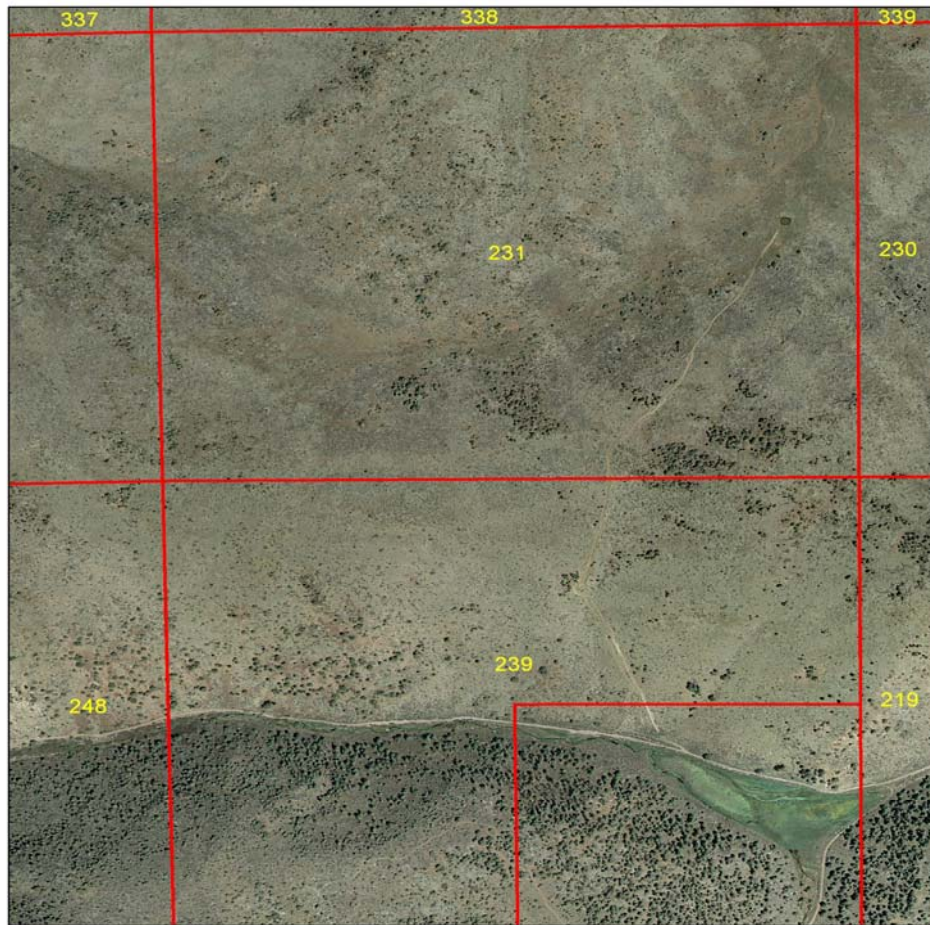
Issues Executive Summary

Allotment CC-231 was purchased by the Tribe in October of 2006. This public domain allotment land was being taken out of trust to be sold by the owner; L. Mark Kizer, who approached the Tribe regarding purchasing the parcel. The Tribal Council designated this parcel as a Washoe Cultural and Nature Preserve. The parcel allows members of the Washoe Tribe open access to Washoe ancestral and cultural lands. The parcel provides tribal members with outdoor education and cultural learning opportunities, as well as preserving Washoe Tribal scenic homelands.

Access to the parcel is extremely limited and is only via a 4wd road that travels through Allotment CC-239. The general area is mountainous and rural with scenic values. The parcel offers view into the Carson Valley, Carson Iceberg Wilderness and Mokelumne Wilderness.

Location and Boundaries

The parcel is located in the Northwest 1/4 of Section 20, Township 11 North, Range 21 East. The parcel is approximately 160 acres. The parcel is identified by Douglas County Assessor's parcel #1121-00-002-007, Bureau of Indian Affairs allotment number #231, and fee simple Indian Patent Number 27-2006-0154. The parcel sits at approximately 6,200 feet. The parcel is surrounded by allotments on the north, east, and south sides. Private and Forest Service lands are located on the west side of the parcel. The parcel can be accessed from a 4wd road that travels through CC-239.



Background Information

The original Washoe Allottee was Anson Dickson. The parcel was purchased for \$86,400.00 in October 2006 by the Tribe from L. Mark Kizer. The property was purchased for the purpose of placement into the Washoe Land Conservancy. This parcel is in fee status.

The Indian Creek Fire in 1984 burned through the entire parcel. Minimal Pinyon Pine and Juniper are present on the parcel. Vegetation is coming back slowly following the fire.

There are no utilities located on the parcel.

The Pinenut Allotment lands are being impacted by increased use and increased development surrounding the allotments. This use and development are impacting the natural and cultural resources.

1. Land Resources

Allotment 231 is a designated land conservancy parcel; as such it will be maintained as a Washoe Cultural and Nature Preserve. The parcel's land use is designated conservation.

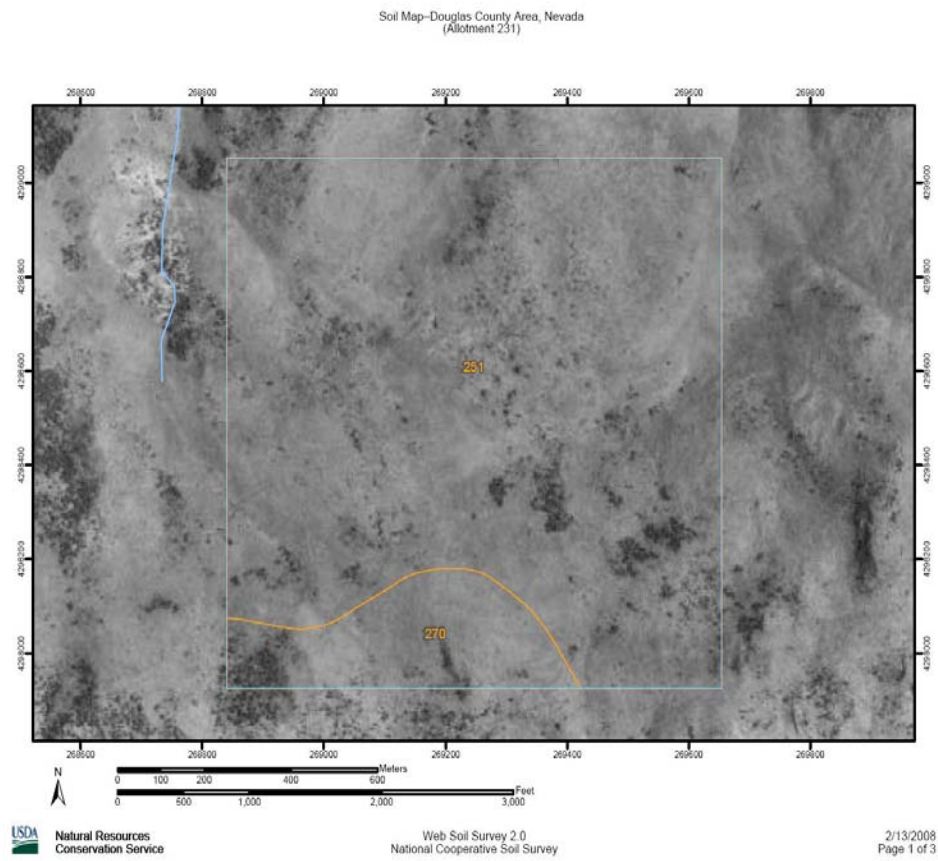
The parcel has experienced previous livestock grazing. Watering and salt lick locations are located in the northwest portion of the parcel. The parcel is unsuitable for crop production due to the presence of rocky and gravelly soils, limited access to water and the elevation of the site. Access to the site is a limiting factor; only four wheel drive vehicles can access the site.

There has been no apparent mining activity on the site; the presence of minerals or other related substances is unknown. The mineral soil surface appeared to be stable and undisturbed. The site shows no evidence of the presence of hydric soils. The soils in this area are primarily Duco-Cagle-Nosrac association as identified through the NRCS soil surveys. This association is found on 15 to 50 percent slopes of mountains. The suitability of this soil series for rangeland seedling is very poor. Livestock grazing should be limited due to risk of excessive erosion. Areas of this association are limited for roads and road construction due to the moderately steep to steep slopes, the shallow depth to bedrock and the large stones present in this soil series.

The Duco soil is shallow and well drained. Permeability of the soils is moderately slow. Available water capacity is very low. Runoff is rapid and there is a high hazard of water erosion.

The Cagle soil is moderately deep and well drained. The soil permeability is slow and has a low available water capacity. Runoff is rapid and there is a high hazard of water erosion.

The Nosrac soil is very deep and well drained. The soils permeability is moderately slow and has moderate water capacity. Runoff is rapid and there is a high hazard of water erosion.



Map Unit Legend

Douglas County Area, Nevada (NV773)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
251	Duco-Cagle-Notrac association	282.8	88.9%
270	Duco-Smallcone-Cagle association	35.4	11.1%
Totals for Area of Interest (AOI)		318.2	100.0%

2. Water Resources

The site does not contain surface water, wetland resources or riparian vegetation. The site does not contain any irrigation ditches. A 1.5” welded pipe is located in the 4wd road and ends in a previous watering area for livestock. The pipe originates from a spring on Allotment CC-239.

Some drainage may occur from the south end of the allotment down CC-239 to the area of Doud Creek.

3. Air Resources

Air quality at the site appears to be good. There is minimal development to the south east. Dust from the 4wd road is thought to be minimal.

4. Natural Resources

The presence of state or federally recognized endangered, threatened or rare plant species were not found during the October 16, 2007 evaluation of the site.

Vegetation on the site consists of scattered Pinyon Pine and Juniper trees. The Pinyon and Juniper trees show signs of beetle and mistletoe infestations. Bitterbrush, sagebrush and dwarf desert peach are also present on the site. Cheat grass, crested wheatgrass, fescue, squirrel tail, Buckwheat and Tarweed grasses are also present.

Some of the vegetation on the site is the result of reseeding after a fire in 1984. Natural regeneration of vegetation is occurring at a very slow rate.

Numerous wildlife species are present on site including: rabbits, deer, Stellar jays, Clarks nutcrackers, American kestrels, golden eagles, ravens, crows and other small birds. Evidence of bear and coyote has also been noted. The parcel most likely supports mule deer, mountain lion, bob cat, and pinyon jays.

5. Cultural Resources

The entire Pinetut Range is rich with documented and mostly undocumented cultural resources that should be fully surveyed and documented in order to protect the resources for future generations. The parcel has two sites that have been evaluated by the THPO. It is recommended that a complete survey of the parcel be completed.

6. Socioeconomic Conditions

Due to the parcel's placement in the Washoe Land Conservancy; socioeconomic impacts are not applicable.

7. Resource Use Patterns

The surrounding area as well as the parcel is used for hunting. There is no access to fishing. Woodcutting, logging and gathering activities are minimal due to limited vegetation following the fire in 1984. No mining activity has been noted.

The Leviathan Mine Superfund site is located approximately 7 miles due south of the parcel.

8. Infrastructure, Service Systems and Transportation

There is no access to utilities or service systems. There is no infrastructure or public services near the site. The closest power is approximately 1.5 miles to the southeast of the parcel. Transportation to the site is provided by a 4wd road with limited seasonal access. The parcel will need to be evaluated for OHV usage.

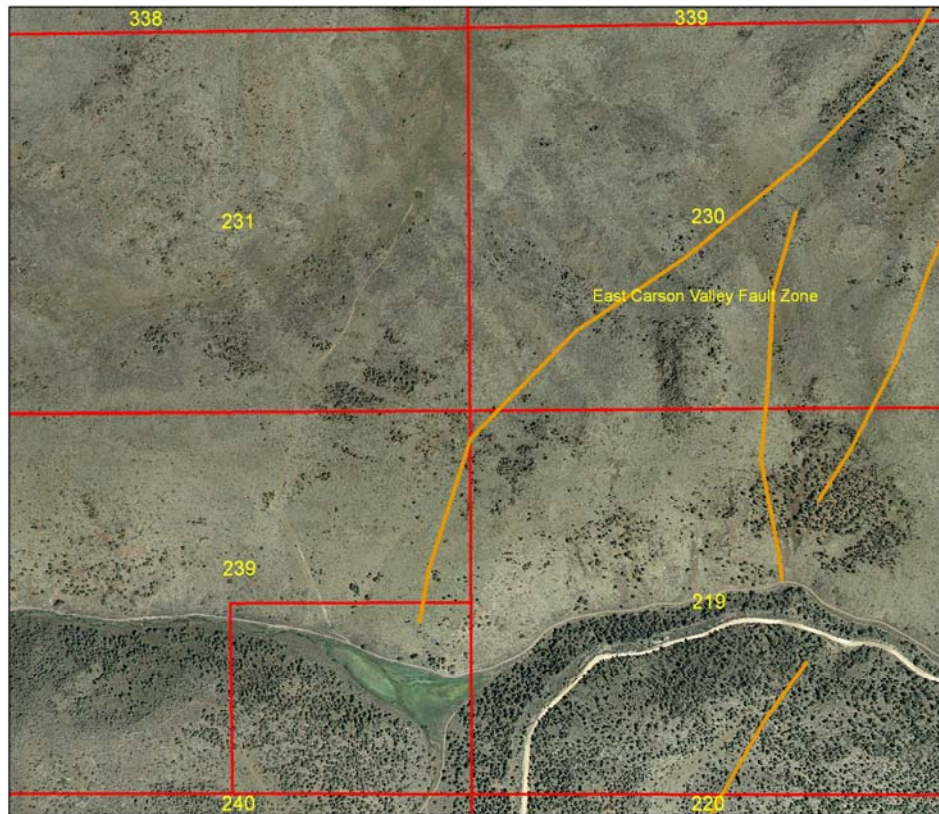
9. Other Values

The parcel is used for recreational use including camping, hunting, hiking, and 4wd vehicles. The parcel offers great views of the surrounding areas. The parcel should be evaluated for potential solar and wind opportunities. The parcel provides opportunities for wildlife research and monitoring.

10. Public Health and Safety

The parcel does not fall within the 100 year flood plain.

The East Carson Valley fault zone runs throughout the area.



Police Protection and Services

The Washoe Environmental Rangers patrol this parcel as part of the Pinenut allotments. The Washoe Tribal Police Department provides police protection and services to the communities, tribal lands and the Pinenut Allotment Lands. The Washoe Police Department and the Washoe Protection Rangers provide combined law enforcement to the Washoe Lands. The Tribal Police and Rangers are located at the tribal offices south of Gardnerville, Nevada.

The U.S. Federal Bureau of Investigation has certain enforcement duties when a felony crime is committed on tribal lands.

The tribal enforcement departments assist the local jurisdictions with law enforcement in a combined effort. They also provide services during search and rescue operations, HAZMAT and assist during natural disasters and other emergency situations.

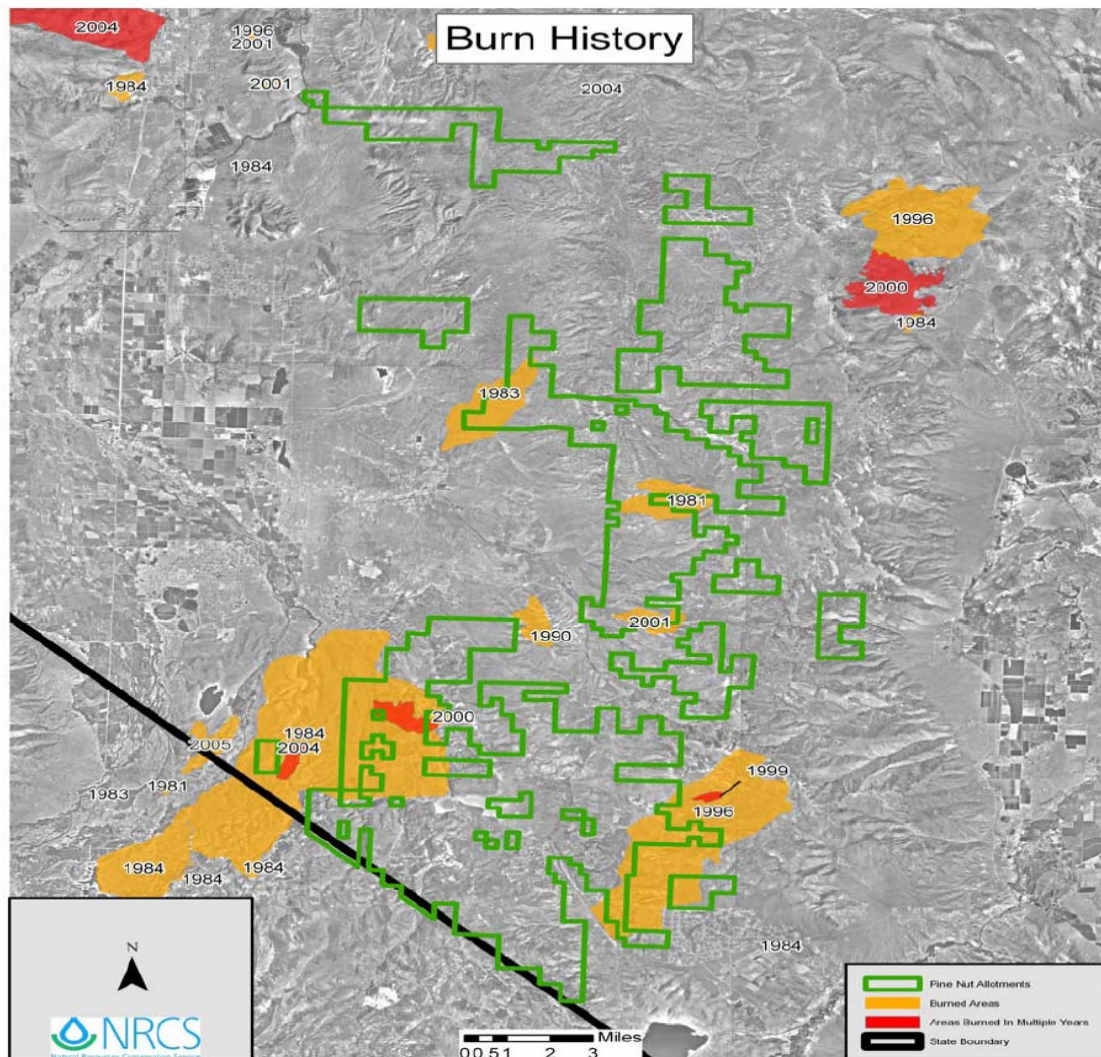
Fire Protection and Services

The parcel is located in the Pinenut Mountains. Wildland fire is a significant threat to the area. The 1984 Indian Creek fire burned through the entire parcel. The fuel loading of

flashy fuels combined with the stressed state of timber puts the parcel at risk for another wildland fire.

The Bureau of Indian Affairs under their Indian Trust Responsibilities provides wildland fire protection services. Fire protection is also provided by Bureau of Land Management, US Forest Service and local county fire departments.

Additional services that the local emergency departments provide include: medical transfer, disaster emergencies and HAZMAT. Because the tribal lands and communities are scattered and fractionated they depend on these agreements with the local jurisdictions to supplement their efforts to protect and serve the tribal lands and population.



