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Anderson, Bernie Assemblyman

From: Toni Harsh [toniharsh@charter.net]

Sent: Wednesday, May 04, 2005 4:26 PM

To: Anderson, Bernie Assemblyman; Horne, William Assemblyman; Buckley, Barbara Assemblywoman; Conklin, Marcus Assemblyman; Gerhardt, Susan Assemblywoman; Manendo, Mark Assemblyman; Mortenson, Harry Assemblyman; Ocegüera, John Assemblyman; Ohrenschall, Genie Assemblywoman; Allen, Francis Assemblywoman; Angle, Sharron Assemblywoman; Carpenter, John Assemblyman; Holcomb, Brooks Assemblyman; Mabey, Garn Assemblyman

Subject: SB326

Dear Assembly Judiciary Committee Member:

Voices for Truckee Meadows, a political action committee, join other organizations and individuals in asking you to oppose SB 326 which will be before you on May 10th at 8am. Eminent Domain is a powerful and essential tool available to government to acquire land for the public good, and should be used most judiciously. Our Board of Directors, representing our PAC, considers open space and wildlife habitat preservation most definitely within the scope of public good. Again we respectfully request that you oppose SB 326 in its present form with specific regard to the preservation of open space and wildlife habitat.

Sincerely yours,
Toni Harsh, President
Voices for Truckee Meadows

5/4/2005

ASSEMBLY JUDICIARY
DATE: 5.10.05 EXHIBIT C PAGE 1 OF 7
SUBMITTED BY: Chairman Anderson

Armbrust, Laurel

From: impact@scsr.nevada.edu
Sent: Monday, May 09, 2005 3:40 PM
To: Anderson, Bernie Assemblyman
Subject: SB 326

Mr. Chairman and the Committee: I am sending this message to inform you that I am catagorically opposed to this bill in its entirety. I am the Executive Director of Impact(Reno Nevada). It is our policy to support Open Space Preservation and Redevelopment. This bill is an impediment to both. We urge the committee to kill this bill. We also request that this statement be an official part of the record of testimony, Most Sincerely, Bill Fine, Executive Director.

Armbrust, Laurel

From: Bill von Phul [bvonphul@earthlink.net]
Sent: Monday, May 09, 2005 12:56 PM
To: Anderson, Bernie Assemblyman; Buckley, Barbara Assemblywoman; Conklin, Marcus Assemblyman; Gerhardt, Susan Assemblywoman; Horne, William Assemblyman; Manendo, Mark Assemblyman; Mortenson, Harry Assemblyman; Ocegüera, John Assemblyman; Ohrenschall, Genie Assemblywoman; Allen, Francis Assemblywoman; Angle, Sharron Assemblywoman; Carpenter, John Assemblyman; Holcomb, Brooks Assemblyman; Mabey, Garn Assemblyman
Subject: SB 326

Please vote "NO!" on Senate Bill 326. A prohibition on the use of eminent domain for open space or wildlife habitat would be disastrous for community planning. SB 326 also suggests that open space and wildlife habitat are somehow not important to the public good. Such is not the case. Open space and wildlife habitat are the very character of Nevada. Consider the highly successful "Outdoor Adventure Place" advertising campaign the Reno Sparks Convention and Visitors Authority. Our open space is a huge tourist draw and developers should not be allowed to consume all of it at will.

Please stop SB 326. Thank you for your consideration.

Bill von Phul
2020 Breen Drive
Reno, NV 89509

bvonphul@earthlink.net

Armbrust, Laurel

From: Shannon Nicley [ssnicley@yahoo.com]
Sent: Sunday, May 01, 2005 2:14 PM
To: Anderson, Bernie Assemblyman
Subject: Please consider my plea to oppose SB 326

The Honorable Bernard Anderson, Assemblyman, Chair of
the Nevada Assembly Judiciary Committee,

I am writing to you again today to urge you to oppose
SB 326. There are numerous good reasons to oppose
this piece of irresponsible legislature, and I cannot
discern even one good reason to back it.

SB 326 will allow for the destruction of Nevada's
wildlife and natural beauty, by stripping the
government of its only check of their power, the power
of the application of eminent domain in preserving
wildlife refuges and open space.

Clearly the intent of SB 326 is to expedite court
proceedings for the Evans Creek Developing Company, in
their plans to put upscale houses on the Ballardini
Ranch property. I am most certainly not what you
would call an "open space advocate," I recognize fully
that for our economy to remain healthy, we must
develop land in order to allow commerce and Nevada's
population to grow. Personally, I do not even have an
opinion as to whether the Ballardini Ranch should be
developed, and I believe that the application of
eminent domain powers in this case is a matter best
left to the courts to decide, without new and
unnecessarily prohibitive legislation to dictate their
course of action.

