

Jed Margolin

From: "Mayorga, Alexander R." <AMayorga@washoecounty.gov>
To: <jm@jmargin.com>
Sent: Thursday, March 10, 2022 10:58 AM
Subject: RE: A new Service Request has been created [Request ID #99557] (Road Maintenance General) - Washoe County, NV
 Good Morning Jed,

Unfortunately, Olinghouse Road is not maintained by Washoe County. This road is located on private property and there is no recorded map that shows Washoe County had maintained or does maintain this. The draft BLM document would have to reference a recorded map for this to show that Washoe County did maintain Olinghouse Road. Hopefully this helps clarify your question.

Thank you,



Alex Mayorga | Professional Engineer
 Engineering & Capital Projects Division | Community Services Department
amayorga@washoecounty.gov | 775-328-2313
 Visit us first online: www.washoecounty.us/csd
 For additional information, email engineering@washoecounty.us or call 775.328.2040



From: Jed Margolin <jm@jmargin.com>
Sent: Thursday, March 3, 2022 9:14 AM
To: Washoe311 <Washoe311@washoecounty.gov>
Subject: Re: A new Service Request has been created [Request ID #99557] (Road Maintenance General) - Washoe County, NV

[NOTICE: This message originated outside of Washoe County -- **DO NOT CLICK** on links or open **attachments** unless you are sure the content is safe.]

Hello again, Washoe County.

>**Thank you for contacting Washoe311. Olinghouse Rd is not a road maintained by Washoe County. The road runs through various private properties in addition to some sections passing through land that belongs to the U.S. Bureau of Land Management.**

There is good evidence that Olinghouse Road was (and still is) a Washoe County public road even if Washoe County has stopped maintaining it.

This matters to me because I own APN 079-150-12. So even though I am not a Washoe County resident (I live in Storey County) I think that still makes me one of your constituents (I pay property taxes to Washoe County). If Olinghouse Road is not a public road then I do not have land access to my property which would considerably reduce its value.

I expect that soon I am also going to own a 1/3 interest in six other properties (totaling about 2,943 acres) in that same area as a result of Washoe County Recorder Doc # [5169423](#). My soon-to-be partners will be disappointed if I have to tell them that our properties are worthless.

I am sure that NextEra Energy would like that. We can talk about them if you like. Do you know that they sold Dodge Flat Solar to investors, so they no longer own it? <https://pv-magazine-usa.com/2021/11/30/nextera-energy-sells-a-stake-in-a-renewable-energy-portfolio-for-849-million/>

Who will be responsible for reclaiming the land when Dodge Flat Solar reaches the end of its useful life? Will it be NextEra Energy or a different company? If it is the latter they can declare bankruptcy, fold their tent, and steal away leaving Washoe County holding the bag. Did NextEra Energy post a reclamation bond? If not, they should do that now.

My question for today is: If Olinghouse Road is no longer a Washoe County Road, when did the Washoe County Commissioners vote (at a public meeting) to abandon it?

The Evidence

1. The Bureau of Land Management issued a draft *Environmental Impact Statement* for the proposed *Olinghouse Mine Project* dated September 12, 1997.

In it they referred to "Olinghouse County Road" many times.

The full report is at: [https://commons.wikimedia.org/wiki/File:Draft_environmental_impact_statement_-_Olinghouse_Mine_Project_\(IA_draftenvironmental00unit\).pdf](https://commons.wikimedia.org/wiki/File:Draft_environmental_impact_statement_-_Olinghouse_Mine_Project_(IA_draftenvironmental00unit).pdf)

At 43.8 MBytes it is too big for me to send as an attachment to this email. I have culled out the pages that contain the references to "Olinghouse County Road" and am attaching them. (*BLM_EIS_Olinghouse-County-Road.pdf*) It is text searchable using Adobe Acrobat Reader and probably many other PDF readers.

The following are two examples of "Olinghouse County Road". I am underlining the references for emphasis. I am appending my full list to this email. The references to the PDF page number is the PDF page number in the full report.

1. Report page iv, PDF Page 10:

Traffic on the Olinghouse County Road and on State Route 447 through Wadsworth would increase by approximately 120 passenger vehicles and 2-12 trucks per day during project construction. This represents an increase of approximately 14-15% in the number of vehicles passing through Wadsworth each day. During operations, the mine traffic through Wadsworth would include approximately 228 passenger vehicles and 2-12 trucks per day or an increase of about 27 to 28 %.

....