Parcel Objectives

- Objective One:** The primary objective for Allotment 231 is to maintain the parcel as a Washoe Cultural and Nature Preserve, to conserve the intact nature of this 160 acre parcel for the benefit of the Washoe People. It will serve as a location for positive youth development through outdoor education. In addition this land will provide habitat for wildlife and help to protect the scenic value of the Washoe homeland.
- Objective Two:** Evaluate access routes and obtain any easements necessary to maintain access to the Parcel.
- Objective Three:** Monitor the Parcel on a regular basis for resource damage or encroachments.
- Objective Four:** Complete a full cultural resource survey of the parcel.
- Objective Five:** Evaluate the impacts that the livestock watering area has on the parcel and provide alternatives for future management.
- Objective Six:** Monitor flora and fauna for long term resource management planning.

References

NRCS Pinenut Allotment Rangeland Resource Inventory, December 2007

NRCS Web Soil Surveys: <http://websoilsurvey.nrcs.usda.gov>

Open Files: Washoe Tribe

Open Files: Western Nevada Agency, Bureau of Indian Affairs, Carson City

U.S Geological Survey and Nevada Bureau of Mines and Mineral Resources, 2006:
<http://earthquakes.usgs.gov/regional/qfaults>

Washoe Comprehensive Land Use Plan: Washoe Tribe 1994

Water Resource Data, NV Water Year 1992: US Geological Survey Water Data Report
NV-92-1

XIV. Babbit Peak

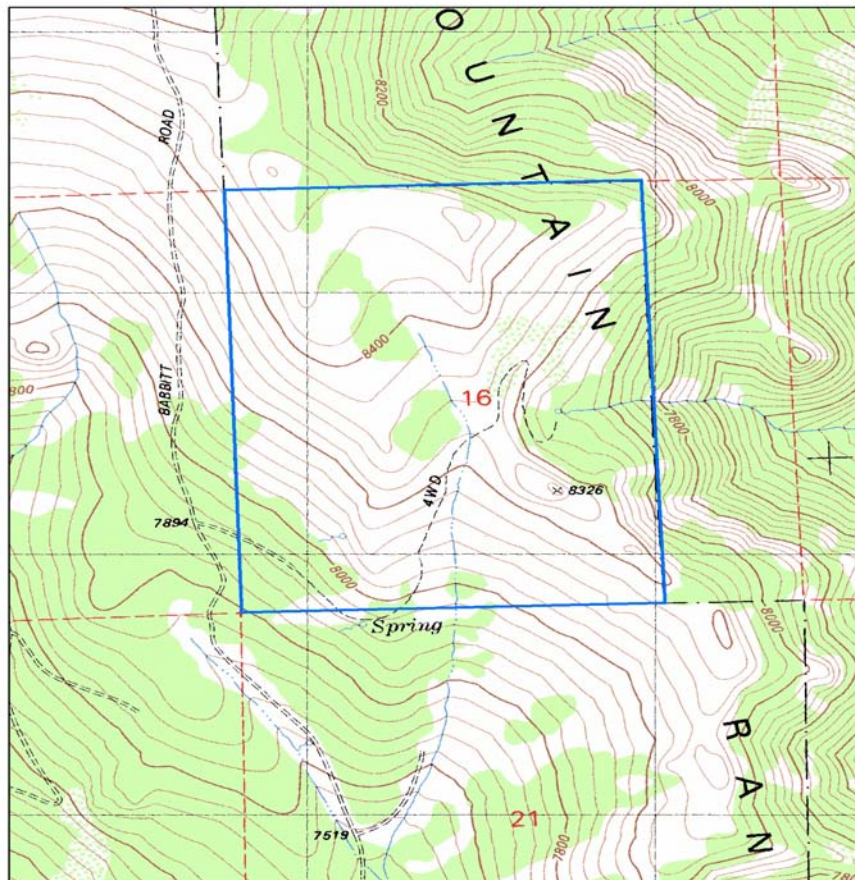
Issues Executive Summary

The Babbit Peak Parcel is a designated Washoe Cultural and Nature Preserve. The parcel allows members of the Washoe Tribe open access to Washoe ancestral and cultural lands. The parcel provides tribal members with outdoor education and cultural learning opportunities, as well as preservation of Washoe Tribal scenic homelands.

The Nature Conservancy has a conservation easement for the parcel which dictates a conservation restriction on the parcel for perpetuity.

Location and Boundaries

The Babbit Peak Parcel is located in the West 1/2, West 1/2 of the Northeast 1/4, and West 1/2 of Southeast 1/4, of Section 16, Township 20 North, Range 17 East. The parcel is located in Sierra County, California. The parcel is approximately 480 acres.



Background Information

The 480 acre Babbit Peak parcel was acquired by the Washoe Tribe through a property transfer agreement with The Nature Conservancy in 2001. This parcel is in fee status.

On October 18, 2001 following the purchase of the Babbit Peak parcel, the Tribe granted The Nature Conservancy, a District of Columbia nonprofit corporation, a Conservation Easement for the 480 acres, document number 2001134019. The stated purpose of the conservation easement is as follows. “To assure that the property will be retained in perpetuity in its natural, scenic, forested and open space condition. In addition, to preserve, protect, identify, monitor, enhance and restore in perpetuity the conservation values of the property. The grant prohibits use of the property for any purposes that would impair, degrade or interfere with any of the stated conservation purposes.”

1. Land Resources

The parcel is a designated land conservancy parcel; as such it will be maintained as a Washoe Cultural and Nature Preserve. The parcel’s land use is designated conservation.

The elevation of the site in conjunction with rocky, gravelly soils make the site unsuitable for crop production. Steep terrain, short growing seasons and access are limiting factors as well. The agricultural importance of the site is minimal.

Neither the Washoe Tribe nor The Nature Conservancy grazes livestock on the site at the present time. However, grazing does occur on adjacent lands, resulting in minimal uncontrolled livestock grazing on the Babbit Peak Parcel. The parcel is not considered desirable for livestock grazing by the Washoe Tribe or The Nature Conservancy due to the high elevation topography, difficulty in fencing the parcel and challenges with livestock management.

Past logging has occurred on the site; several old logging trails are present throughout the parcel. Larger timber was likely removed during historical logging events. Logging may have occurred at or near the turn of the century, given the state of the very large stumps found. However, the site remains relatively un-disturbed in terms of visual quality. The scattered timber stands on the parcel are densely stocked and currently unmanaged.

Geologic attributes present are granitic, rock-like crystal. Volcanic rocks on distinct outcrops are present. Multiple outcrops are scattered throughout the property. It is unknown whether metal or mineral deposits are present. Evidence of mining is not apparent. The mineral soil surface appears to be stable and un-disturbed. Hydric soils are

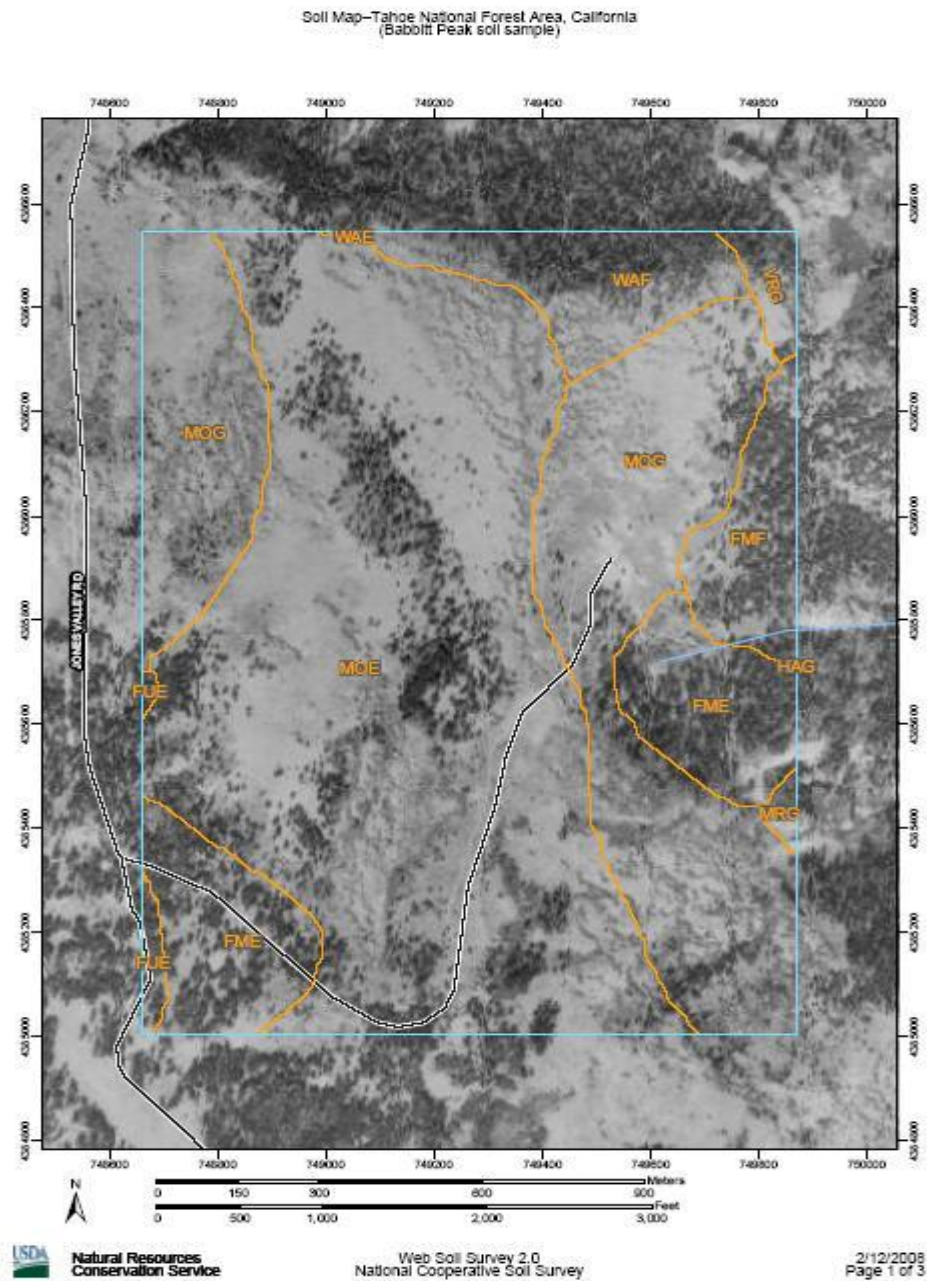
believed to be present in the forest wetland.

Soil Map—Tahoe National Forest Area, California

Babbitt Peak soil sample

Map Unit Legend

Tahoe National Forest Area, California (CA719)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
FME	Fugawee sandy loam, 2 to 30 percent slopes	49.5	10.0%
FMF	Fugawee sandy loam, 30 to 50 percent slopes	20.3	4.1%
FUE	Kyburz-Trojan complex, 9 to 30 percent slopes	3.4	0.7%
HAG	Haypress-Tolyabe complex, 30 to 75 percent slopes	0.0	0.0%
MOE	Franktown-Aldi-Rock outcrop complex, 2 to 30 percent slopes	253.1	51.1%
MOG	Franktown-Aldi-Rock outcrop complex, 30 to 50 percent slopes	134.7	27.2%
MIRG	Fugawee variant-Fugawee-Rock outcrop complex, 30 to 75 percent slopes	1.7	0.4%
VRG	Rock outcrop, volcanic	5.5	1.1%
WAE	Waca-Windy complex, 2 to 30 percent slopes	0.3	0.1%
WAF	Waca-Windy complex, 30 to 50 percent slopes	26.5	5.4%
Totals for Area of Interest (AOI)		495.1	100.0%



2. Water Resources

The parcel's water resources are important to the water quality and watershed health of the Truckee River Watershed. The Environmental Protection Agency (EPA) identified the natural springs present on the Babbit Peak parcel as important aquatic resources that contribute to water quality and fish habitat in Merrill Creek of the Little Truckee River drainage, as well as Dog Creek which flows to the mainstem Truckee River.

Two primary wetland sites are present on the site. The first is a forest wetland, and the second a spring pool. In addition, an intermittent wash extends south from the central grass meadow.

In a study completed in 2003, the dry wash channel was described as Riverine: Upper Perennial: Intermittent and contains a rock substrate with fair sinuosity. This lotic corridor likely receives water from spring snowmelt and summer thunderstorms. The functional rating was Proper Functioning Condition (PFC) and no erosion or degraded conditions were observed. The channel's substrate was composed primarily of rock and cobble size material and remained narrow for several hundred yards before disappearing into shrub cover. The riparian vegetation was minimal as a result of prolonged periods of dryness.

A forest wetland was found north of the cabin and below a jagged rock shelf in 2003. Ranger Bulbs, Water Cress, Stinging Nettle, Fire Weed, Tiger Lilly, Corn Lilly, False Solomon Seal, Thalictrum, Juncus, Carex, Yarrow, Columbine, Currant, Lemon Willow, Willow species and Aspen trees were identified in this lentic wetland during the first evaluation. This wetland received a PFC rating due to its stable hydrology, vegetation and lack of erosion. The forest wetland, for its smaller size, is exceptional in terms of its diversity and structure. Open surface water was not apparent. The wetland was found to be in good biological condition.

A small spring pool is present on the east side of the parcel, and is situated in a stand of Aspen trees. The spring pool was delineated as a Palustrine Area. The pool was approximately 20' by 20', with 6-7 inches of standing water. The pool appeared to be fed by a subsurface spring. The water found in the pool appeared to be stagnant. However, sediment artificially disturbed, cleared within a short time. The outer edge of the spring contained Skunk Cabbage and other herbaceous plants. Sedges and rushes occupied standing water along the edge of the spring. Aquatic plants were not observed in the pool.

3. Air Resources

The parcel is within full EPA level attainment for criteria air pollutants. Air quality data is insufficient to provide risk assessment (www.scorecard.org).

Unimproved roads may have minimal impacts on particulate matter levels (pm-10), (EA 2003 WEPD).

4. Natural Resources

The parcel is located due south of Babbit Peak. The parcel contains two natural springs, a large old aspen stand, and eastside pine. It is possible that the parcel supports Washoe Pine. The parcel supports the following natural communities: montane riparian, wet meadow, montane chaparral, red fir, aspen, and eastside pine.

The presence of state or federally recognized endangered, threatened or rare plant species have not been found.

Bear and mule deer are known to utilize the parcel. Numerous resident and migratory bird species are present on the parcel. Bird species such as raptors, falcons, sparrows, mountain quail and blue grouse have been observed on the parcel. An unknown bat species has been observed on the parcel near the existing cabin.

Upland vegetation consisting of Mountain Sage Brush, Snow Berry, Corn Flower, Bear Clover, Penny Royal, Squirrel Tail, White Fir, Red Fir, Sierra Juniper, Indian paintbrush, Jeffrey Pine, Western White Pine, Lodgepole Pine, Bitterbrush, Mountain Mahogany, Mustard, Wild Parsley, and Peony are present on the parcel.

The parcel contains wetland and riparian vegetation. Riparian vegetation is present at a small seep within an intermittent wash located below the meadow. Moss, Monkey Flower, Aspen, Western Wheat, Currant, Skunk Cabbage and Blue Eye Grass occupy the area below the seep. Riparian shrubs include willow.

A Forest Management Plan should be developed for the parcel. The plan should evaluate fuels reduction options for the parcel to reduce overstocking and remove some forest floor debris. Treatments would decrease the risk of devastating wildfire throughout the parcel. Logging restrictions should be implemented to protect the forest wetland and to prevent erosion on high gradients.

5. Cultural Resources

No cultural resources have been identified on the parcel. A cultural resource inventory needs to be completed for the parcel.

6. Socioeconomic Conditions

Due to the parcel's placement in the Washoe Land Conservancy; socioeconomic impacts are not applicable.

7. Resource Use Patterns

The parcel and the surrounding areas are used for recreational purposes. The areas adjacent to the parcel experience significant recreational use including hunting, woodcutting, and off road vehicle use. The Babbit Peak parcel shows signs of recreational use throughout. Some negative impacts from unmanaged recreational use are present on the parcel including gate destruction and impacts to the natural resources. Vehicular traffic has impacted the central meadow as a result of vehicles going off the

main road. A management plan will need to be developed to evaluate and manage recreational use.

8. Infrastructure, Service Systems and Transportation

There is a red cabin and outbuilding located on the parcel near the entrance. The cabin is not occupied and is boarded up during the winter.

The parcel is located in a remote and isolated area. Infrastructure and service systems are miles from the location. Access to the site is provided by a single unimproved, unmaintained dirt road. Access is gained through an entrance gate. A new entrance gate should be installed to limit access and reduce potential hazards associated with the cabin.

9. Other Values

This parcel's use is limited by its placement in the Washoe Land Conservancy and the Conservation easement granted to the Nature Conservancy.

The Babbit Peak parcel area contains poor to outstanding wind resources according to the DOE (Department of Energy). Local variations not accounted for in DOE studies may indicate differing conditions. The topography of the area creates intensive heating and cooling of air-masses between the mountains and the valleys providing fairly steady winds. These wind power classes (0-6) are significant for large-scale turbines. A localized study would need to be conducted to accurately describe wind power and frequency. 500 and 345 kV transmission lines run fairly close to the property increasing feasibility of mass wind power production and use (NREL data).

Solar radiation on the Babbit Peak parcel is categorized as good to excellent. Summer solar energy potential is extremely high; winter energy potential is categorized as moderate/good. Solar energy can be a significant renewable resource. With highly efficient "concentrating collector photovoltaics" energy collected per day could reach 6000-6500 whr/sq m, categorized as excellent.