Senator Care, who introduced the bill, has been quoted
in local papers saying that he acknowledges that
legislating for a specific case like this is an abuse
of power, but that for this case, he thinks the
legislature is right to make an exception. I could
not disagree more. Perhaps you know better than I do
where Senator Care's real motivations stem from, but I
know that yours are more grounded in preserving the
quality of life for those who gave you the mandate to
do so, than in helping out a Minnesota development
company, a company that will not even pay income taxes
to Nevada in exchange for gift wrapping the rights to
develop the Ballardini Ranch.

Like everyone in Nevada, I know that you hold
maintaining the natural beauty of the land in the
highest regard, and I thank you again for your wise
and commendable decision to oppose SB 326.

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Tired of spam? Yahoo! Mail has the best spam protection around
<http://mail.yahoo.com>

Armbrust, Laurel

From: stopmetric@earthlink.net
Sent: Monday, May 09, 2005 11:18 AM
To: Anderson, Bernie Assemblyman; Buckley, Barbara Assemblywoman; Conklin, Marcus Assemblyman; Gerhardt, Susan Assemblywoman; Horne, William Assemblyman; Manendo, Mark Assemblyman; Mortenson, Harry Assemblyman; Ocegüera, John Assemblyman; Ohrenschall, Genie Assemblywoman; Allen, Francis Assemblywoman; Angle, Sharron Assemblywoman; Carpenter, John Assemblyman; Holcomb, Brooks Assemblyman; Mabey, Garn Assemblyman
Subject: SB 326

To the members of the Assembly Judiciary Committee:

I urge you to support SB 326. Landowners desperately need protection from the frivolous use of eminent domain. If I may be specific, the Ballardini Ranch belongs in the private realm. Contrary to what many are saying, residential development is the highest and best use for the land. Residential development of varying density borders more than half of the ranch, and I am a resident of one of these neighborhoods. Physical beauty does not justify seizure by a public entity.

Thank you for considering my point of view.

Mitch Brown
stopmetric@earthlink.net

Armbrust, Laurel

From: Northern Nevada Railway Foundation [info@steamtrain.org]
Sent: Tuesday, May 03, 2005 3:16 PM
To: Anderson, Bernie Assemblyman
Subject: Eminent Domain

Dear Representatives;

I am writing about a potentially damaging bill being considered by the Nevada Legislature to any Nevadan who values *open space* or *wild life preservation*.

Senate Bill No. 326 would prohibit any political subdivision (State, County, City or any other entity) from using the right of eminent domain to acquire property to preserve open space for the public or to protect or preserve wildlife habitats.

In our rapidly growing state eminent domain sometimes is the only option available to acquire key property for the public good, but owners are always paid the full appraised price, or in case of a disagreement, a jury will determine the correct value.

If there were no right of eminent domain, the Reno Ski Bowl could not have been built in the 1950's. This became Slide Mountain Ski area which is now a major part of the Mt. Rose Ski area. With their recent expansion on the Slide side of the mountain the ski area is generating much national and international recognition and business as an outstanding ski area.

The restoration of the Virginia & Truckee railroad would not have been possible without our existing eminent domain laws. Ninety-four separate parcels were acquired in the first 1.4 miles segment through negotiation, appraisal or donation. One hold out parcel had to be acquired by the Nevada Commission to Restore the V & T by the existing eminent domain process. The V & T is vital to Northern Nevada Tourism.

Senate Bill No. 326 was initially written to take effect July 1, 2005, but an amendment has been introduced, at the urging of a Clark County Senator to make this law retroactive to any ongoing eminent domain process. This would include the V & T and Washoe County's effort to acquire the Ballardini Ranch which already the voters have approved a four-million-dollar open space bond issue.

We all read with sadness the number of deer killed along US 80 and 4th Street this winter. Imagine how many more would have been slaughtered on McCarran if the pristine 1037 acres of the Ballardini Ranch was paved and subdivided to the maximum. This always has been the winter range for the Mt. Rose wilderness area deer herd.

I urge you to thoroughly examine the drastic and draconian consequence of Senate Bill No. 326. Please do not make this a windfall for an out-of-state developer.

Sincerely

C - 6

5/9/2005

Ted Short

Former Washoe County Commissioner

Trustee, Northern Nevada Railway Foundation

13855 Virginia Foothills Dr.

Reno, NV 89521

775-853-2693

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