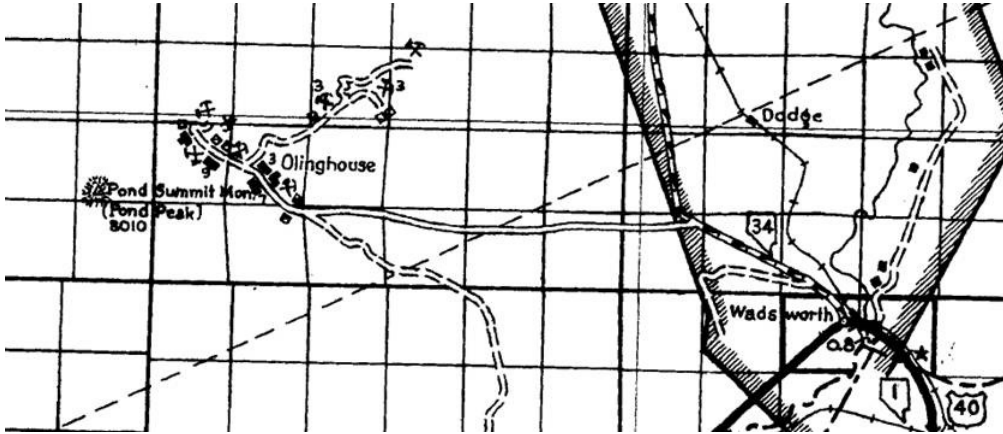
The proposed project would be most visually prominent from KOP #2, on State Route 447 at the intersection with Olinghouse County Road, where northbound travelers from Wadsworth would have a nearly direct forward view of the project area lasting more than 2 minutes at highway speeds.

5. Report page 2-19, PDF page 47:

All roads within the permit area would be recontoured to approximate original topography with the exception of the main Olinghouse County Road, which would remain

in its upgraded configuration. Maintenance of the Olinghouse County Road would revert to Washoe County. Culverts would be removed as the roadways are recontoured, and road surfaces would be ripped, harrowed, broadcast-seeded, and harrowed a second time. Water bars would be employed on recontoured slopes, as deemed appropriate, to divert run-off.

B. The Nevada State Highway Department Planning Survey Division (In Cooperation With the U.S. Department of Commerce Bureau of Public Roads published the "General Highway Map for Washoe County" in 1965. I got it from: <https://www.dot.nv.gov/travel-info/maps/historical-maps/historic-bathymetric-maps/Washoe>. I am attaching it as: *washoecounty1965Zone1.pdf*.



It shows Olinghouse Road from the town of Olinghouse to SR 34 (which goes to Wadsworth) as two solid (but not too solid) lines.

According to the map legend that means it is an unimproved road:

— — — UNIMPROVED ROAD

It does not show any locked gates:

-x-x- LOCKED GATE

What is SR 34?

From: https://en.wikipedia.org/wiki/Nevada_State_Route_34

State Route 34^[1] is a decommissioned state highway in Nevada from prior to the state's highway restructuring in 1978. Today a portion of former SR 34 is maintained by the Washoe County as a county highway with the not well known designation CR 34.^[2] A portion of State Route 447 was formerly SR 34,^[3] though the former SR 34 road bed is still used from Gerlach, Nevada to near Vya, Nevada.^[4]

In the 1950s the pavement ended and became gravel^[5] just past the sand dunes north of Nixon. In 1953, south of Gerlach, the paving was incomplete and State Route 81 from Gerlach to the California state line was not surfaced.^[6] By 1963, the road was paved to Gerlach^[7] and State Route 81 was partly paved from Gerlach to the California State Line.

Before 1978 SR 34 followed present day SR 447 route, from Gerlach to Wadsworth, Nevada.^[8]

I think it is safe to say that the SR 34 on the map is the current section of SR 447.

So, what do you think? Is Olinghouse Road still a public road?

Regards,

Jed Margolin
Virginia City Highlands
Storey County
Nevada

References to "Olinghouse County Road" in the Bureau of Land Management's draft *Environmental Impact Statement* for the proposed *Olinghouse Mine Project* dated September 12, 1997.

The full report is at: [https://commons.wikimedia.org/wiki/File:Draft_environmental_impact_statement_-_Olinghouse_Mine_Project_\(IA_draftenvironmental00unit\).pdf](https://commons.wikimedia.org/wiki/File:Draft_environmental_impact_statement_-_Olinghouse_Mine_Project_(IA_draftenvironmental00unit).pdf)

I am underlining the references for emphasis. The references to the PDF page number is the PDF page number in the full report.