10. Public Health and Safety

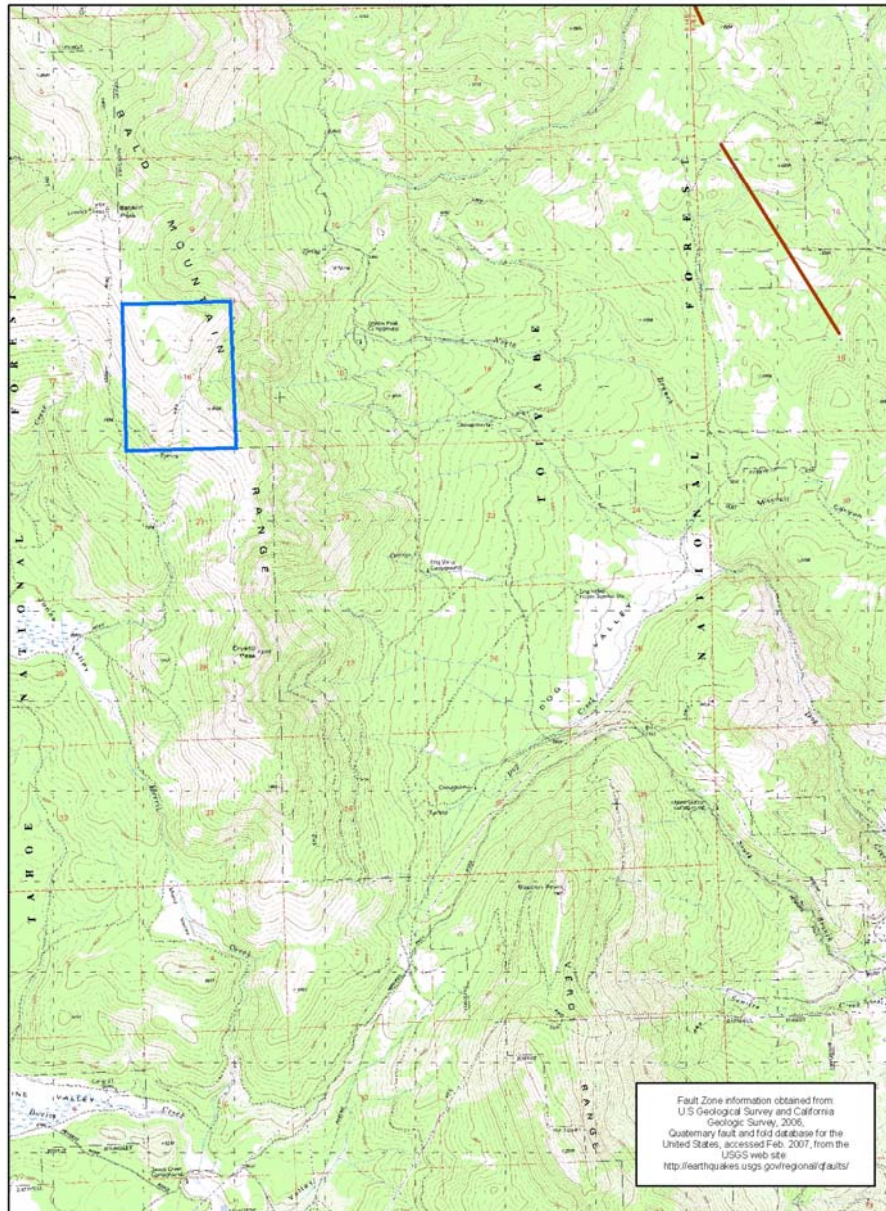
The Babbit Peak parcel is located at relatively high elevation with a moderate slope; indicating little concern for flooding. An ephemeral wash adjacent to the eastern side of the property may create sudden flash events, however, it does not seem to be a concern. FEMA Flood Insurance Rate Maps do not currently exist for the property.

The buildings on the parcel may pose a threat to health and safety. Building materials used at the time of construction of these structures could contain cancer causing agents such as asbestos. Asbestos is most dangerous when it is disturbed, causing fine particles to become airborne. Once airborne asbestos particles if inhaled can cause serious health problems and are a known cancer causing agent.

In addition, the building itself being vacant could create issues with vagrants and squatters. As long as the buildings are secured and checked frequently this should not become a serious problem.

Seismic Hazards

The Last Chance Fault Zone is located approximately 3.5 miles to the Northwest of the parcel.



Police Protection and Services

The Washoe Tribal Police Department provides police protection and services to the communities, tribal lands and the Pinenut Allotment Lands. The Washoe Police Department and the Washoe Protection Rangers provide combined law enforcement to the Washoe Lands. The Tribal Police and Rangers are located at the tribal offices south of Gardnerville, Nevada.

The U.S. Federal Bureau of Investigation has certain enforcement duties when a felony crime is committed on tribal lands. Certain lands in California are covered under the Public Law-280, which gives jurisdiction to the local counties.

The tribal enforcement departments assist the local jurisdictions with law enforcement in a combined effort. They also provide services during search and rescue operations, HAZMAT and assist during natural disasters and other emergency situations.

Fire Protection and Services

The Bureau of Indian Affairs under their Indian Trust Responsibilities provides wildland fire protection services. Fire protection is also provided by the US Forest Service and local county fire departments.

Additional services that the local emergency departments provide include: medical transfer, disaster emergencies and HAZMAT. Because the tribal lands and communities are scattered and fractionated they depend on these agreements with the local jurisdictions to supplement their efforts to protect and serve the tribal lands and population.

Parcel Objectives

Objective One:

To maintain the parcel as a Washoe Cultural and Nature Preserve, to conserve the intact beauty of this 480 acre parcel for the benefit of the Washoe People. It will serve as a location for positive youth development through outdoor education. In addition this land will provide habitat for wildlife and help to protect the scenic value of the Washoe homeland.

Objective Two:

Enhance connectivity between nearby protected areas, national forests and watershed areas for fish and wildlife.

Objective Three:

Preserve open space against development pressure and provide protection for scenic qualities unique to the area.

References

NRCS Web Soil Surveys: <http://websoilsurvey.nrcs.usda.gov>

Open Files: Washoe Tribe

Open Files: Western Nevada Agency, Bureau of Indian Affairs, Carson City

U.S Geological Survey and Nevada Bureau of Mines and Mineral Resources, 2006:
<http://earthquakes.usgs.gov/regional/qfaults>

Washoe Comprehensive Land Use Plan: Washoe Tribe 1994

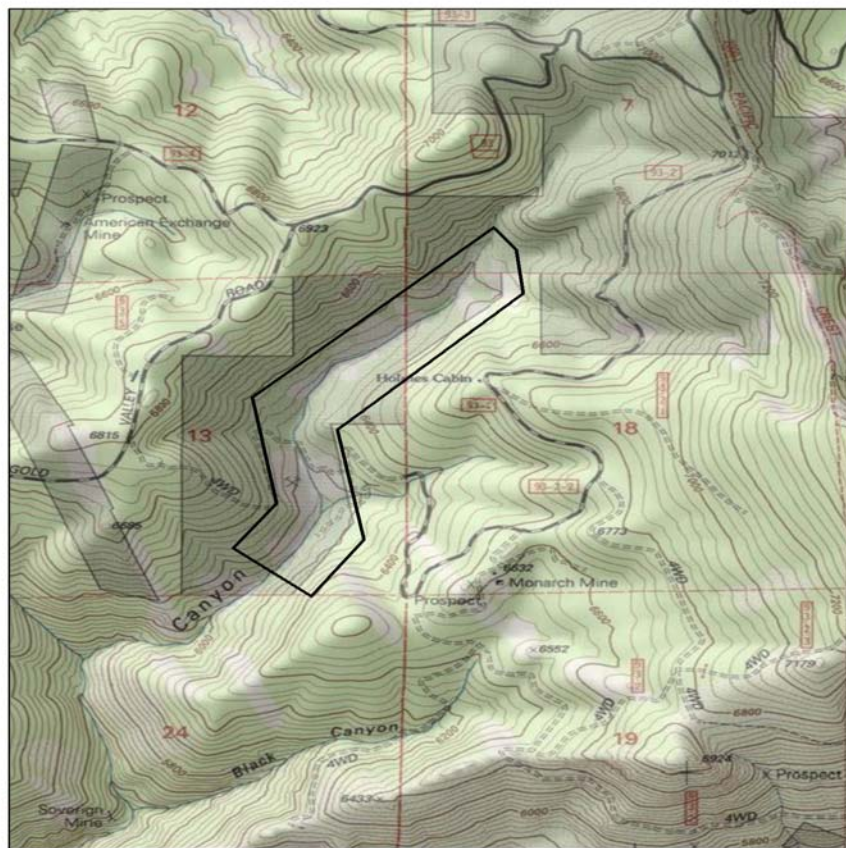
XV. Ladies Canyon

Issues Executive Summary

Ladies Canyon Parcel is a designated Washoe Cultural and Nature Preserve. The parcel allows members of the Washoe Tribe open access to Washoe ancestral and cultural lands. The parcel provides tribal members with outdoor education and cultural learning opportunities, as well as preserving Washoe Tribal scenic homelands.

Location and Boundaries

The parcel is located in Lot Numbers 37 and 53, embracing portions of Sections 7, 13, and 18, Township 20 North, Range 11 East and Range 12 East. The parcel is approximately 145.45 acres.



Background Information

The Ladies Canyon parcel was a land donation from Nevada Marts, a Nevada Limited Partnership, to the Washoe Tribe in August 1996. This parcel is in fee status.

1. Land Resources

Ladies Canyon parcel is a designated land conservancy parcel; as such it will be maintained as a Washoe Cultural and Nature Preserve. The parcel's land use is designated as conservation.

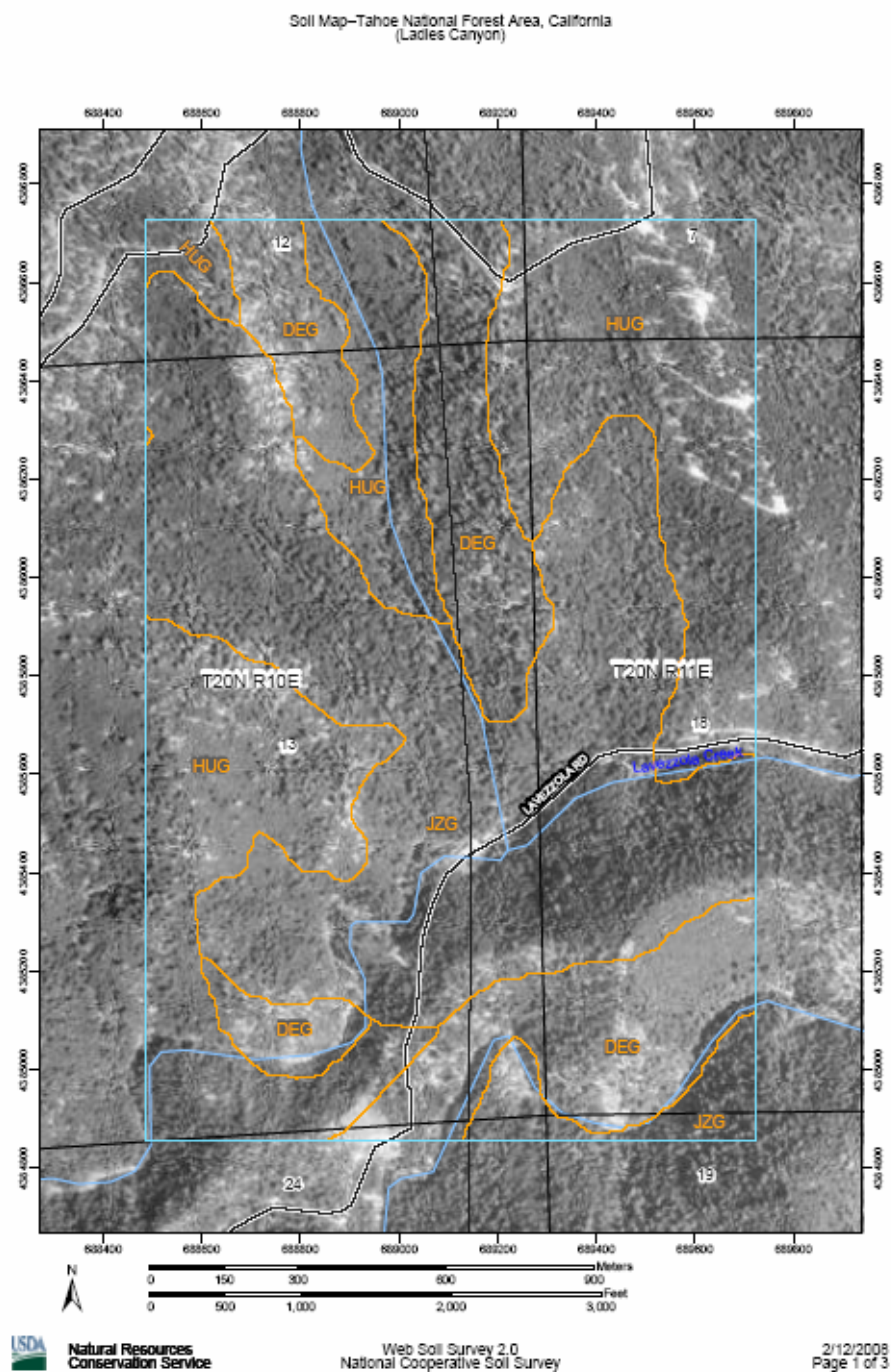
The elevation of the site in conjunction with, rocky gravely soils make the site unsuitable for crop production. Steep terrain, short growing seasons and access are contributing factors as well. The agricultural importance of the site is minimal.

The parcel is located within the canyon resulting in moderately steep topography.

There is a central abandoned mine site located on the western hillside in the upper portion of the parcel. The mine lies to the west of Ladies Canyon Creek. The mine site is approximately three to four acres in size and has tailings protruding into the creek. The mine and related corridor strips were likely scoured by water action to uncover precious metals. These scattered sites are not under any present remediation. A remediation plan has not been developed yet. The mine's waste piles extend down to and adversely impact the creek. The creek's substrate has a yellowish stained appearance. This condition may be the result of mine drainage and on-going degradation.

Soils present are highly susceptible to erosion, as evidenced by the substantial erosion occurring at the central mine, tailings and waste piles. The central mine site has a high potential for further collapse, particularly given a major rain event.

Precious metal deposits are likely to be present, as evidenced by previous mining operations.



Map Unit Legend

Tahoe National Forest Area, California (CA719)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
DEG	Deadwood-Rock outcrop-Hurtbut complex, 30 to 75 percent slopes	120.4	21.0%
HUG	Hurtbut-Deadwood-Rock outcrop complex, 30 to 75 percent slopes	211.4	36.9%
JZG	Jocal-Jocal variant-Cryumbrepts, wet complex, 50 to 75 percent slopes	241.5	42.1%
Totals for Area of Interest (AOI)		573.3	100.0%

2. Water Resources

Past mining activities have been and continue to create adverse conditions for the parcel's water resources. Mine waste deposited into the creek channel from the tailings and waste piles, are thought to negatively affect macro-invertebrates, and other life forms that may inhabit the riparian and creek areas. The hillsides that extend down to the channel were cleared and scoured during mining activities. This has resulted in degradation to the hillsides and creek channel.

The channel has a fair degree of sinuosity with abundant cobble and rock as hydrologic modifiers. Overflow channels are also present. The mine has caused adverse affects on the riparian corridor and its natural communities. Material from the mine introduced into the creek by erosion is precipitating habitat modification. This modification has led to the degradation and removal of riparian plant communities. The ability and stage of riparian plant recovery is believed to be the result of a sediment imbalance precipitated by the mine.

Several spring systems, which feed the channel, may have been hydrologically interrupted by the tearing actions of mining and logging. The mine and its waste by-products have caused severe impacts to the parcel's biological resources.

3. Air Resources

This property is within full attainment with respect to air quality/ pollution as set by the EPA and State of California. Further studies are needed to more accurately depict air quality (<http://www.scorecard.org>).

Past mine operations may be impacting air quality on the site. Air-borne dust generation is occurring from the central mine site, mine tailings and from waste piles along Ladies Canyon Creek. The dust particulates may have a potential effect on human health. The lack of vegetation on the central mine site and mine waste piles are thought to be contributing to airborne dust. Slope failure at the head of the central mine site may be

maintaining open bare mineral soil, that perpetuates airborne dust. The potential contaminants in the mine dust are unknown. Additional dust is created by the system of unimproved dirt roads throughout the parcel. Wind and increased recreation may aggravate dust. Vehicular traffic may increase from future recreation.

4. Natural Resources

Natural resources present include macroinvertebrates, birds, flowering plants, shrubs and trees. Several rocks were removed from the channel's substrate and examined for macroinvertebrate life. Macroinvertebrates include leeches, snails, Book Worms, nymphs, caddisflies and stoneflies. The riparian corridor and its floodplain are attempting to recover as evidence from seral riparian plant growth. There is sufficient riparian vegetation cover in stretches of the creek despite the incisement and erosion. Scattered patches of pole size aspen are emerging in close proximity to the channel. Plant species on the parcel include Mules Ear, Corn Lilly, Cord Grass, Anderson Peony, Snow Berry, Thimble Berry, Wild Onion, Horse Tail, and Sierra Goose Berry. The high frequency of some plant species indicates significant site disturbance.

Shrubs present on the parcel include willow species, Red Elderberry and Denser Alder in and adjacent to the channel. Over-story trees are dominated by White Fir, with some Red Fir and scattered Ponderosa and Lodgepole Pine. Fir seedling regeneration is occurring at the central mine site. Sparse amounts of natural litter/duff are present on the forest floor.

Logging and clearing on an adjacent parcel has resulted in an incised channel going into the Ladies Canyon parcel contributing to increased runoff. The increase in runoff has negatively impacted the parcel's wildlife habitat.

The presence of state or federally endangered, threatened or rare plant species have not been found on the parcel.

5. Cultural Resources

Cultural resources have not been identified on the parcel. A cultural resource inventory needs to be completed for the parcel.

6. Socioeconomic Conditions

Due to the parcel's placement in the Washoe Land Conservancy, socioeconomic impacts are not applicable.

7. Resource Use Patterns

The site and surrounding area is presently used for recreational camping, fishing, hiking and off-road vehicle use. Off-road vehicles are wearing down road sections and creating sub trails within the parcel.

8. Infrastructure, Service Systems and Transportation

The parcel is located in a remote and isolated area. Infrastructure and service systems are miles from the location. Access to the site is provided by a single unimproved, unmaintained dirt road.

9. Other Values

This parcel's use is limited by its placement in the Washoe Land Conservancy. Therefore, the value of this parcel is as stated, allowing members of the Tribe open access to Washoe ancestral and cultural lands. Thus, providing tribal members with outdoor education and cultural learning opportunities, as well as preserving Washoe Tribal scenic homelands.

Solar radiation on the parcel is categorized as good to excellent. Summer solar energy potential is extremely high; winter energy potential is categorized as moderate/good. Solar energy can be a significant renewable resource. With highly efficient "concentrating collector photovoltaics," energy collected per day could reach 6000-6500 Whr/sq m; which is categorized as excellent. Local variations concerning aspect and weather patterns may affect solar radiation levels. Further study is needed to identify these concerns.

10. Public Health and Safety

The main hazards associated with the parcel are related to the core mine site. The site presents potential hazards for people walking, hiking or exploring on or near this site. The soils of the site have the potential to be unstable and present hazards to people recreating or working. This site also has the strong potential to become unstable during intense weather events, like thunderstorms.

It is unknown whether chemicals related to past mining operations are present, stored or have accumulated in any manner. Dust from the mine may potentially affect human health. Remediation and rehabilitation costs as a result of the mine's effect on the parcel have the potential to be substantial over time.

The Ladies Canyon parcel has moderately steep topography with Ladies Canyon Creek bisecting the property. An ephemeral wash exists on the northern end of the parcel. Excessive snowmelt may cause seasonally high water within the property; however, the topography suggests a fairly localized impact within the stream channel. The wash may be susceptible to flash flooding events. FEMA does not currently have Flood Insurance Rate Maps (FIRMS) for this area. Further study of area is needed to determine size of flood plain associated with Ladies Canyon Creek

Ladies Canyon does not have any fault zones located near its boundaries. Therefore, seismic hazards are considered to be minimal.

The Washoe Tribal Police Department provides police protection and services to the communities, tribal lands and the Pinenut Allotment Lands. The Washoe Police Department and the Washoe Protection Rangers provide combined law enforcement to the Washoe Lands. The Tribal Police and Rangers are located at the tribal offices south of Gardnerville, Nevada.

The U.S. Federal Bureau of Investigation has certain enforcement duties when a felony crime is committed on tribal lands. Certain lands in California are covered under the Public Law-280, which gives jurisdiction to the local counties.

The tribal enforcement departments assist the local jurisdictions with law enforcement in a combined effort. They also provide services during search and rescue operations, HAZMAT and assist during natural disasters and other emergency situations.

The Bureau of Indian Affairs under their Indian Trust Responsibilities provides wildland fire protection services.

The local county fire departments under a Memorandum of Understanding with the Washoe Tribe provide fire protection and services. Additional services that the local emergency departments provide include: medical transfer, disaster emergencies and HAZMAT. Because the tribal lands and communities are scattered and fractionated they depend on these agreements with the local jurisdictions to supplement their efforts to protect and serve the tribal lands and population.

Parcel Objectives

Objective One:

The primary objective for the Ladies Canyon parcel is to maintain it as a Washoe Cultural and Nature Preserve, to conserve the intact beauty of the parcel for the benefit of the Washoe People. It will serve as a location for positive youth development through outdoor education. In addition this land will provide habitat for wildlife and help to protect the scenic value of the Washoe homeland.

Objective Two:

Develop a mine remediation plan for the parcel.

References

NRCS Web Soil Surveys: <http://websoilsurvey.nrcs.usda.gov>

Open Files: Washoe Tribe

Open Files: Western Nevada Agency, Bureau of Indian Affairs, Carson City

U.S Geological Survey and Nevada Bureau of Mines and Mineral Resources, 2006:
<http://earthquakes.usgs.gov/regional/qfaults>

Washoe Comprehensive Land Use Plan: Washoe Tribe 1994

XVI. Mica Parcel



Looking North at the Mica Parcel across Mica Drive. (April 2008)

Issues Executive Summary

The Mica Parcel is a rectangular, level parcel of 0.91 acre at the corner of Mica Drive and U.S. Highway 395 and is fully owned by the Washoe Tribe of Nevada and California. This property is designated for commercial purposes only and is located near the north Douglas County and southern Carson City County lines. The business is open 5:30 a.m. to 11:00 p.m., seven days a week.

The Washoe Development Group intends to grow the Chevron and SmokeShop businesses each year. The Washoe Tribe and Chevron may begin a “Refresh Program” that will upgrade signage on the marquee and pumps. This would be a joint venture between the Washoe Tribe and Chevron. If it is agreed to and the funds can be delivered, the program will be completed in 2009.

Location and Boundaries

The Mica Parcel is located at 915 Mica Drive on tribal land within Douglas County, Nevada. The property number in the Douglas County Assessor’s Office is 1420-07-701-003 (the old parcel number was 0000-13-120-130).

The Mica Parcel is bordered by U.S. Highway 395 to the east and Mica Drive to the south. A 3.1-acre commercial property owned by Quail Valley Ranch LLC (Property #1420-07-601-002) is situated to the west and north. At present most of the retail spaces are unoccupied. Indian Hills Station Partnership LTD owned both this parcel and the Chevron Station in 2000.

On November 10, 2000 the partnership entered into a nonexclusive, reciprocal easement between the owners of the Mica parcel and parcel 1420-07-601-002. Through this agreement, all current and future owners of the Mica Parcel grant the owner or future owners of parcel 1420-07-601-002 an easement for the following:

1. Vehicular and pedestrian ingress and egress, driveway and drive aisle access.
2. Vehicle parking.
3. The installation and maintenance of utility lines and apparatuses for related improvements, including, but not limited to those required for the following services: gas, electricity, telephone, cable television, sanitary sewer, storm drains, and street lighting.
4. The maintenance, repair and replacement of all driveway and parking areas, all landscaped areas, and all signs.

In addition, the owner of the Mica Parcel is also obligated to pay for twenty-five percent (25%) of the cost of repairs, replacement, and maintenance to maintain the access driveway from Mica Drive for a distance of 241.46 feet north. The owner of parcel 1420-07-601-002 is obligated to pay for seventy-five percent (75%) of the cost of repairs, replacement, and maintenance to the storm drain system and sand/oil separator tanks located underground at the S/E corner of the Mica property. Please see Attachment A for a copy of the agreement.



Portion of Douglas County Assessor Map #1420-07-7 Containing the Mica Parcel

Background Information

The Mica Parcel was formerly known as Indian Hills Station. It was owned by the Indian Hills Station LTD partnership. In 1997 this partnership built a convenience store (Indian Hills Food Mart), a gas station and a carwash on the property. As of November 2000, the building had been closed for over a year. At that time, Washoe Development Group hired Kleinfelder Inc. to perform a Phase I Environmental Site Assessment.

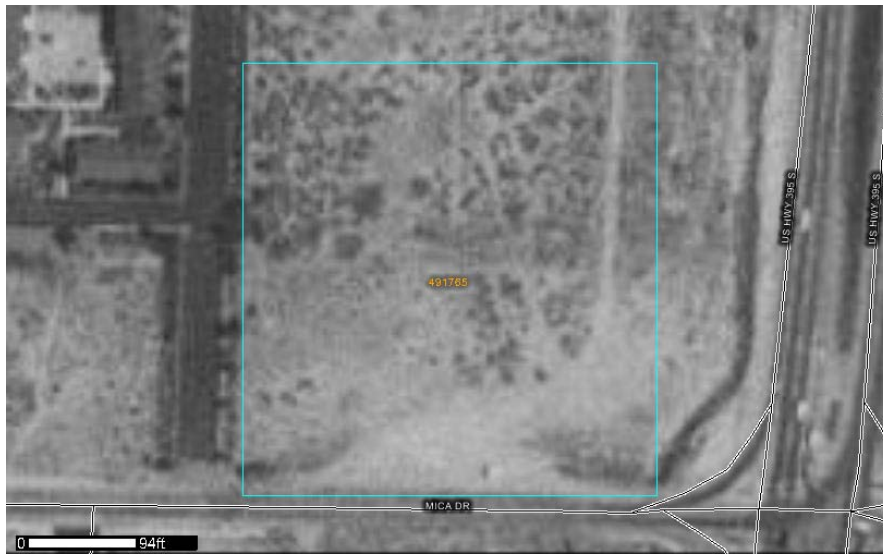
Following a hearing, the bankruptcy court for the Northern District of Nevada accepted the Tribe's offer of a six (6) month lease with an option to buy for \$1.75 million. The Tribe exercised the option and purchased the property on January 12, 2001. No federal funds were used in the purchase and there are no encumbrances on the property for mortgage issues. The property is free and clear of any debt service. The Washoe Tribe requested trust status from the BIA on February 14, 2001. The property was transferred from fee to trust on January 25, 2003.



1. Land Resources

The land is currently zoned commercial. When the property was part of Douglas County, it was also zoned NC (Neighborhood Commercial District). The footprint of the building, car wash, gas station and parking area take up the entire parcel. Therefore, there are no agricultural lands of local importance, no known unique geologic features, nor any known mineral resources on the property.

According to the USGS Natural Resource Conservation District Web Soil Survey, the soil is prevalently gravelly, loamy sand with 1-4% slopes. The parcel was made level at the time it was developed.



Aerial View of the Mica Parcel Prior to Development (USGS NRCD)

2. Water Resources

The Chevron Station is on the Indian Hills GID municipal water and sewage system. IHID completes the required testing for drinking water and provides an annual Consumers Confidence Report.

There are no surface water resources, wetland resources or irrigation ditches on the parcel. There are no hydrologic features and the water rights on the property are unknown. The Phase I Environmental Assessment reported that there was no observable wastewater treatment or discharge.

Drainage could pose potential problems for the property. There are two stormwater drains near the property. The stormwater has a natural tendency to run down the hill that is north of the property. This is currently managed with a drainage ditch that parallels Highway 395. Over time the sand and silt build up at the drainpipe that passes under Mica Drive, decreasing flow. NDOT is required to address this erosion issue. With heavy rain, the area in front of the pipe fills with water, with the potential to flood either the Mica parcel or Highway 395. With increased commercial development on the top of the hill, faster runoff should be expected and planned for.

The Chevron Station is a registered Underground Storage Tank (UST) site and must meet federal standards. The Washoe Environmental Protection Department oversees the UST program for the Tribe and has a certified UST inspector who completes inspections with the US EPA on a regular basis. In addition, a state-of-the-art system is installed to prevent any groundwater contamination by the underground storage tanks. Each tank is surrounded by a separate, interstitial shell that is equipped with sensors to trigger an alarm at the earliest sign of a leak.

3. Air Resources

This property is within full attainment with respect to air quality/pollution as set by the EPA and the State of Nevada. Proximity to development and major highway corridors places this parcel at high risk to all criteria air pollutants (<http://www.scorecard.org>).

Odors, emissions

Odors and emissions do not exceed state or EPA standards. With continued commercial building, criteria pollutants may increase, including: carbon monoxide, sulfur dioxide, ozone, nitrogen dioxide and particulate matter. Highway 395, which is a major transportation corridor, runs along the border of the property. The increased highway traffic has the potential to greatly increase criteria pollutant levels (<http://www.scorecard.org>).

Dust, wind erosion

Increased development and new construction near this parcel has the potential to increase large particulate matter (PM-10). Best management practices (BMP) address emissions of particulates and methods for reducing (PM-10) levels (EPA standards/Nevada state standards). Wind is a nuisance because it blows plastic bags and other trash into the strip of land between Highway 395 and the Mica Parcel that belongs to the Nevada Department of Transportation. To keep the problem under control, Chevron employees regularly pick up trash on both properties.

4. Natural Resources

The majority of the property is developed; very little natural space is left undisturbed. The Phase I Environmental Site Assessment of November 2000 does not identify any migration corridors, endangered, threatened or rare species, any vegetation resources nor any special ecosystem or biologic communities.

5. Cultural Resources

This property is categorized as Low Sensitivity. The property was already developed when the Tribe purchased it and there are no known records of anything being found on the site either during or prior to construction. However, cultural sites are located nearby. Based on proximity to the river, it is highly possible that there are sensitive cultural sites near the Sunridge Golf Course about a mile to the northeast. In addition, the Old Pony Express and Emigrant Trails went directly through the Washoe Tribe's Silverado parcel just west of the golf course.

6. Socioeconomic Conditions

The Mica parcel has the Chevron Station, convenience store and car wash. These businesses generate excise tax revenue, sales tax revenue and operating profits for the Tribe.

7. Resource Use Patterns

Electricity is used for running the commercial operation. Municipal water is used in the car washing operations. Managed automatically by a computer, the car wash recycles its water by putting the water through a series of tanks that settle out the sediment. Only the last rinse has not been recycled prior to use. The water passes through a sand-and-oil separator before it is eventually dispersed into the municipal wastewater system.

8. Infrastructure, Service Systems and Transportation

The property contains a 3,504 sq. ft. single story masonry building that is used as a convenience store. Attached to the north side of the building is a car wash facility. On the south side of the building is a structural steel canopy covering six pumps with nozzles on both sides. Four of the pumps are for gas, two are for diesel. The dispensing stations have overfill and leak pans. These pans can catch any leaks at the hose and send an alarm to the attendant to let them know. There are three underground storage tanks. All were manufactured by Trusco and installed by Sundance Services. There is a transformer in the Northeast corner of the building. A utility easement exists on the property.

9. Other Values

Noise

The only noise issue is the traffic on Highway 395.

Wind

Class Three winds occur on a daily basis and a 234-kilovolt transmission line is close by, making the Mica parcel a candidate for small vertical windmills. However, the Mica parcel does not have much wind energy potential above a Class Four and the winds can be sporadic and seasonally variable. Therefore, winds should be monitored before wind power is to be considered. Future wind technology may allow for even more opportunities

Solar

Solar radiation on this parcel is categorized as good to excellent. Summer solar energy potential is extremely high. The energy potential during the winter season is categorized as good. Solar energy can be a viable renewable resource on the parcel and help offset electrical costs used to power the commercial operations. Solar energy received at ground level on average is 6000-6500 Whr/sq m; categorized as excellent. Thermal conversion is a less viable alternative due to seasonality of maximum solar energy and the restrictive uses of thermal solar units.

Geothermal

There is not enough land available to utilize geothermal resources on this property.

10. Public Health and Safety

Flooding Hazards

According to the Federal Emergency Management Agency flood map 32005C-0060F dated November 8, 1999 the Mica parcel is determined to be outside the 500 year flood plain.



FEMA 500-year flood map for the Mica Parcel

Floodplains are not currently delineated on this parcel. It is found within zone X, which is an area outside of the 500-year flood plain. The 1996 Flood Insurance Rate Map (FIRM) indicates flooding occurred within a mile to the southeast and east of the property.

Seismic Hazards

According to the commercial appraisal of 1998 the earthquake hazard was assessed as not applicable.

Traffic Hazards

Currently there is a very small entrance for vehicles driving into the Chevron Station. The Washoe Tribe may want to consider widening the entrance for ease of entry.

There is a traffic light at the intersection of Highway 395 and Mica Drive, with a left turn lane for cars driving north and a separate right run lane for vehicles driving south. There are no records of an excessive number of accidents at this intersection.

Police Protection and Services

The Chevron Station is armed with a security system. The Washoe Tribal Police Department provides police protection and services to the communities, tribal lands and the Pinenut Allotment Lands. The Washoe Police Department and the Washoe Protection

Rangers provide combined law enforcement to the Washoe Lands. The Tribal Police and Rangers are located at the tribal offices south of Gardnerville, Nevada. The U.S. Federal Bureau of Investigation has certain enforcement duties when a felony crime is committed on tribal lands. The tribal enforcement departments assist the local jurisdictions with law enforcement in a combined effort. They also provide services during search and rescue operations, HAZMAT and assistance during natural disasters and other emergency situations.

Fire Protection and Services

No sprinkler system exists on the property.

The Bureau of Indian Affairs under their Indian Trust Responsibilities provides wildland fire protection services. Fire protection is also provided by the Bureau of Land Management, US Forest Service, and local county fire departments. Additional services that the local emergency departments provide include: medical transfer, disaster emergencies and HAZMAT. Because the tribal lands and communities are scattered and fractionated, they depend on these agreements with the local jurisdictions to supplement their efforts to protect and serve the tribal lands and population.

Parcel Objectives

Objective One: To continue with business operations under the current commercial zoning.

Objective Two: To grow the business each year.

Objective Three: To perform an analysis of electrical usage and propose recommendations.

References

Phase I Environmental Site Assessment. Kleinfelder, Inc. 2000.

Commercial Appraisal. PB&S Appraisal & Marketing Service. 1998.

XVII. Olympic Valley

Issues Executive Summary

Olympic Valley Parcel is a designated Washoe Cultural and Nature Preserve. The parcel allows members of the Washoe Tribe open access to Washoe ancestral and cultural lands. The parcel provides tribal members with outdoor education and cultural learning opportunities, as well as preserving Washoe Tribal scenic homelands.

Location and Boundaries

The parcel is located in Lot Numbers 10, 11, and 14, in the Southeast ¼ of Section 28, Township 16 North, Range 16 East, in Placer County, California. The parcel is approximately 2.79 acres.



Background Information

The Olympic Valley parcel was obtained by the Washoe Tribe through an agreement between Placer County and the Tribe for conveyance and protection of an archaeological site. Placer County acquired the site and subsequently transferred the parcel to the Washoe Tribe. The parcel is in fee status.

The parcel has been placed into the Washoe land Conservancy as a designated Washoe Cultural and Nature Preserve to ensure protection of the archaeological site.

The area surrounding this parcel has undergone significant development in recent years which could have potential impacts to the resources on the parcel.

1. Land Resources

The Olympic Valley parcel is a designated land conservancy parcel; as such it will be maintained as a Washoe Cultural and Nature Preserve. The parcel's land use is designated as conservation.

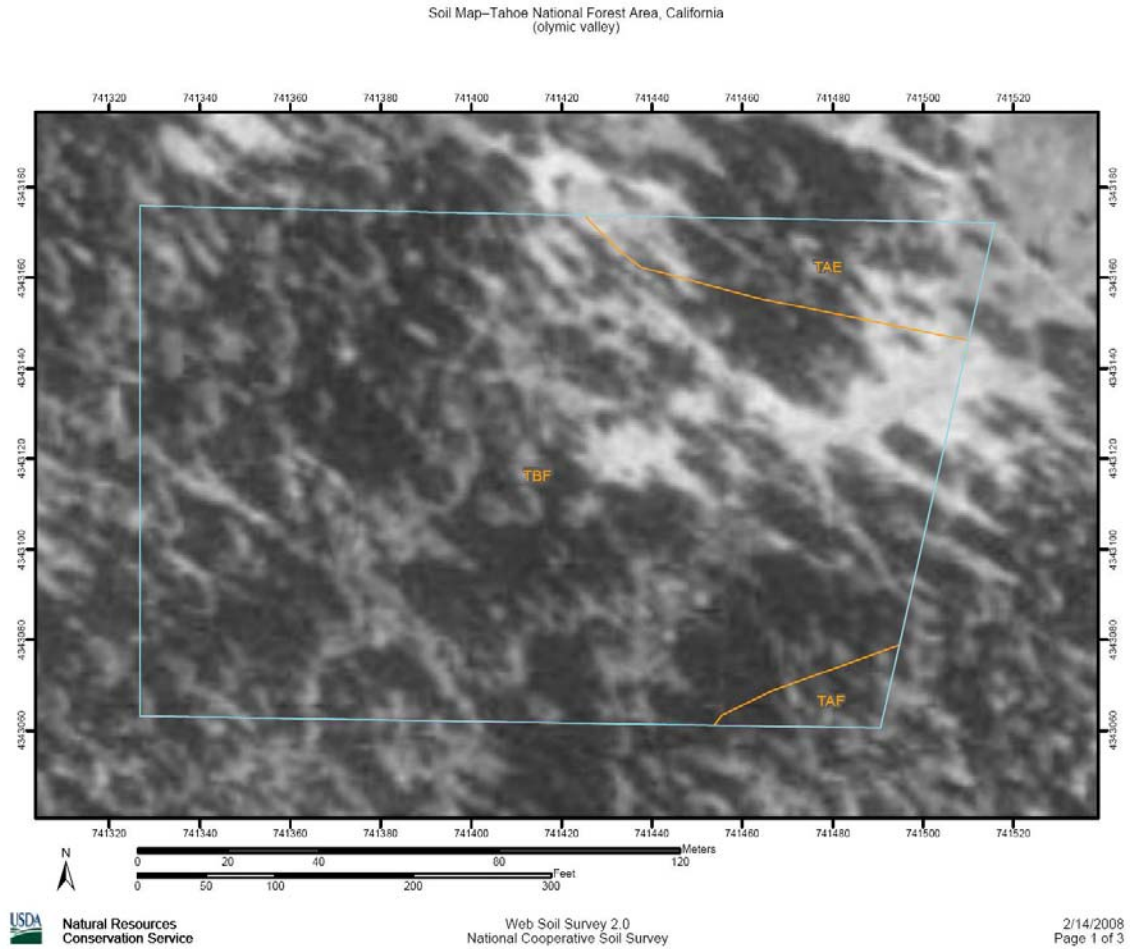
The parcel is surrounded by US Forest Service and Placer County land. It is located mid-elevation on a moderately steep and rocky northwest hillside.