1. Report page iv, PDF Page 10:

Traffic on the Olinghouse County Road and on State Route 447 through Wadsworth would increase by approximately 120 passenger vehicles and 2-12 trucks per day during project construction. This represents an increase of approximately 14-15% in the number of vehicles passing through Wadsworth each day. During operations, the mine traffic through Wadsworth would include approximately 228 passenger vehicles and 2-12 trucks per day or an increase of about 27 to 28 %.

.....
The proposed project would be most visually prominent from KOP #2, on State Route 447 at the intersection with Olinghouse County Road, where northbound travelers from Wadsworth would have a nearly direct forward view of the project area lasting more than 2 minutes at highway speeds.

2. Report page 1-2, PDF page 26:

Access to the mine would be from State Route 447 (the Wadsworth-Nixon Highway) to the Olinghouse County Road. The proposed mine would be located approximately 5 miles from the State Route 447 intersection. Water would be piped underground from a well located in Dodge Flat. Chemical treatment and/or water would be used to control dust on the mine and access roads.

3. Report page 1-4, PDF page 29:

Access to the site would be from State Route 447 to the Olinghouse County Road.

4. Report page 2-13, PDF page 41:

2.1.3.1 Haul Roads

A 70-ft wide haul road, approximately 3.0 miles in length, would be constructed to connect the mine pits, waste rock dump, and ore processing facilities. The haul road would cross Olinghouse County Road near the historic town of Olinghouse, and Alta would coordinate with Washoe County to implement adequate traffic controls at this crossing.

.....
2.1.3.2 Access Roads

Access to the mine would be from State Route 447 to the Olinghouse County Road, which would be improved by the addition of a gravel surface from the intersection of State Route 447 to the proposed haul road; however, the road would not be widened. Alta would negotiate with the Pyramid Lake Paiute Tribe for access across Reservation lands.

5. Report page 2-19, PDF page 47:

All roads within the permit area would be recontoured to approximate original topography with the exception of the main Olinghouse County Road, which would remain in its upgraded configuration. Maintenance of the Olinghouse County Road would revert to Washoe County. Culverts would be removed as the roadways are recontoured, and road surfaces would be ripped, harrowed, broadcast-seeded, and harrowed a second time. Water bars would be employed on recontoured slopes, as deemed appropriate, to divert run-off.

6. Report page 2-23, PDF page 51:

The Proposed Action is the agency-preferred alternative provided agreement between Alta and the Pyramid Lake Paiute Tribe can be achieved concerning a ROW for that portion of the Olinghouse County Road that crosses Tribal lands.

-

7. Report page 3-36, PDF page 94:

3.11.4 Access and Rights-of-way

Access to the general vicinity is provided by Interstate 80, U.S. Route 50, and Alternate 50 from the east and west; State Route 447 from the north; and U.S. Alternate Routes 50 and 95 from the south. Access to the project area would be from State Route 447 (the Wadsworth-Nixon Highway) northwest from Wadsworth approximately 2 miles to the Olinghouse County Road, then approximately 5 miles west to the project area. The first 0.5 mile of the Olinghouse County Road immediately west of State Route 447 is owned by the Pyramid Lake Paiute Tribe, and no access agreement has been made between the tribe and Washoe County for public use of this section of road.

8. Report page 3-38, PDF page 96:

Three key observation points (KOPs) were selected for evaluating visual contrast ratings. These KOPs were selected to represent high-sensitivity and high-volume viewing perspectives of the proposed project: 1) on State Route 447 approximately 1 mile north of Olinghouse County Road; 2) at the intersection of State Route 447 and Olinghouse County Road; and 3) on Interstate 80 at the State Route 427 overpass (Figure 3.14).

-

9. Report page 3-39, PDF page 107:

3.14.6.3

Access and Transportation

Access to the general vicinity of the proposed project is provided by Interstate 80, then State Route 447 from Wadsworth and Olinghouse County Road to the project area. The first 0.5 mile of the county road from State Route 447 is owned by the Pyramid Lake Paiute Tribe. No access agreement has been made between the Tribe and Washoe County for public use of this section of the road.

10. Report page 4-1, PDF page 119:

4.4.3 No Action Alternative

Under the No Action Alternative there would be no further modifications to surface drainage networks from the excavation of Mine Pit #1 nor from placement of waste rock dumps. Dewatering and potential discharge to surface waters would not occur, nor would evaporative water losses from an eventual pit lake. There would be no

potential releases of hazardous substances beyond those that could occur now as a result of a spill along the existing Olinghouse County Road.

11. Report page 4-22, PDF page 119:

Traffic on the Olinghouse County Road (including that portion that crosses the Pyramid Lake Paiute Reservation) and State Routes 447 and 427 between the mine and Interstate 80 would increase due to mine activities.