Direct access onto parcel is greatly impeded by steep rocky terrain. The route was originally designed as a bike path. Access to the parcel is accomplished by a newly established well-graded unimproved road on the northwest boundary line. The road is situated above the site for the new Squaw Valley Public Service District Fire Station and Administration Center. Off-road vehicles are necessary for direct access into the parcel. The parcel includes an easement for non-motorized vehicles over a strip of land 15 feet in width. The immediate surrounding area is developed with an established ski industry and major transportation routes. Highway 89 lies to the east and Squaw Valley Road lies to the west of the parcel.

The site shows evidence of previous logging activities.

It is unknown whether metal or mineral deposits are present. Evidence of mining was not apparent. The mineral soil surface appeared to be stable and un-disturbed.

The soils are predominately deep or very deep and range from moderately well drained to well drained soils. The soils present in the parcel are results of glacial till and outwash and are predominately gravelly coarse sandy loam. Hydric soils are believed to be present in the forest wetland.



Soil Map–Tahoe National Forest Area, California

olympic valley

Map Unit Legend

Tahoe National Forest Area, California (CA719)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
TAE	Tallac very gravelly sandy loam, 2 to 30 percent slopes	0.4	7.8%
TAF	Tallac very gravelly sandy loam, 30 to 50 percent slopes	0.1	2.0%
TBF	Tallac-Cryumbrepts, wet complex, 30 to 50 percent slopes	4.4	90.3%
Totals for Area of Interest (AOI)		4.9	100.0%

2. Water Resources

Two wetland sites are present on the parcel. The first wetland site is a Palustrine Area. Open water from a spring source or snowmelt is located in a rocky area uphill on the southern boundary. Surface water is not present throughout most of this wetland. The wetland site is rated as Proper Functioning Condition (PFC) as a result of the steep terrain and undisturbed conditions (e.g. lack of erosion, good vegetation cover and water source present). Decadent woody trees are present and sunlight is able to reach most of the wetland site.

The second wetland site is also a Palustrine Area. Ninety percent of the wetland is shaded by over-story trees. Snowmelt or a minor spring is believed to be the water source.

Restrictions on logging and recreational use should be implemented to protect the two wetland sites.

3. Air Resources

This parcel is within full attainment with respect to air quality/pollution as set by the EPA and State of California. Further studies are needed to more accurately depict air quality (<http://www.scorecard.org>).

4. Natural Resources

The parcel is forested containing mostly pine and fir trees. The parcel contains numerous shrubs and herbaceous plant species. Moss and lichen species are present in the forest wetland sites.

Mountain Alder and scattered Lemon Willow are the dominant shrubs. Herbaceous plants include the following; Mules Ear, Wax Currant, Peony, Mountain Sage Brush, Jessica's Stickweed, Yarrow, Cow Parsnip, Bog Mallow, Bog Winter Green, Service Berry, Sweet Scented Bedstraw, Sweet Cicely, Strawberry, Thimble Berry, Sierra Goose Berry, Lily, Twin Berry, Fire Weed, Snow Berry, Monks Hood, Meadow Groundsel, Single Leaf Groundsel, Stinging Nettle, and Bracken Fern. Moss and Lichen species include Yellow Lichen and Rock Moss.

A study to determine the presence of endangered plant and animal species needs to be completed. Logging restrictions are necessary to protect the uphill gradients from erosion.

5. Cultural Resources

A Washoe cultural site exists on the parcel. The site is a gathering or camping area used by Washoe ancestors. The cultural site is eligible for inclusion in the National Register of Historic Places, as defined in 36 CFR 800.9(b) (5), revised July 1, 1997.

6. Socioeconomic Conditions

Due to the parcel's placement in the Washoe Land Conservancy; socioeconomic impacts are not applicable.

7. Resource Use Patterns

Due to the small size of this parcel and the placement into the Washoe Land Conservancy this parcel has limited resource use. The parcel has a bike trail located near its boundaries. This bike trail provides bicycle recreation and limits motorized vehicle use in the parcel. The parcel's close proximity to residential and commercial operations as well as a major highway limit hunting opportunities. There are no fishable waterways in the parcel.

A recreation management plan implemented in cooperation with Placer County is needed to control recreational use adjacent to the parcel.

8. Infrastructure, Service Systems and Transportation

The parcel is located within 150 feet of a soccer field and within 350 feet of The Squaw Valley Public Service District (SVPD). Therefore, infrastructure, service systems and transportation are located relatively close to the site. However, the fact that the parcel is designated Washoe Nature Conservancy likely limits the need for infrastructure or services on site. Transportation to and from the area is easily accomplished through developed roadways.

9. Other Value

The Olympic Valley parcel does not have a significant wind resource (poor to marginal wind power classification). Local wind power characterization variations exist; seasonal, daily winds associated with the Olympic Valley parcel will need to be monitored to identify these variations if wind power is to be considered.

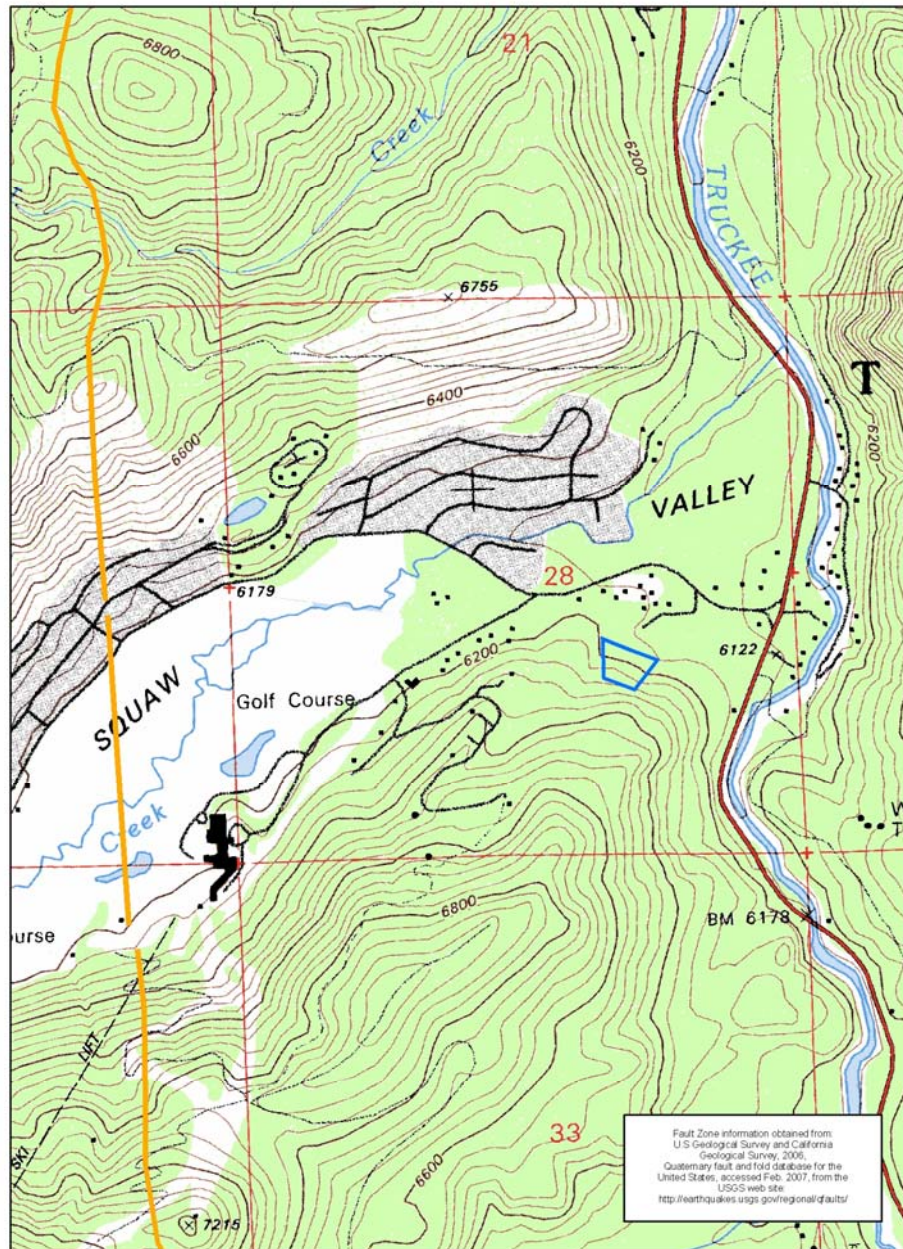
Solar radiation on the Olympic Valley parcel is categorized as good to excellent. Summer solar energy potential is "extremely high"; winter potential is categorized as "fair/good". With highly efficient "concentrating collectors and photovoltaics," energy collected per day could reach 5000-6500 Whr/sq m; categorized as good to excellent. "Thermal conversion" is probably less of an alternative due to seasonality of maximum solar energy.

This undeveloped parcel has minimal solid waste issues. Due to its close proximity to Squaw Valley USA, littering and wind blown trash are the main sources of solid waste. During WEPD surveys only minimal amounts of refuse have been documented.

10. Public Health and safety

No current flood plain information is available for this parcel.

The Olympic Valley Parcel is bordered on the west by the Tahoe-Sierra Frontal Fault Zone, as shown in the map below. This fault shows eastside down displacement. The fault zone shows evidence of Holocene earthquakes but is relatively quiet seismically throughout the historic record.



Police Protection and Services

The Washoe Tribal Police Department provides police protection and services to the communities, tribal lands and the Pinenut Allotment Lands. The Washoe Police Department and the Washoe Protection Rangers provide combined law enforcement to the Washoe Lands. The Tribal Police and Rangers are located at the tribal offices south of Gardnerville, Nevada.

The U.S. Federal Bureau of Investigation has certain enforcement duties when a felony crime is committed on tribal lands. Certain lands in California are covered under the Public Law-280, which gives jurisdiction to the local counties.

The tribal enforcement departments assist the local jurisdictions with law enforcement in a combined effort. They also provide services during search and rescue operations, HAZMAT and assist during natural disasters and other emergency situations.

Fire Protection and Services

The Bureau of Indian Affairs under their Indian Trust Responsibilities provides wildland fire protection services.

The local county fire departments provide fire protection and services under a Memorandum of Understanding with the Washoe Tribe.

Additional services that the local emergency departments provide include: medical transfer, disaster emergencies and HAZMAT. Because the tribal lands and communities are scattered and fractionated they depend on these agreements with the local jurisdictions to supplement their efforts to protect and serve the tribal lands and population.

Parcel Objectives

Objective One:

To protect and preserve the Archaeological Site No. 05-17-57-256.

Objective Two:

To maintain the parcel as a Washoe Cultural and Nature Preserve, to conserve the intact beauty of this 2.79 acre parcel for the benefit of the Washoe People. It will serve as a location for positive youth development through outdoor education. In addition this land will provide habitat for wildlife and help to protect the scenic value of the Washoe homeland.

Objective Three:

Establish access for Tribal members.

References

NRCS Web Soil Surveys: <http://websoilsurvey.nrcs.usda.gov>

Open Files: Washoe Tribe

Open Files: Western Nevada Agency, Bureau of Indian Affairs, Carson City

U.S Geological Survey and Nevada Bureau of Mines and Mineral Resources, 2006:
<http://earthquakes.usgs.gov/regional/qfaults>

Washoe Comprehensive Land Use Plan: Washoe Tribe 1994

XVIII. Incline Village



Issues Executive Summary

Incline Village is a beautiful property located in Washoe County with Third Creek running through it. It was given to the tribe as a tax donation. The parcel is held in Fee Status by the Washoe Tribe, which consists of 2.445 acres. A residential development adjoins the property to the west. The Incline Village parcel has been designated a Washoe Culture and Nature Preserve which provides the highest protection of its intact landscape and beauty.

Location and Boundaries

The Incline Village property is 2.455 acres of undeveloped land located at Township 16 North, Range 18 East, Section 10, Lot A Portion of the South half. The property borders the IVGID Mountain Golf Course on the north, Lake Country Estates condominium project on the west and residential and vacant land owned by Washoe County on the east. The property access is approximately 245 feet of frontage along Village Blvd. on the south. The APN is 129-650-25.



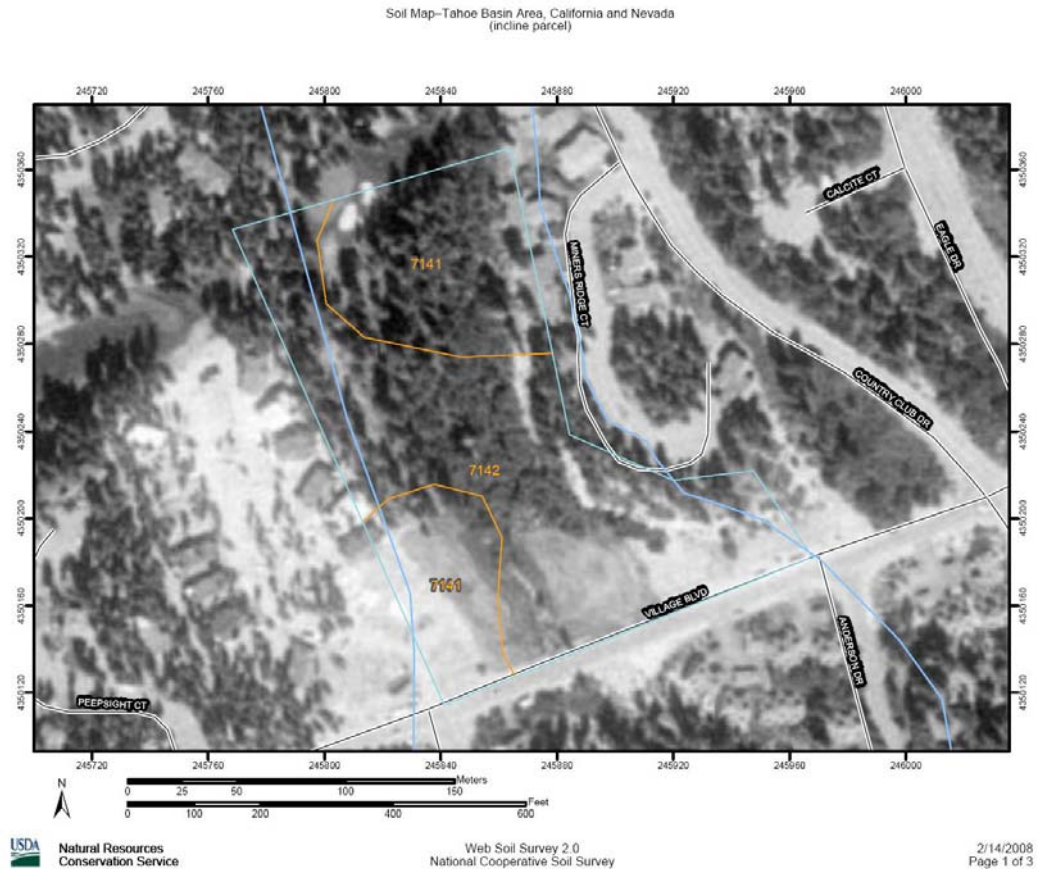
Background Information

In November of 2002, a group of land owners (including James and Kelly Borelli, The Fetterly Family Trust, Robert and Karen Howe, Walter and Joyce Howe, Leonard Rothman, Dale and Emily Smith, and the Gail Arnold Family Trust) approached the Washoe Tribe to see if they would be interested in accepting 2.455 acres as a tax donation. On November 22, 2002, Tribal Council passed a resolution authorizing the

Chairman to take actions necessary to accept fee simple title of the property on behalf of the Washoe Tribe of Nevada and California.

On September 8, 2006, the Washoe Tribal Council passed a resolution to formally designate the Incline Village parcel as a Washoe Culture and Nature Preserve. The Council also resolved that any repeal of this designation requires a unanimous decision of all Washoe Tribal Council members.

1. Land Resources



Map Unit Legend

Tahoe Basin Area, California and Nevada (CA693)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
7141	Inville gravelly coarse sandy loam, 2 to 9 percent slopes, stony	2.9	38.7%
7142	Inville gravelly coarse sandy loam, 9 to 15 percent slopes, stony	4.6	61.3%
Totals for Area of Interest (AOI)		7.6	100.0%

Current Land Use

The current and proposed zoning for this parcel is conservation. This zoning is compatible with the Culture and Nature Preserve Designation. Because there are no buildings or development on the parcel, it is also compatible with current use. A large residential development adjoins the property to the west.



Proposed Land Use

This parcel's future use is limited by its placement in the Washoe Land Conservancy. Therefore, the value of this parcel is as stated, allowing members of the Tribe open access to Washoe ancestral and cultural lands. Thus, providing tribal members with outdoor education and cultural learning opportunities, as well as preserving Washoe Tribal scenic homelands. The Tribe may consider expanding these educational opportunities on this parcel with a building designated for environmental and cultural education on the property.

Agricultural Lands of Local Importance

There are no agricultural lands on the parcel.

Mineral Resources and Mining

There are no known mines or mineral resources on the parcel.

2. Water Resources

Surface Water

Third Creek bisects the property from north to south. The channel is confined by the topography and the gradient. The channel is wider and braided near the road and culvert.

Wetland Resources

The wetlands inventory documented a perennial stream and riparian corridor on both sides of Third Creek. The riparian area has been disturbed by construction of a road and culvert. Fortunately, the area is recovering and improving.

Water Quality

The residential development immediately to the west of the channel contributes to detrimental conditions. Despite these impacts, the water appears to be good.

Erosion and Sedimentation

Third Creek has historically been one of the largest contributors to sediment in Lake Tahoe. On the Incline Village parcel, the sides of the creek channel contain rocks, overflow channels and large woody material that helps dissipate energy and slow erosion. It does not have any significant sinuous bends or turns due to the topography and the gradient

3. Air Resources

Air Quality

Incline Village is located in Washoe County, which is a non-attainment area for the following criteria pollutants: ozone, carbon monoxide, and PM-10. Most of the emissions sources for the biggest polluters in the county are located in and near Reno. (www.scorecard.org)

Odors, Emissions

The highest risk hazardous pollutant in Washoe County is diesel emissions. While this is a concern for the area, the Incline Village parcel is located by Highway 431, which is not a major thoroughway of traffic. (www.scorecard.org, www.nevadadot.com)

Dust, wind erosion

More information is needed to determine dust and wind erosion susceptibility.

4. Natural Resources

Wildlife Habitat/Migration Corridors

Frog, coyote, blackbird, scrub jay and American robins have been spotted on the parcel.

Endangered, Threatened or Rare Species

There are no known endangered, threatened or rare species.

Vegetation Resources

A vegetation transect with photo points was obtained in 2005. There is a diverse age-class distribution and composition of riparian-wetland vegetation. Alder and willow dominate the riparian corridor. Vegetation also includes aspen and pine. Larger trees are present upstream. Moss is present near the channel.

5. Cultural Resources

A cultural resource survey needs to be completed for this parcel.

Prehistoric Properties

This area is within the traditional Washoe aboriginal territory. There are no known cultural or historic resources on the property. However the entire area of Incline and Kings Beach was a very busy place in pre-contact era. Many archeological resources are attributed to this area. This property is available to tribal members for cultural practices.

Historic Properties

This area was logged during the Comstock Era.

Other Culturally Significant Properties

There is no information about other cultural significant properties for this parcel.

Contemporary Cultural Practice Areas

This property is available to tribal members for cultural practices.

6. Socioeconomic Conditions

There is no socioeconomic information pertinent to this parcel.

7. Resource Use Patterns

Hunting, Fishing and Gathering

Hunting is not permitted on this parcel. Tribal members are permitted to fish without a license on Tribal land. This land is available to Tribal members for gathering plants including those for medicinal uses.

Parks and Recreation

This area is available to Tribal members for cultural and recreational purposes.

8. Infrastructure, Service Systems and Transportation

Utilities and Service Systems

The Incline Village General Improvement District (IVGID) provides drinking water, sewer, trash pick-up, recycling and biomass services for the communities of Incline Village and Crystal Bay, Nevada. The Washoe Tribe could develop an agreement with IVGID if these services were ever needed on the parcel.

Transportation

The road that the parcel sits on does not have heavy traffic flow. There is some public transportation and taxis available around Lake Tahoe. The parcel has road access along Village Boulevard. There are no other roads on the parcel. There is no known Right-of-Way contingent with this parcel. There are no commercial or industrial developments on neighboring parcels along Village Boulevard.

9. Other Values

Renewable Resources

Considering the size of the parcel and the large size and shade of the surrounding trees, solar and wind renewable resources would be more appropriate on other parcels.

Aesthetic/Views/Glare

The parcel is very beautiful with the view of the creek. Lake Tahoe cannot be viewed from the parcel.

10. Public Health and Safety

Flooding

Flooding on the Incline Parcel is confined to stream channels. The 1996 FEMA Flood Insurance Rate Map (FIRM) demonstrates this delineation. Areas of the parcel designated as zone X are determined to be outside of the 500-year flood plain.

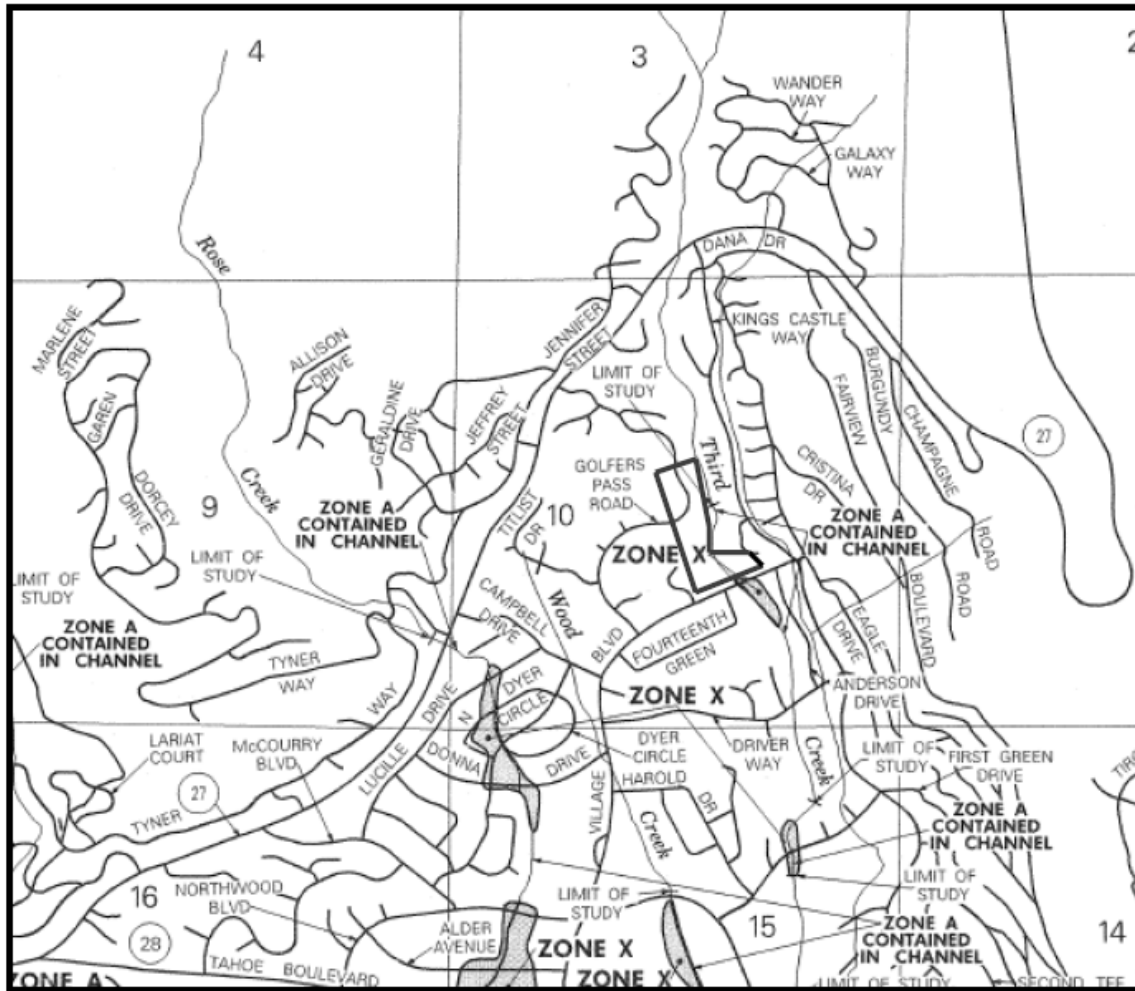
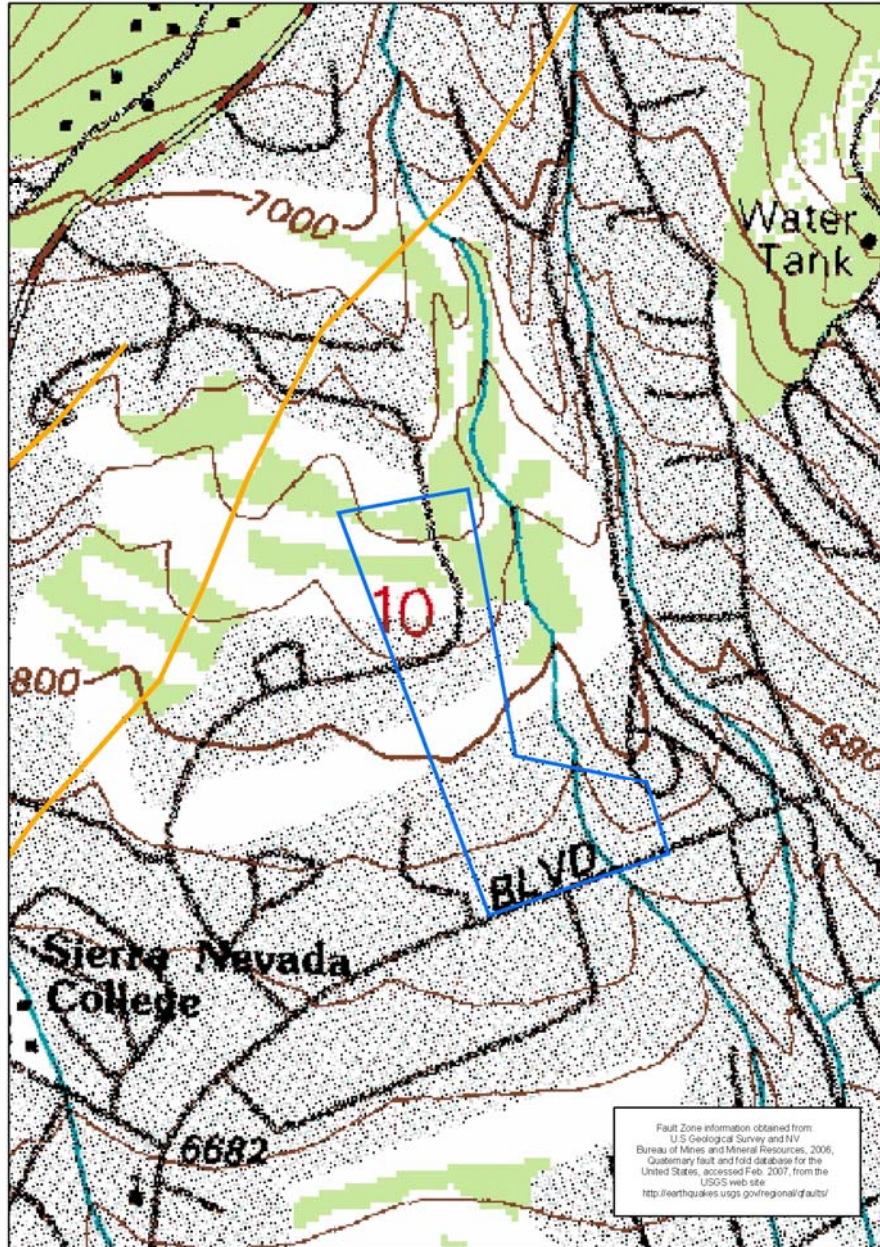


Figure 5. FEMA's 500 and 100 year flood plain map for the Incline parcel

Seismic Hazards

Although there are no fault lines on the parcel, one is located just north of the parcel.



Police Protection and Services

The Washoe Tribal Police Department and the Washoe Rangers provide combined police protection and law enforcement services to Tribal lands. The Tribal Police and Rangers are located at the Tribal government complex south of Gardnerville, Nevada. The U.S. Federal Bureau of Investigation has certain enforcement duties when a felony crime is committed on tribal lands. The Tribal Police assist local jurisdictions with law enforcement in combined efforts and provide services during search and rescue operations, HAZMAT and assist during natural disasters and other emergency situations.

Fire Protection and Services

The Bureau of Indian Affairs, pursuant to its Trust Responsibilities, provides Wildland Fire Suppression through various agreements and memorandum of agreement.

North Lake Tahoe Fire Protection Department at 866 Oriole Way in Incline Village is the closest fire department to the Incline Village parcel. The local county fire departments under a Memorandum of Understanding with the Washoe Tribe provide certain fire protection and services. Additional services that the local emergency departments provide include: medical transfer, disaster emergencies and HAZMAT. Because the Tribal lands and communities are scattered and fractionated they depend on these agreements with the local jurisdictions to supplement their efforts.

Parcel Objectives

Objective One: To conserve the intact beauty of this 2.445 acre parcel for the benefit of the Washoe People through access for Tribal members, a location for positive youth development through outdoor education, habitat for wildlife, and the protection of the scenic value of the Washoe homeland

References

FEMA Floodplain map, 1996

Incline Village Parcel Riparian Review, Washoe Tribe, 2006

NRCS Web Soil Surveys: <http://websoilsurvey.nrcs.usda.gov>

Open Files: Washoe Tribe

Open Files: Western Nevada Agency, Bureau of Indian Affairs, Carson City

Scorecard Organization www.scorecard.org

Washoe Comprehensive Land Use Plan: Washoe Tribe 1994

Washoe County Assessor Office, 2008

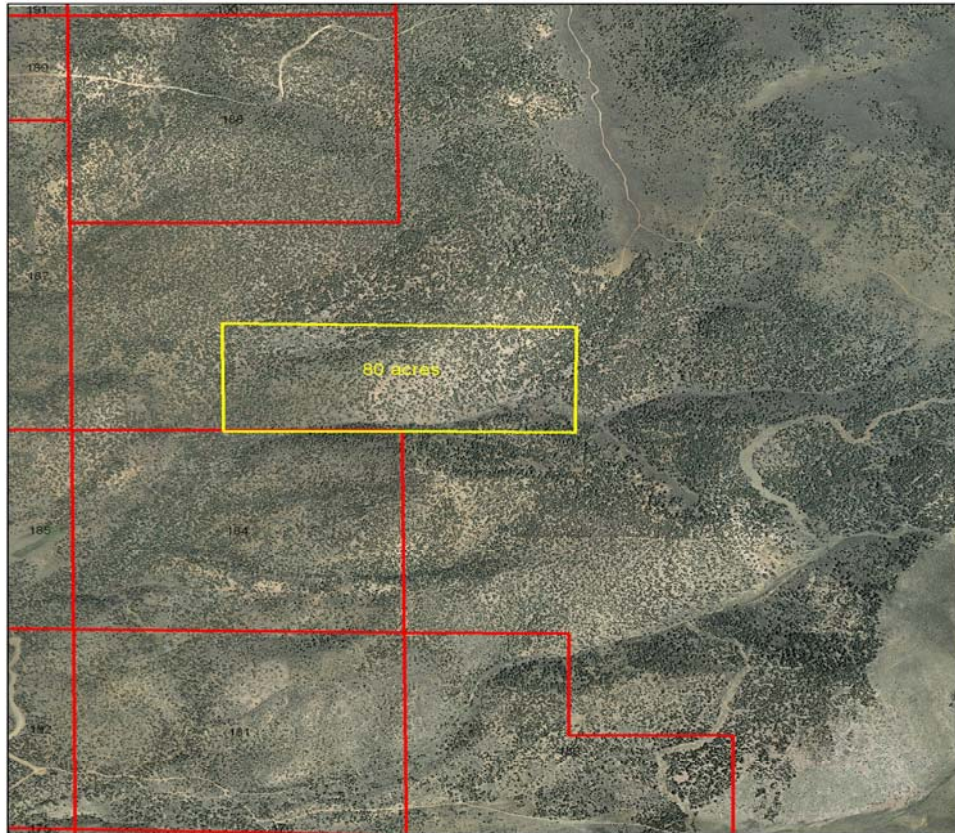
XIX. 80 acres in the Pinenut Mountains – Heidtman Purchase

Issues Executive Summary

The 80 acre parcel is located in the Pinenut Mountains. The parcel contains steep terrain and densely wooded hillside. There is limited 4wd access to the northeast and southwest corners of the parcel with no vehicle access through the parcel. The parcel provides access for Washoe Tribal members to ancestral and cultural lands. There is opportunity for outdoor education and cultural learning opportunities on the parcel.

Location and Boundaries

The parcel is located in the SE ¼ of the SE ¼ of Section 11, Township 11 North, Range 21 East, and the SW ¼ of the SW ¼ of Section 12, Township 11 North, Range 21 East. The parcel is located in Douglas County, Nevada.



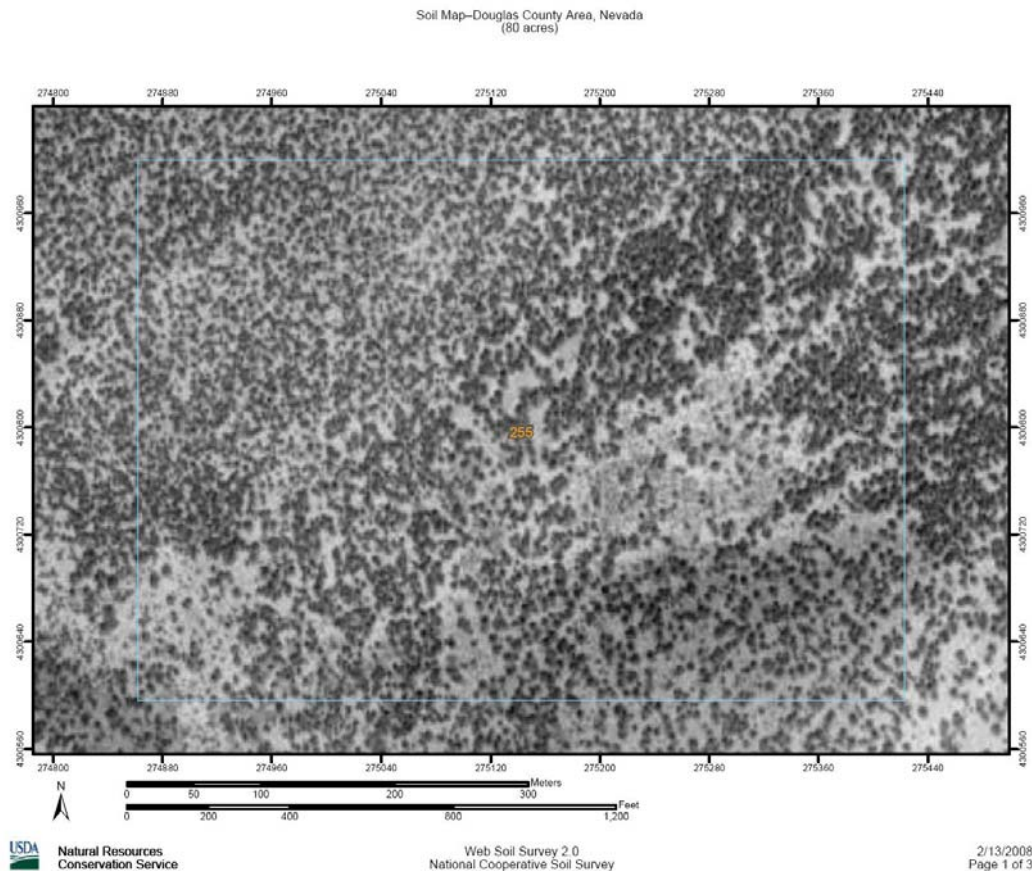
Background Information

The parcel was part of the Heidtman Purchase by the Washoe Tribe on April 20, 1960 which also included the purchase of portions of the Washoe Ranch.

1. Land Resources

The parcel is unsuitable for crop production due to the presence of rocky and gravelly soils, limited access to water and the elevation. There is limited 4wd access to the northeast and southwest corners of the parcel with no vehicle access through the parcel.

There has been no apparent mining activity on the site; the presence of minerals or other related substances is unknown. The mineral soil surface appeared to be stable and undisturbed. The site shows no evidence of the presence of hydric soils. The soils in the parcel are Duco-Searles association. This soil association is found on 15 to 50 percent slopes on mountains. The soil is shallow and well drained. Permeability of the soil is moderately slow. Available water capacity is very low. Runoff is rapid and there is a high hazard of water erosion. Areas of this association are limited for roads and road construction because of the moderately steep to steep slopes and the shallow depth to rock on the soil.



Soil Map--Douglas County Area, Nevada

80 acres

Map Unit Legend

Douglas County Area, Nevada (NV773)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
255	Duco-Searles association	57.1	100.0%
Totals for Area of Interest (AOI)		57.1	100.0%

2. Water Resources

The site showed no signs of the presence of surface water or wetland resources. The site does not contain riparian vegetation. The site does not contain any ditches used for irrigation. The south edge of the parcel lies within a seasonal rocky drainage.

3. Air Resources

Air quality throughout the parcel appears to be good.

4. Natural Resources

The presence of state or federally recognized endangered, threatened or rare plant species were not found during the evaluation of the site.

Vegetation on the site consisted of scattered Pinyon Pine and Juniper trees. The Pinyon and Juniper trees show sign of beetle and mistletoe infestations. Bitterbrush and sagebrush are found on site. Cheat grass was the primary type of grass seen on the site.

Numerous wildlife species are found on the site including rabbits, deer, Stellar Jays, Clarks Nutcrackers, Kestrels, Crows and other small birds. Evidence of bear and coyote has been noted on the site.

5. Cultural Resources

Cultural resources have not been evaluated due to topography and access to the site. A complete cultural resource survey needs to be completed.

6. Socioeconomic Conditions

The site does not contain any residences at this time.