...

Traffic on the Olinghouse County Road, especially heavy truck traffic, could discourage recreation-related traffic and would add to the possibility of accidents on all roads. There would be an increased probability of traffic accidents at the crossing of the Olinghouse County Road by the mine haul road. Increased traffic past the Natchez Elementary School would likewise increase the probability of vehicle collisions with pedestrians.

The Olinghouse County Road would be maintained by Alta in association with Washoe County, thus freeing county crews and equipment for maintenance elsewhere. State Routes 447 and 427 are both structurally adequate to handle minerelated traffic (Deroes 1996).

...

The probability of increased traffic accidents where the mine haul road crosses the Olinghouse County Road could be completely mitigated by installing an overpass, or partially mitigated by installing traffic signals.

12. Report page 4-27, PDF page 135:

The Proposed Action would be spread over an area about 2 miles north to south and 1 mile east to west. There would be several focal points of activity within that area that would generate noise. The residences south of the Olinghouse County Road and about 2 miles west of State Route 447 would be the nearest sensitive receptors to the proposed waste rock dump, where major activity would include large haul trucks dumping rock, as well as some dozer activity.

13. Report page 4-33, PDF page 141:

4.14.1 .6 Indian Trust Assets

The Proposed Action would affect land resources related to Indian Trust Assets by crossing Tribal lands for the access road connecting the Olinghouse County Road to State Route 447 and by increasing overall traffic volume and hazardous materials transport through Wadsworth adjacent to the Natchez Elementary School. Impacts to water resources and wildlife and fisheries related to Indian Trust Assets are discussed in Sections 4.4.1, 4.7.1, and 4.8.1.

14. Report page 7-5, PDF page 165:

_____, 1989b. Olinghouse county road N-51086. Cultural Resources Report 3-1341(N).

This appears to be another Hufnagle report. I don't see it on BLM's Web site: <https://www.blm.gov/learn/blm-library/agency-publications/cultural-resource-series>

.end

----- Original Message -----

From: Washoe311

To: jm@jmarqolin.com

Sent: Monday, November 08, 2021 2:32 PM

Subject: FW: A new Service Request has been created [Request ID #99557] (Road Maintenance General) - Washoe County, NV

Greetings,

Thank you for contacting Washoe311. Olinghouse Rd is not a road maintained by Washoe County. The road runs through various private properties in addition to some sections passing through land that belongs to the U.S. Bureau of Land Management.

Let us know if you have any questions.

Sincerely,



Washoe311 Service Center

Communications Division | Office of the County Manager

washoe311@washoecounty.gov | Office: 3-1-1 | 775.328.2003 | Fax: 775.328.2491

1001 E. Ninth St., Bldg A, Reno, NV 89512



NOTICE: This communication, including any attachments, may contain confidential information and is intended only for the individual or entity whom it is addressed. Any review, dissemination, or copying of this communication by anyone other than the recipient is strictly prohibited by the Electronic Communications Privacy Act, 18 U.S.C. 2510-2521. If you are not the intended recipient, please contact the sender by reply email, delete and destroy all copies of the original message.

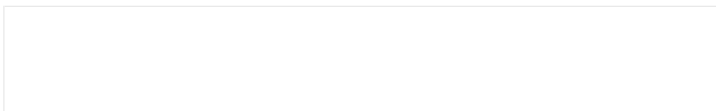
From: Washoe311 <washoe311@washoecounty.gov>

Sent: Monday, November 8, 2021 8:21 AM

To: Washoe311 <Washoe311@washoecounty.gov>

Subject: A new Service Request has been created [Request ID #99557] (Road Maintenance General) - Washoe County, NV

[NOTICE: This message originated outside of Washoe County -- **DO NOT CLICK** on links or open attachments unless you are sure the content is safe.]



Washoe County, NV

A new service request has been filed.

Service Request Details

ID	99557
Date/Time	11/8/2021 8:21 AM
Type	Road Maintenance General
Address	OLINGHOUSE ST, Sparks
Origin	Website
Comments	Is Olinghouse Road still a Washoe County Road? I got a flat tire on it (about 100 yards in from 447) last year and AAA wouldn't come out. They said they were afraid the road would damage their tow truck. I was trying to visit some property I own on Olinghouse Rd.
Submitter	Margolin, Jed 1981 Empire Rd Reno, NV 89521 775-847-7845 jm@margolin.com

[View in QAlert](#)

Washoe County, NV

2021-11-08 09:21:02