7. Resource Use Patterns

The surrounding area, as well as the site itself is used for hunting. There is no access to fishing. Woodcutting, logging and gathering activities are minimal due to access to the site. No mining activity was noted.

8. Infrastructure, Service Systems and Transportation

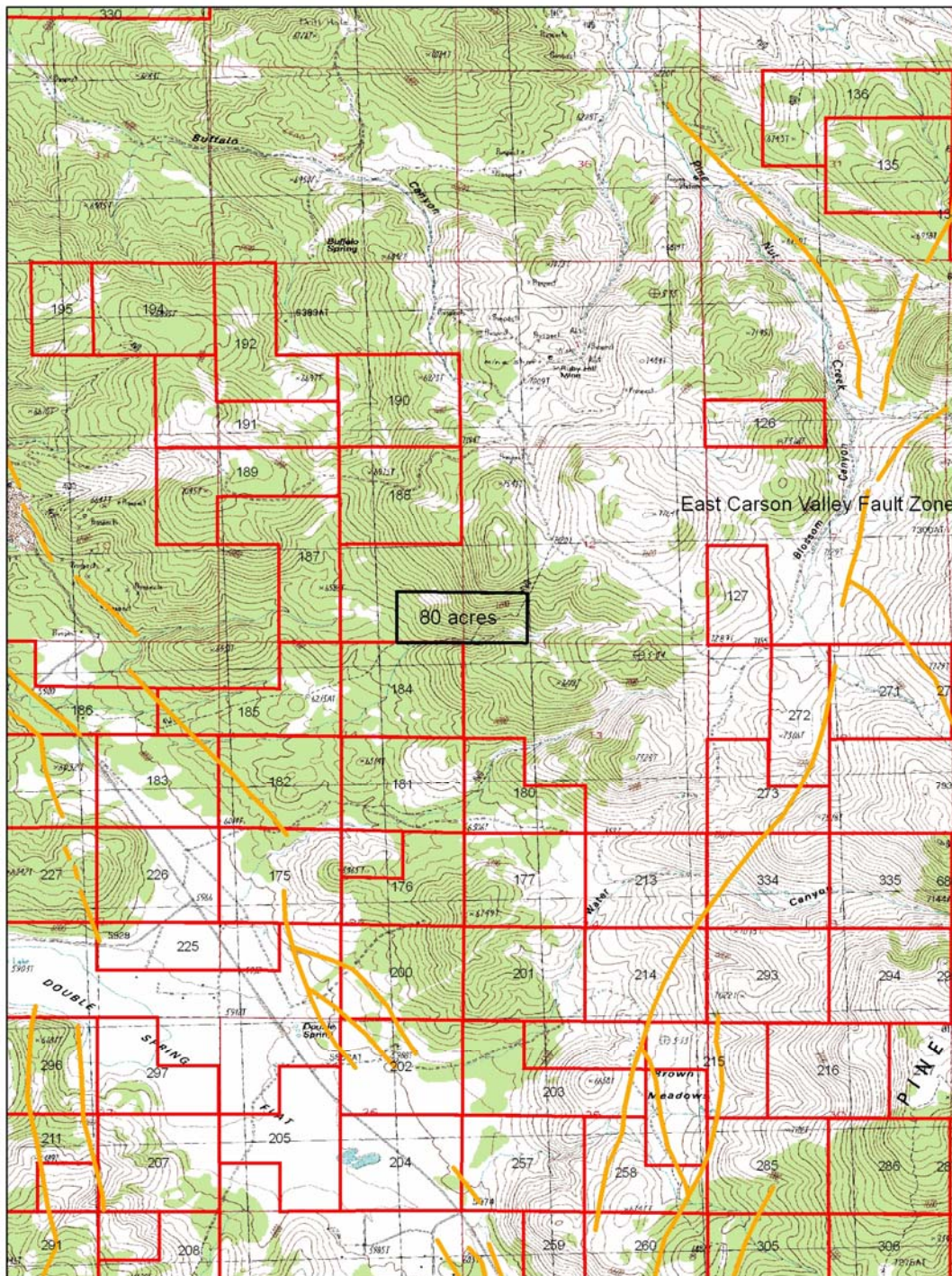
There is no access to utilities or service systems. There is no infrastructure or public services near the site, transportation to the site is provided by a 4wd road with limited seasonal access.

9. Other Values

There are no other values related to this site.

10. Public Health and Safety

The parcel does not fall within the 100 year flood plain. The East Carson Valley fault zone runs throughout the area.



The Washoe Environmental Rangers patrol this parcel as part of the Pinenut Allotments. Fire protection is provided by Bureau of Land Management and Forest Service. Wildland fire is a significant threat to the area. The fuel loading of flashy fuels combined with the stressed state of timber makes the parcel at risk for a catastrophic wildland fire. There are no hazardous materials generated, stored or transported on the parcel.

Parcel Objectives

Objective One:

Consideration of placement in the Washoe Cultural and Nature Preserve will help to conserve the intact beauty of this 80 acre parcel, for the benefit of the Washoe People. The parcel could serve as a location for positive youth development through outdoor education. In addition this land could provide habitat for wildlife and help to protect the scenic value of the Washoe homeland.

References

NRCS Pinenut Allotment Rangeland Resource Inventory, December 2007

NRCS Web Soil Surveys: <http://websoilsurvey.nrcs.usda.gov>

Open Files: Washoe Tribe

Open Files: Western Nevada Agency, Bureau of Indian Affairs, Carson City

U.S Geological Survey and Nevada Bureau of Mines and Mineral Resources, 2006:
<http://earthquakes.usgs.gov/regional/qfaults>

Washoe Comprehensive Land Use Plan: Washoe Tribe 1994

Water Resource Data, NV Water Year 1992: US Geological Survey Water Data Report
NV-92-1

XX. Uhalde

Issues Executive Summary

The Uhalde parcel was acquired by the Tribe in 1997. Tribal Council designated this parcel as a Washoe Cultural and Nature Preserve. The parcel allows members of the Washoe Tribe open access to Washoe ancestral and cultural lands. The parcel provides tribal members with outdoor education and cultural learning opportunities, as well as preserving Washoe Tribal scenic homelands.

The parcel is located adjacent to the Dresslerville Community parcel. Access is through Dresslerville Community. The parcel is flat with sagebrush and grass vegetation.

Location and Boundaries

The parcel is located in the Southeast $\frac{1}{4}$ of the South $\frac{1}{4}$ of section 23, in Township 12 North, Ranger 20 East. The parcel is approximately 40 acres.



Background Information

The Uhalde Property is 38.95 acres, square. It was acquired in 1997 by the Washoe Tribe of Nevada and California, from Luetta Bergiven (Dressler), an original owner of the property. The property was owned by the Dressler family and was part of the Dressler Ranch. The property has been used as ranch land since its purchase back in the late 1800's. The property has remained vacant since the original purchase with no improvements on the property.

Immediately to the north of the property is the Washoe Tribe's Dresslerville Community Parcel. Half a mile to the north of the property line is the Dresslerville community.

South and west of the property is U.S. Forest Service property. This property has no improvements and remains vacant land. The property experiences significant off road vehicle use.

The property to the northwest of Uhalde is privately owned by Ranchos LLC. That parcel is approximately 100 acres and extends north to Dresslerville Lane and west to Long Valley Drive. Development is planned for the areas all around the Uhalde parcel which could greatly impact the resources on the parcel.

The Washoe Tribal Council passed resolution number 2006-WTC-101, placing the Uhalde parcel into the Washoe Land Conservancy on September 8, 2006. The placement of the Uhalde parcel, in the Washoe Land Conservancy, will help to maintain it as a Washoe Cultural and Nature Preserve, to conserve the intact beauty of the 38.95 acre parcel for the benefit of the Washoe People. It will serve as a location for positive youth development through outdoor education. In addition this land will provide habitat for wildlife and help to protect the scenic value of the Washoe homeland.

1. Land Resources

Uhalde parcel is a designated land conservancy parcel; as such it will be maintained as a Washoe Cultural and Nature Preserve.

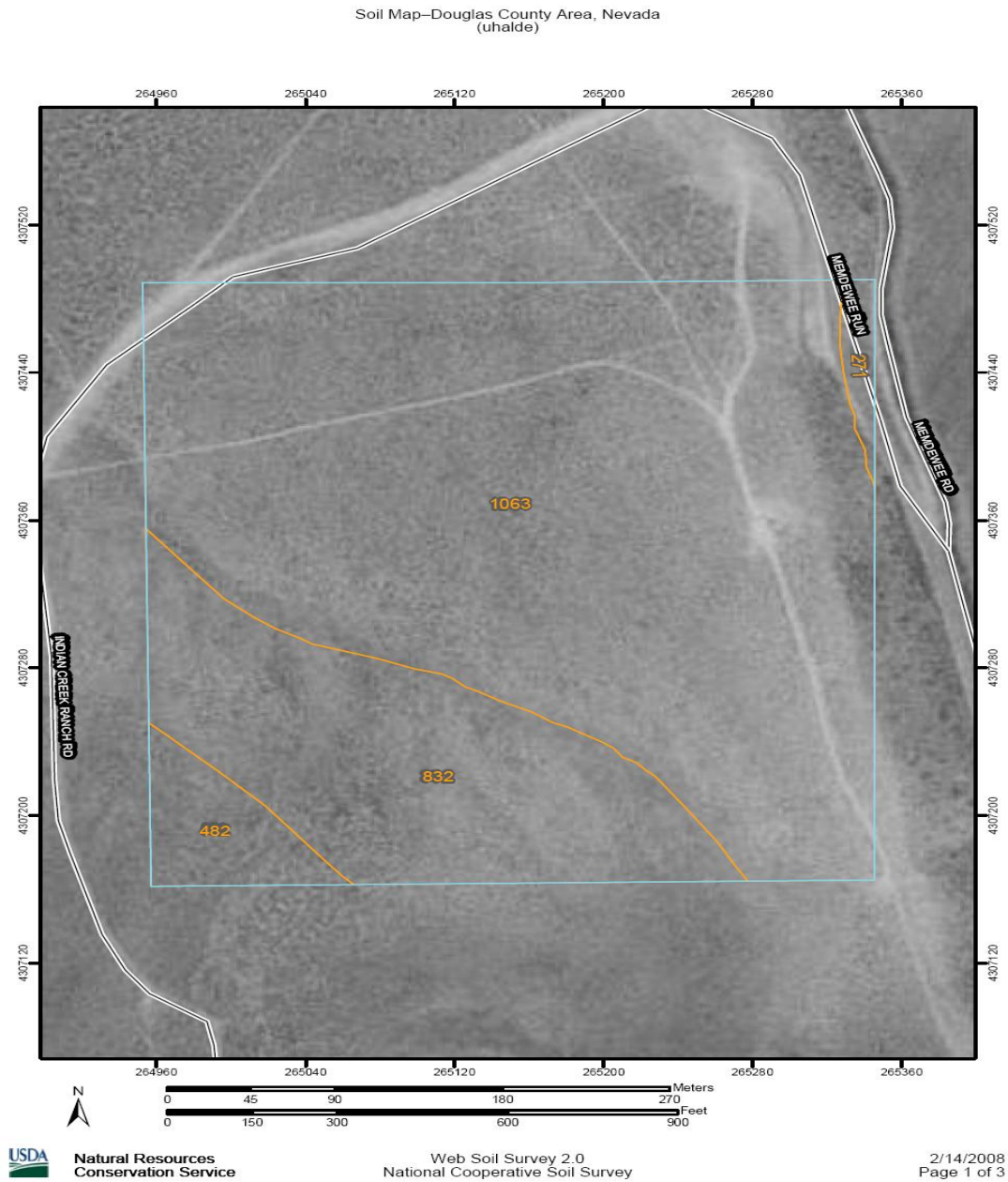
The lower elevation alluvial bench is largely un-suitable for crop production, particularly absent irrigation. The area's annual precipitation and water capacity limit agriculture as well.

The parcel is known to have been grazed in the past. However, no evidence of recent grazing activity was present during the assessment.

No evidence of past mining or logging activities has been observed. The mineral soil surface appears to be stable and un-disturbed. It is unknown whether metal or mineral deposits are present.

Soils on site are classified as; Reno-gravelly sandy loam, with 2%-8% slopes. This moderately well drained soil is found on stream terraces. Runoff is medium and the hazards of water erosion and soil blowing are slight. These soils are not listed as hydric

soils in the USDA Soil Conservation Service soil survey of Douglas County, Nevada (1984).



Map Unit Legend

Douglas County Area, Nevada (NV773)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
271	East Fork loam	0.5	1.2%
482	Indian Creek gravelly fine sandy loam, 4 to 15 percent slopes	1.6	4.0%
832	Saralegui sand, 2 to 8 percent slopes	9.3	22.6%
1063	Washoe cobbly sandy loam, 0 to 2 percent slopes	29.8	72.3%
Totals for Area of Interest (AOI)		41.2	100.0%

2. Water Resources

No wetland resources are present on site. Precipitation is approximately 10-12 inches a year with snow being the primary contributor. The parcel is adjacent to the Dresslerville Community which includes a portion of Indian Creek and the East Fork of the Carson River.

3. Air Resources

The Uhalde property is within full attainment with respect to air quality/pollution as set by the EPA and state of Nevada (<http://www.scorecard.org>).

Odors and emissions do not exceed state or federal (EPA) standards (<http://www.scorecard.org>).

Levels do not exceed state or federal standards (<http://www.scorecard.org>). Unimproved roads may have minimal impacts on particulate matter levels.

4. Natural Resources

Wildlife is scarce and mostly limited to Jack Rabbits and lizards as the dominant wildlife species on site. Coyotes and bird species also use the area.

The property is dominated by Sagebrush, with scattered Bitterbrush, Rabbit brush, Desert peach, Ephedra, forbs and grasses.

5. Cultural Resources

A complete cultural resource survey needs to be completed for the parcel.

6. Socioeconomic Conditions

Due to the parcels placement in the Washoe Land Conservancy, socioeconomic impacts are not applicable.

7. Resource Use Patterns

The property and the surrounding areas are used for recreational purposes. Hunting and off road vehicle use are among a few of the activities taking place. The parcel shows signs of recreational use throughout. There have been some negative impacts from the recreational use. In addition, illegal dumping of house hold trash has adversely impacted the parcel.

8. Infrastructure, Service Systems and Transportation

The parcel is located within a half mile of the Washoe Tribe's Dresslerville Community. Therefore, infrastructure, services and transportation are relatively close to the site. However, the fact that the parcel is designated Washoe Nature Conservancy limits the need for infrastructure or services on site. Transportation to and from the site is easily accomplished through developed roadways.

9. Other Values

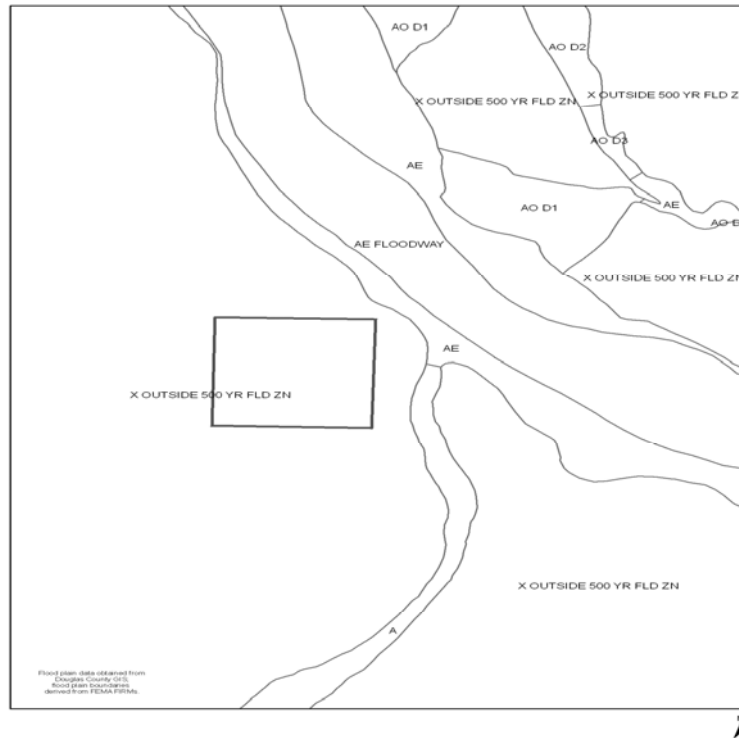
Traffic from River Road, neighboring residential communities and recreational off road vehicles are believed to be the major sources of noise to the parcel.

Wind energy productivity (wind power class) for the Uhalde parcel is rated as poor to marginal (class 0-2). This indicates large wind harvesting operations would not be feasible. Small wind turbines may be an option, however the power generated would not be able to support an off grid operation. Local wind power characterization variations exist; seasonal, daily winds associated with the Uhalde parcel will need to be monitored to identify these variations if wind power is to be considered. 234 kv transmission line proximity is relatively close allowing for grid hookup.

Solar radiation on the Uhalde parcel is categorized as good to excellent. Summer solar energy potential is extremely high; winter energy potential is categorized as moderate/good. Solar energy can be a significant renewable resource on the parcel. With highly efficient "concentrating collector photovoltaics" energy collected per day could reach 6000-6500 whr/sq m, categorized as excellent.

10. Public Health and Safety

Flood Plain-100year

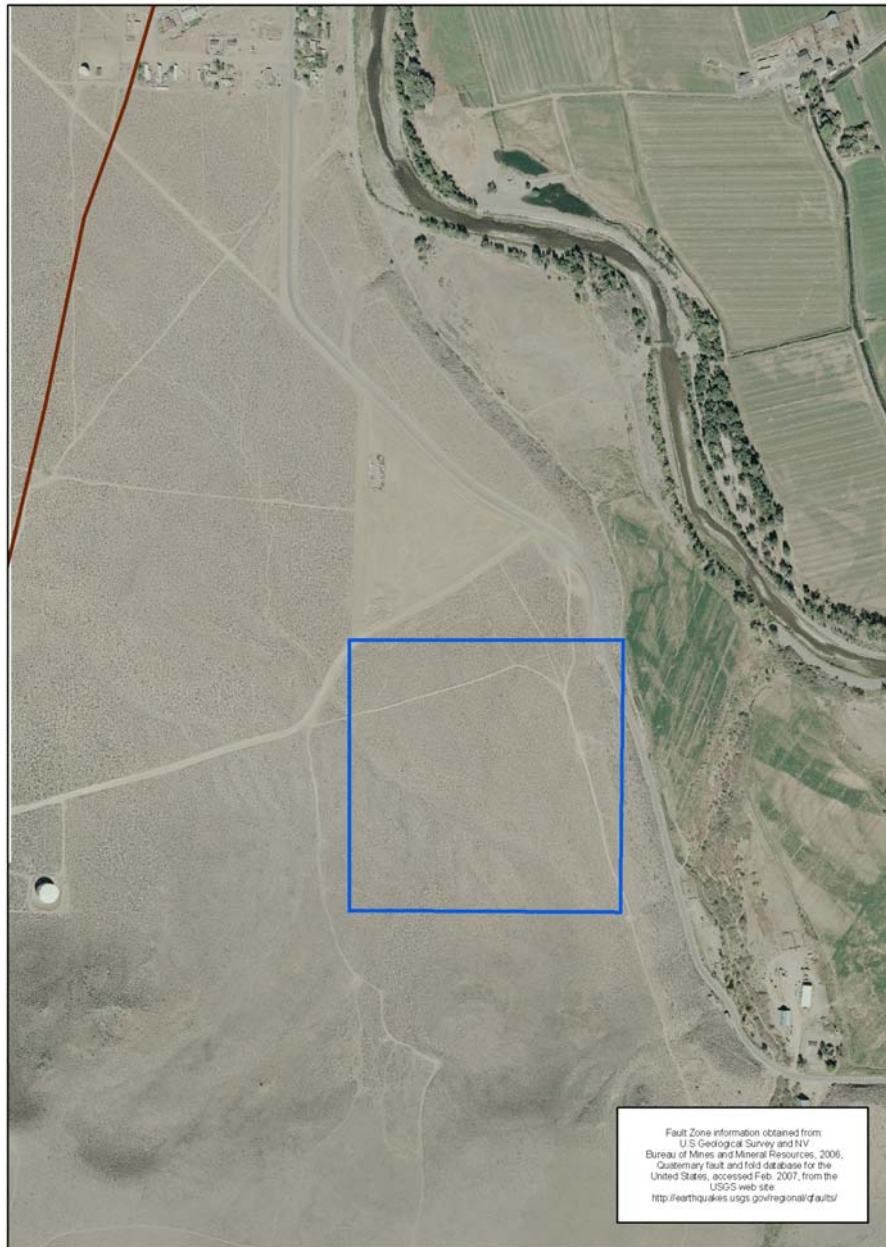


FEMA's delineation of 500-year and 100-year flood plain on the Uhalde parcel

The Uhalde parcel in the above figure is outlined in blue. FEMA's Flood Insurance Rate Map (FIRM) delineates flooding events that may occur on the parcel and to the east of the parcel from the East Fork of the Carson River. The area to the east is delineated as AE Special Hazard Areas inundated by 100-year floods with base flood elevations determined. The sections determined as zone X are areas out of the 500-year flood plain. The entire Uhalde parcel is in zone X; well-drained soils, coupled with higher elevations render the plateau relatively safe from flooding events.

Seismic Activity

The Uhalde parcel is bordered to the northwest by the East Carson Valley Fault Zone. This is a highly disturbed group of predominately north-striking faults, and is part of the Sierra Nevada frontal fault system. The fault extends from the California border near Double Springs Flat north through low bedrock hills and along the east side of the Carson Valley to the Carson River. The fault zone is up to 13km wide. The largest recorded event on this fault zone occurred on September 12, 1994. The Double Springs Flat earthquake was a magnitude 6.3 quake, and produced minor discontinuous ground cracks, with little displacement.



Fault Zone information obtained from:
U.S. Geological Survey and NV
Bureau of Mines and Mineral Resources, 2006.
Customary fault and fold database for the
United States, accessed Feb. 2007, from the
USGS web site
<http://earthquakes.usgs.gov/regional/fault/>

Police and Fire Protection

The Washoe Tribal Police Department provides police protection and services to the communities, tribal lands and the Pinenut Allotment Lands. The Washoe Police department and the Washoe Rangers provide combined law enforcement to the Washoe Lands. The tribal police and rangers are located at the tribal government complex south of Gardnerville, Nevada.

The U.S. Federal Bureau of Investigation has certain enforcement duties when a felony crime is committed on tribal lands.

The tribal enforcement departments assist the local jurisdictions with law enforcement in a combined effort. They also provide services during search and rescue operations, HAZMAT and assist during natural disasters and other emergency situations.

The Bureau of Indian Affairs under their Indian Trust Responsibilities provides Wildland Fire Suppression through various agreements and memorandum of agreements with the federal government for wildland fire protection services.

The local county fire departments under a Memorandum of Understanding with the Washoe Tribe provide fire protection and services. Additional services that the local emergency departments provide include: medical transfer, and disaster emergencies.

The phase one environmental site assessment completed by Darrel Cruz, in June of 2007 noted no environmental problems.

No hazardous materials are generated, stored or transported from or to the site.

Parcel Objectives

Objective One:

To maintain it as a Washoe Cultural and Nature Preserve in order to conserve the intact beauty of this 38.95 acre parcel for the benefit of the Washoe People. It will serve as a location for positive youth development through outdoor education. In addition this land will provide habitat for wildlife and help to protect the scenic value of the Washoe homeland.

References

NRCS Web Soil Surveys: <http://websoilsurvey.nrcs.usda.gov>

Open Files: Washoe Tribe

Open Files: Western Nevada Agency, Bureau of Indian Affairs, Carson City

U.S Geological Survey and Nevada Bureau of Mines and Mineral Resources, 2006:
<http://earthquakes.usgs.gov/regional/qfaults>

Washoe Comprehensive Land Use Plan: Washoe Tribe 1994

Water Resource Data, NV Water Year 1992: US Geological Survey Water Data Report
NV-92-1

XXII. Skunk Harbor Parcel

The Skunk Harbor 24.3 acre parcel was originally acquired by the Forest Service as part of a larger purchase using funds authorized by the Land and Water Conservation Fund Act to provide public access to recreational resources in the Lake Tahoe Basin. The Washoe Tribe was given a special use permit with the US Forest Service to use the parcel for traditional and customary purposes.

On September 22, 2000 H.R. 898 went before the Senate of the United States. Title III – Section 301 of the bill was regarding Washoe Tribe land conveyance. The bill stated that: “Subject to valid existing rights and subject to the easement reserved under subsection (d), the Secretary of Agriculture shall convey to the Secretary of the Interior, in trust for the Tribe, for no consideration, all right, title, and interest in the parcel of land comprising approximately 24.3 acres, located within the Lake Tahoe Basin Management Unit north of Skunk Harbor, Nevada, and more particularly described as Mount Diablo Meridian, T15N, R18E, section 27, lot 3.”

Use of the parcel is limited to traditional and customary uses and stewardship conservation for the benefit of the Tribe. No permanent residential, recreational development, or commercial use of (including commercial development, tourist accommodations, gaming, sale of timber, or mineral extraction) is permitted.

On February 27, 2003 Senator Reid introduced an energy bill (S. 490) where Section 1 of the bill once again introduced legislation to convey the 24.3 acres of land to the Washoe Tribe. On June 12, 2003, Tom Thompson, the Deputy Chief of the National Forest System, made a statement regarding S. 490 Washoe Tribe Land Conveyance before the Subcommittee on Public Lands and Forests, Committee on Energy and Natural Resources. The statement stated that the “Department believes the bill would defeat the public expectations of continued access to this lake front parcel....In lieu of transferring the parcel to the Secretary of the Interior, the Department recommends the bill be amended to authorize the Secretary of Agriculture, upon the Tribe’s request, to close the parcel to general public use on a temporary basis to protect the privacy of the traditional and customary cultural uses of the land by the Tribe...Additionally, to meet the Tribe’s goal of using the parcel for cultural horticulture and ethnobotany purposes, a provision could be added to the bill to authorize the Secretary of Agriculture to issue a permit to the Washoe Tribe for these uses. The Department believes this approach would accommodate both the goals of the Washoe Tribe and the objective of maintaining access to the parcel.”

PL 108-67, approved August 1, 2003 by the President, directed the conveyance of the approximately 24 acres of National Forest System Land to the Department of the Interior to be held in trust for the Washoe Tribe of Nevada and California. This 24.3 acre parcel is the Skunk Harbor parcel.

On February 16, 2005, S.404 was introduced to redefine the boundary description of the Skunk Harbor parcel. The boundary would shift approximately 615 feet south along the Skunk Harbor shoreline adjacent to Lake Tahoe. The current conveyance included only rocky shoreline where the shift would include approximately 300 feet of sandy beach. The description would be changed to reflect a portion of lots 3 and 4 located in the S ½ of NW ¼ and N ½ of SW ¼ of the SE ¼ of section 27, T15N, R18E, Mt. Diablo Base and Meridian, comprising 24.3 acres. On May 11, 2005, Joel Holtrop, the Deputy Chief for the National Forest System made a statement to the Subcommittee on Public Lands and Forests, Committee on Energy and Natural Resources concerning S. 404 – Washoe Tribe of Nevada and California Land Conveyance. His statement included concern that the boundary shift would limit public access to the remaining 90 feet of sandy beach located near the historic Newhall House. He stated concern that approximately 6,000 people would be limited to only 90 feet of public beach resulting in increased management needs and concerns.

This boundary delineation is still being negotiated between the Tribe, USFS, and Senate.

The Skunk Harbor parcel allows Tribal members access to their ancestral homeland and the natural and cultural resources that the parcel provides. The parcel contains access to Lake Tahoe and is used for traditional and customary practices. The parcel contains decadent Jeffrey and Ponderosa pine stands. Portions of the forest stands are unhealthy and need management and fuels reduction to preserve the health of the parcel. The tree stands are stressed due to overstocking, insect and disease, and drought. WEPD will be performing forest health studies throughout the parcel in the fall of 2008. A cultural resource survey needs to be completed for the parcel.

XXII. Other Management Areas

Meeks Meadow

In 1997, the Washoe Tribe was issued a 30 year special use permit with the US Forest Service – Lake Tahoe Basin Management Unit which allows the Tribe to manage the 350 acre Meeks Meadow in order to revive heritage and cultural knowledge. Meeks Meadow is a contained landscape where important plants grow and are accessible to tribal members. The special use permit states that “through the special use permit, the Washoe people would be provided an established area to gather plants, reinforce tradition and educate their youth and the general public.”

Meeks Meadow is located in the Meeks Creek Watershed in Eldorado County, California. The meadow ecosystem is currently in a state of decline. Lack of fire has led to lodgepole and fir encroachment into the meadow. The meadow has vegetation species that are traditionally important plant species to the Washoe Tribe. This vegetation is currently being suppressed by the Lodgepole and White fir invasion stands. The dense invasion stands are susceptible to devastating wildland fire and insect infestation. The surrounding area is urbanized development, developed recreations sites and areas of concentrated public use.

The Washoe Tribe through a series of MOU’s with the Forest Service is performing a meadow restoration project in the meadow. The project will serve as a pilot project and will treat approximately 10 acres of the Meeks Meadow. The project will:

1. restore the meadow ecosystem through fuels reduction
2. reinitiate Washoe stewardship practices in order to restore culturally important vegetation
3. restore a location to gather and utilize traditional plant species
4. improve ecological function and promote native flora and fauna

The Washoe Tribe will continue to work with the USFS with projects in the Meeks Meadow area and throughout the Lake Tahoe Basin.

The Washoe Tribe also operates the Meeks Bay Resort and Marina which is located just east of Meeks Meadow and provides revenue to the Tribe.

Dance Hill

The Forest Service owns 1,805.4 acres of land south of the Washoe Tribe's Dresslerville Community and Dresslerville Ranch. The Forest Service has had multiple management challenges on this property due to a lack of resources and the fact that it is an isolated "urban interface" property. In October 2006, representatives from the U.S. Forest Service, Douglas County and the Washoe Tribe met to discuss several issues including: illegal solid waste dumping in the "pit area," abandoned vehicles, unmanaged shooting, and impacts from OHV use. Shared maintenance was also discussed. At that time, the U.S. Forest Service expressed a clear interest in moving forward with plans for shared clean-up and patrol of the area with both the county and the Tribe. For the past two years, the Washoe Tribe has worked with Douglas County and the US Forest Service to do clean-ups. The Washoe Tribe has plans to complete a management agreement in a joint jurisdiction protection strategy. Douglas County has been successful at completing a memorandum of understanding with the U.S. Forest Service for this purpose.

This area is particularly significant to the Tribe because Dance Hill, a culturally significant property, lies in the northeast corner. Dance Hill is very important to the Washoe Tribe as a historic area. When the Washoe Tribe was displaced by settlers, many of their traditional cultural areas were taken, destroyed or no longer available. They moved their camps permanently to this area and Dance Hill became a sacred site for many rituals and cultural activities.

The Washoe Tribal Historic Preservation Office and the U.S Forest Service are currently working on the development of Dance Hill as a traditional, cultural property. A traditional, cultural property is defined by the federal government as an area used for traditional, cultural practices. The Tribe has defined the boundaries but they are still being verified by the Forest Service. The Forest Service is doing an ethnographic study that will support the cultural use of that site.

There is no surface water on the property. Vegetation is predominately sagebrush. The main Environmental problems include dumping of solid waste and OHV use. The Tribe has proposed that the Forest Service close the roads to prevent these problems.

Meanwhile, the Tribe is making progress on the Traditional Cultural Property designation which will ensure the parcel's protection.

Objective One: Acquire Dance Hill as Tribal Trust land.

Objective Two: Provide police, fire and environmental protection to the property.

Carson Lands Bill

Location and Boundaries

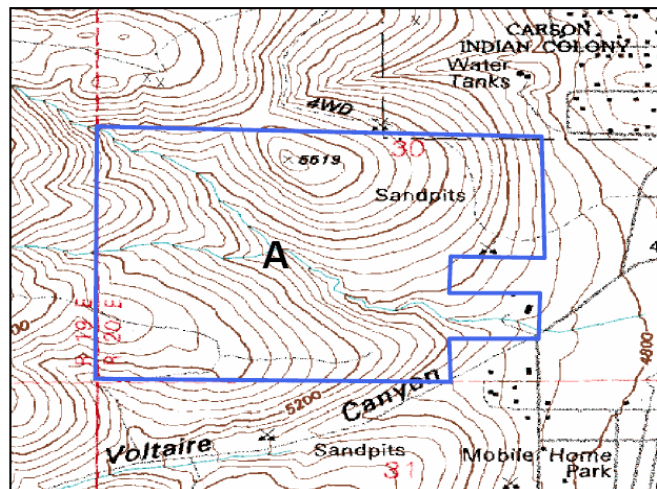
These parcels are currently owned by the U.S. Forest Service and the Bureau of Land Management (July 2008). Senate Bill S. 3393 was introduced by Senator Reid on July 31, 2008. The bill proposes to transfer some land in the vicinity of Carson City to the BIA to be held in Trust for the Washoe Tribe. These parcels are described and illustrated below.

PARCEL A

Location: To the southeast of Carson Community, contiguous with the property

Legal description: T15N, R20E, Sec. 30, the SW1/4 and the W1/2 of the SE1/4.

Size: Approximately 225 acres

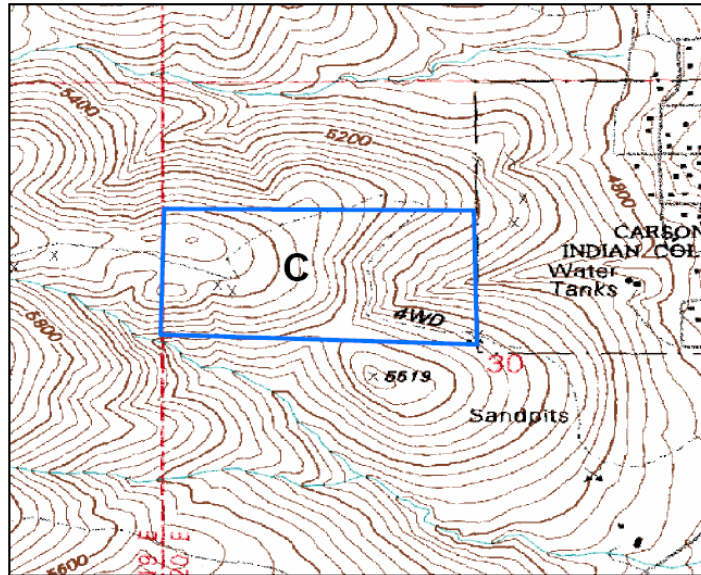


PARCEL C

Location: Rectangular parcel of land directly to the west of the Carson Community and directly north of Parcel A.

Legal Description: T15N, R20E, Sec. 30, the S1/2 of NW1/4.

Size: 80 acres



Parcels G and H

Location: East of the Stewart Community south of Edmonds Sports Complex.

Legal description: T. 15 N., R.20 E., Sec. 33, the W1/2 of the SW1/4 of the SW1/4 of the SW1/4.

Size: Approximately 5 acres. (Each parcel is 2.5 acres.)



Background Information

Starting in 2006, Carson City began preparations for a proposal to transfer certain lands in the Carson City area from the United States Forest Service (USFS) to Carson City. Included in the proposal by Carson City was the transfer of certain lands adjacent to the Carson Community to the Washoe Tribe. In the spring of 2007, the Tribe received a copy of the final draft “Carson City Public Lands Bill” and the City has substantially reduced the acreage requested to be granted to the Tribe. At the suggestion of Senator Reid’s staff, the Washoe Tribe quickly submitted a separate proposal of its own, supported by specific arguments to merit the transfer of certain parcels to the Tribe and stating what the Tribe would do with the property once it took ownership.

The Tribe submitted a proposal, which included property adjacent to Carson Community and created a corridor between Carson Community and the Tribe’s Upper Clear Creek parcel. (See attached map). The request also included lands abutting the Stewart Community. Senator Reid’s office responded that of the requested parcels, only A, C, G & H will be proposed for transfer to the Tribe in the Bill. (See attached map). Parcel B will remain with the USFS with the requirement that the USFS would enter into an agreement with the Tribe for cultural use purposes. Parcels D, E, I & J will be granted to Carson City. Parcel F will be auctioned off to the highest bidder as a commercial property.

Skunk Harbor is not included in the discussion here, but the correction to its property boundaries will also be included in the Carson Lands Bill.

Future land use will be determined once the parcels are transferred. The Tribe would like to keep the parcels next to the Carson Community available for commercial, residential or mixed use depending on future demand and surrounding development. In the Carson Community Council meeting, community members said that they would like to see a hotel or resort cabins in the future. The parcels next to the Stewart Community would ideally be used for cultural, recreational, commercial or residential purposes based on future need. Further research into the best and most appropriate use of the parcels will be needed.

The parcels near the Carson Community have varied terrain ranging from 2% to 15% slopes. . The parcels near Stewart have no slope. Additional research will be necessary into other geologic features once the parcels are transferred.

Historic Properties

The parcels near the Carson Community are in the vicinity of the Voltaire Mining District.

The parcels near the Stewart Community neighbor the Old Stewart Indian School, established in 1890. When the school opened, many Washoe children were taken from their families and placed in school. The families camped on the outskirts of the school, most likely on parcels G, H, I and J as well as the soccer field being transferred from the Bureau of Land Management to Carson City in the same legislation.

Prehistoric Properties

The parcels near the Carson Community are rated as having low sensitivity, whether known or predicted, for cultural resources, due to topography, geographic locations and pre-existing disturbance of the land.

The parcels near the Stewart Community are rated as having high sensitivity whether known or predicted, for cultural resources, due to topography, geographic locations and pre-existing disturbance of the land.

Contemporary Cultural Practice Areas

Because the Tribe does not currently own the land, at present there are no known contemporary cultural practice areas.

Parcel Objectives

Objective One: Develop a specific land use plan for the parcels once it is transferred.

Objective Two: Buy adjacent properties as they become available in order to further expand the Carson and Stewart Communities.

References

Library of Congress, 2008: SB 3393